Configuration of the Pennsylvania Integrated Legal Services System:

Maximizing the Effective and Economical Delivery of High-Quality Legal Services Throughout the State

Report of the Statewide Planning Task Force on Small Programs and Configuration

December 4, 1998

Where there are a number of LSC-funded programs and/or the presence of very small programs, how should the legal services programs be configured within the state to maximize the effective and economical delivery of high quality legal services to eligible clients within a comprehensive, integrated delivery system?

(LSC Program Letter 98-1, March, 1998)

1. Introduction

The Legal Services Corporation has asked Pennsylvania to reassess its present delivery system to determine whether it yields the most economical and effective services to clients throughout the state. In particular, LSC has expressed concern that re-evaluation is necessary in states with many LSC-funded programs and particularly in those states with many "very small programs." LSC believes that the presence of many programs may mean uneconomical and inefficient redundancy of effort, or no effort at all, in such areas as technology, training, fundraising and development of client services such as intake, advice and referral systems or client education materials. Small programs may lack resources necessary to develop proper staff supervision or appropriate specialization, or to acquire current technology necessary for maximum effectiveness. They may also unnecessarily divert scarce resources from client services to administrative overhead and program administration.

LSC has not made a finding that these concerns in fact reflect the experience of Pennsylvania's legal services programs or that the current delivery system is not appropriate for the needs of Pennsylvania. Rather, LSC has asked that Pennsylvania examine its delivery system configuration from a statewide perspective and engage in a planning process that will result in a configuration which it believes best provides access to justice for Pennsylvania's low-income citizens.

This report:

- Assesses the current system's strengths and limitations;
- Recommends goals and steps for reconfiguring the statewide system in a manner that

preserves Pennsylvania's historical strengths while addressing its weaknesses;
- Applies indicators provided by LSC to assess whether Pennsylvania's plan puts forth *a configuration that maximizes the effective and economical delivery of high quality legal services throughout the state.*

As outlined in this report, the Pennsylvania legal services community has made a dramatic commitment to reconfiguration, innovation and change, to be carried out over the next three years. As indicated throughout this report and summarized in Appendix B, Pennsylvania has already taken significant steps on implementing regional restructuring. And it has already set in place the statewide governance and support structure needed to foster and integrate regional planning and implementation efforts. Appendix A describes the methodology and membership of the Task Force. Appendix B summarizes progress made to date on implementation of the Pennsylvania integrated system.

2. Pennsylvania's Current System: Description, Strengths, Limitations

a. Description. Historically, the Pennsylvania legal services system has been a confederation of independent local programs linked through a statewide support program, an association of program directors and a statewide client's council. Twenty three programs receiving state and IOLTA funds are overseen by the statewide support program, Pennsylvania Legal Services (PLS); these consist of the following:

- **Seventeen geographically-based programs** that collectively cover each of the state's 67 counties, and,

- **Six specialty programs** that focus either on specific legal problem areas (the Pennsylvania Health Law Project, the Pennsylvania Utility Law Project and Regional Housing Legal Services) or on the needs of populations having special legal needs (the Farmworker's Project, the Pennsylvania Institutional Law Project and the Community Justice Project).

A number of non-PLS, non-LSC programs such as the Education Law Center, the Disabilities Law Center and the Women's Law Center have historically been included in the statewide system only informally through individual consultations and collaborative efforts with individual "PLS-internal" programs.

b. Pennsylvania's strength: *a solid foundation of community based programs.*

Throughout 1998, Pennsylvania legal services programs have held discussions with their neighboring programs to explore strengths and weaknesses of their programs when viewed in a regional context.

Generally, these regional discussions arrive at five major conclusions:

1. Local community control has enabled programs to respond to the vast economic and social differences that exist across geographical areas in Pennsylvania. The ability to

plan locally is a strength that must be maintained.

Pennsylvania's legal services system has evolved historically out of a landscape that spans great distances in several respects, including geography, demographics, culture, laws and local governmental practices. Pennsylvania is one of the largest and most politically diverse states in the nation. Just one indicator is the fact that Pennsylvania has the highest number of local political jurisdictions of any state in the U.S..

As a result of this diversity, Pennsylvania's legal services system has developed as a network of independent, community-based programs rather than a centralized statewide program. With its large number of independent programs, the Pennsylvania system can:

- **Respond to local community needs and priorities.** Each legal services program is governed by a board selected from the community, providing a close connection with the unique culture and history of the surrounding region.

- **Accommodate the wide variations in local court and agency practices that affect low income people.** These practices lie at the core of legal services work. Each program has the flexibility to develop policies and programs that respond most appropriately to the circumstances that apply to its community. It is able to develop a strong local identity and close linkages within the network of professionals and community organizations serving the low income population.

- **Generate strong local bar support.** Local bar leaders serve on legal services boards and participate in pro bono programs operated by, or in collaboration with, legal services programs serving their community. In many areas of the state, local bars feel identity with and ownership for "their" legal services program. The large number of legal services programs in Pennsylvania has provided thousands of Pennsylvania lawyers with a "hands-on" experience with legal services governance that would not have been possible with a more centralized system. There is a multiplier effect: many of these lawyers now carry their understanding of and support for legal services into their roles as judges, bar and community leaders, state legislators, and members of Congress.

2. Local community control has produced a strong base for local and state funding, yet the confederation of many programs has not been able to grow total funding over time. Resource development has to be a statewide priority and will require local, regional and state effort.

- **A strength: Pennsylvania has been able to produce a strong base of local and state funding.** Greater local involvement translates directly into favorable state and local funding decisions by local public and private funding sources and the state legislature on behalf of the legal needs of the poor. For example, all state legislatures may, but need not, allocate Title XX and certain other non-LSC federal monies to the provision of legal services for the poor. As a result of the legal services community's close contact with state legislators, made possible by the

state's many legal services programs, Pennsylvania allocates $4.9 million of non-LSC federal monies (primarily Title XX) to legal services programs. This is the highest such allocation in the nation.
Similarly, in 1998, when Pennsylvania received a cut in Title XX funding, the state General Assembly, on recommendation by the Governor, made up the shortfall by appropriating an additional $0.4 million to legal services. This is another example of state support resulting from substantial efforts maintained in local communities by local legal services programs.

Pennsylvania's five smallest legal services programs (measured by total poverty population) are among the strongest generators of non-LSC funds, as indicated by the table below.

Pennsylvania's Smallest Programs Are Strong Generators of Non-LSC Funds.

