

CONNECTICUT

TO WHAT EXTENT HAS A COMPREHENSIVE, INTEGRATED AND CLIENT-CENTERED LEGAL SERVICES DELIVERY SYSTEM BEEN ACHIEVED IN CONNECTICUT?

When viewing the history of civil legal services for the poor in Connecticut *constancy* is a readily apparent theme. The catalogue of legal problems of the poor in Connecticut have remained unchanged almost from the beginning of the modern legal services movement in the 1960's. Individual families face problems finding and keeping affordable housing; there are disputes over which parent will have custody of children when families break up (as well as visitation and support issues) which can only be resolved in Court proceedings; in spite of dramatic changes in the philosophy of public welfare programs, issues of who is eligible for what level of benefits are continue to be legal questions; the quality and appropriateness of public school education, especially for children with disabilities, is a perennial problem, and; the disadvantage of poverty in a consumer economy is a constant source of problems.

Another consistent theme in understanding the legal problem of Connecticut's poor is that among the universe of people who are poor, there are many distinct groups which face barriers that complicate and exacerbate the legal issues outlined above. People with physical and mental disabilities, those in institutions, the very young, the very old, those overwhelmed by substance abuse, racial and language minorities, and those with questionable immigration status are beset with all of the legal problems listed above and more, and their circumstances make it even more difficult for them to obtain help.

Of course the most constant theme of all is that the most serious problem facing the poor - legal or otherwise - is that they are poor. Without adequate, stable sources of income individuals and families are isolated, marginalized, discriminated against, and generally excluded from enjoying the full flavor of all that American society has to offer.

From the perspective of the individuals and organizations that have strived to meet these needs there is another consistent theme: the sheer volume of low income individuals and families who face serious and imminent legal crises in their lives. Regardless of the measure of generosity of public and private support, regardless of the organizational efficiency achieved, regardless of the individual client and policy successes achieved by the civil justice community in Connecticut, the need for legal assistance by the poor is un-satiated.

While these dominant themes may be a constant refrain in the history of legal aid in Connecticut, there is a definite counterpoint of change. Even though the broad categories of legal issues have remained constant, there have been many, sometimes dramatic, mutations within those categories and the tools and approaches needed to solve them. Early court decisions that articulated sweeping pronouncements of both procedural and substantive rights created a need for resources to help individuals obtain and retain those rights. Expanded public welfare programs led to increasingly complex and legalistic relationships between the agencies administering the programs and the intended beneficiaries. More recently, the "welfare to work" revolution has transformed public benefits law so that the most important legal question has become: who is or is not disabled. It has also required the re-emergence of a legal aid specialty of employment

law.

The dramatic changes in the welfare system that began in the mid-90's was not an isolated phenomenon. Other programs that assisted the poor were attacked and changed as well, including federal funding for legal services for the poor. This sweeping tide forced the legal aid community in Connecticut to re-evaluate and re-design the existing loose confederation of civil legal services programs into an intentional network. Leadership of the existing legal services organizations, in consultation with other interested parties, conceived and implemented a plan that assigned functional and regional responsibility to its constituent members. A coherent system, focused on providing the widest possible range of legal services to the largest number of potential clients was created and continues to this day.

A new organization, Statewide Legal Services of Connecticut Inc.(SLS), was created to become clients' main entry point into this delivery system. SLS adopted what was then the new delivery mechanism of a telephone "hotline" to provide intake, analysis, advice, brief service, and referral to clients from across the State. Three regional programs, Connecticut Legal Services, Inc. (CLS), New Haven Legal Assistance Association, Inc. (NHLAA), and Greater Hartford Legal Assistance, Inc. (GHLA) restructured. Each minimized its capacity to provide services now assigned to SLS and instead emphasize providing extended representation to individual clients, providing education to clients and social service staff in the communities they served, and to representing clients' interests in policy advocacy. The final program in this core network, the Legal Assistance Resource Center of Connecticut, Inc. (LARCC) was to continue to co-ordinate and provide representation of clients before the legislature and administrative agencies, produce the written client education materials for the network and develop staff training.

That essential design has continued successfully since its implementation in early 1996. A critical component of the success of this network is that each of the participating organizations has been committed to sharing the responsibility to make it work for maximum benefit to poor people in all of Connecticut. Formal and informal communications take place on a daily basis at all levels of the network, insuring that issues are identified and solutions designed before problems occur.

There are a wide number of "boutique" advocacy organizations in Connecticut that are not formally a part of the core legal aid network but are still important parts of the overall delivery system. There are frequent ad-hoc cooperative efforts between staff of the core legal aid programs and these other advocacy organizations. This insures that a wide range of clients, including those client groups with unique needs such as the mentally ill, children, persons in institutions, and persons with disabilities, have access to services that can best meet their needs.

There is no permanent body in Connecticut with on-going planning responsibilities. However, there is a good deal of intentional, thoughtful and successful planning being done. Examples of coordination within the core network include:

- substantive task forces, involving staff from all the core programs, which meet regularly to identify emerging client issues, plan and co-ordinate advocacy projects, organize and provide training, and report to one another on ongoing advocacy efforts.
- regular bi-monthly meetings of project directors;
- planned outreach campaigns using commonly developed materials;
- shared fundraising campaigns and joint grant proposals;
- shared technology, including the recent joint purchase of a new case management system; and,
- cooperative data collection to inform priority setting and strategic planning.

Example of cooperative efforts with other organizations outside the core network include:

- the long-standing joint-venture with the Connecticut Bar Association to recruit, train and recognize lawyers who provide pro bono services to clients.
- a successful campaign with the Connecticut Bar Foundation to increase IOLTA revenue.
- a new project involving the Bar Foundation, law schools and the core network to conduct a legal needs study of poor people in Connecticut.
- a recent proposal to create a Blue Ribbon panel to study the threats and alternatives to the IOLTA program as a major source of funds for the core network.
- legal services staff participation on Judicial Branch and Bar Association task forces studying the needs of pro se litigants in State Courts.

Although the creation of the legal aid network in Connecticut was not without angst and uncertainty, a wide-spread commitment to the common goal - and a little time - have overcome any legitimate concerns. Wide-spread involvement in planning by many people at all levels obviate the need for a statement of "next steps" in the planning process. There are always a variety of plans and initiatives that are at various stages of planning, implementation and evaluation at any given time. Frequent communication among key players in any specific project is a critical ingredient in the success of individual projects as well as the network as a whole.

To what extent have intended outcomes of a comprehensive, integrated client-centered legal service delivery system been achieved including but not limited to service effectiveness/quality; efficiency; equity in terms of client access; greater involvement by members of the private bar in the legal lives of clients, and client-community empowerment?

It is a sad reality that the broad sweeping and constant themes described above are likely to continue well into the future. However beneficial it might be, there is no mission statement that promises to eradicate poverty in Connecticut, or even to resolve all the legal problems that flow from poverty. Future reports on the status of planning in Connecticut will probably start with a description of the legal status of the poor similar to the one above. However, the legal aid network in Connecticut has discerned and described a number of more targeted goals and objectives. Under the umbrella of an overall mission

to provide access to the legal system, each program establishes and revises priority statements to inform its service to individual clients, reflecting its assigned role in the network, local community needs and concerns, and the priorities of its funding sources. Goals for achieving broader policy objectives for clients are generally agreed upon within the core network.

Efforts to find effective ways to measure, assess, and publicize the success of the legal aid network are on-going. As with other publicly funded non-profits, the legal services community in Connecticut is under constant pressure to demonstrate how its services make a difference. The Connecticut programs have been more successful than some others in developing outcome measures which go beyond mere counts of clients served or services provided. Nevertheless, outcome measurement is a constantly evolving task which is far from a satisfactory conclusion.

It is particularly difficult to compare the effectiveness of the delivery of legal services to the poor in Connecticut *pre* and *post* the creation of the current network. In the looser pre-1996 association of organizations there was little consistency in what data was collected. In addition, overall funding in 1996 was less than the previous year and has fluctuated since then so staffing, and therefore the volume and scope of services offered, also fluctuates.

In spite of this difficulty in quantifying the claim, the Connecticut legal aid network confidently claims that our structure has resulted in more and better quality services for clients. Led by the functional expertise at SLS, we have continued a high volume of advice and brief service to clients. The shifting of the bulk of the burden for this level of service from the regional programs has enabled them to initiate more policy advocacy projects, including significant litigation and coordinated client and community education efforts. Effective communication has meant that the resource burden for these efforts is equitably shared.

Under the current network clients have easier and more equitable access to our services. Because a telephone is almost universally available, most potential clients can gain entry into the network without impediment. For those few for whom the telephone is a barrier, regional offices can do direct intake, and outreach and community education presentations at sites convenient to clients provides another intake portal. Advocacy organizations outside the core network also direct appropriate clients to our systems and vice versa.

The system that has been operating effectively for six years now has clearly benefitted clients. Individual clients have ready access to the network regardless of where they live, there is a mechanism to quickly assess their needs and determine how the network can best meet those needs. Clients whose families face those legal problems of poverty described above get the assistance of advocates who are experts in the appropriate fields for expeditious resolution of their legal problem. One of the advantages of the functioning network in Connecticut is the ability to monitor these individual cases to identify those that represent systemic issues. Because of the tight communication, both

within substantive specialties and across specialties, emerging client issues and trends are readily identified and responded to.

The plan created in 1995 did not need to make any dramatic changes in the participation of the private bar in providing legal services to the State's poor because a strong partnership already existed between the legal aid programs and the organized bar. The Connecticut Bar Association (CBA) principally through its Pro Bono Committee, continues to actively recruit, train, and recognize lawyers who do pro bono work for our clients. The leadership of the CBA has always taken a keen interest in the work of the State's legal aid programs and continues to support, encourage and advise the leadership of the current network.

Are the best organizational and human resource management configurations and approaches being used?

As noted above, the legal aid network created and operated since 1996 functions very well. The core programs have established a smooth running collaborative venture by assigning functions and geographic coverage in a rational way and maintaining intra-network communications on a variety of levels. There has been sufficient time since late 1995/early 1996 to have worked out the bugs in the original design of the system, and sufficient experience to know that the design is an effective one. With one exception, the ongoing monitoring of the network offers no reason to think that significant change in the system would benefit clients.

The one change that would benefit clients would be for an infusion of significantly more resources into the legal aid network here in Connecticut. Connecticut's legal aid network is supported by a wide variety of public and private funding sources. A good deal of the work on maintaining existing funding and seeking new supporters is shared and coordinated within the network. A new needs assessment, jointly being planned by the Connecticut Bar Foundation, the State's law schools and the legal aid network, is expected to confirm the woeful inadequacy of current funding in Connecticut. Although we will use this current and concrete data about the un-met need to try to leverage additional funding, there is little hope that any increases will be sufficient to significantly close the gap between available resources and need. This inadequacy of funding is the one constant and persistent planning issue facing the legal aid community in Connecticut.

But just as our knowledge that we will not eradicate poverty or solve the legal problems it produces does not deter us from doing what can be done, the reality that we will never have sufficient funding to fulfill our mission does not stop us from seeking more financial help from more sources.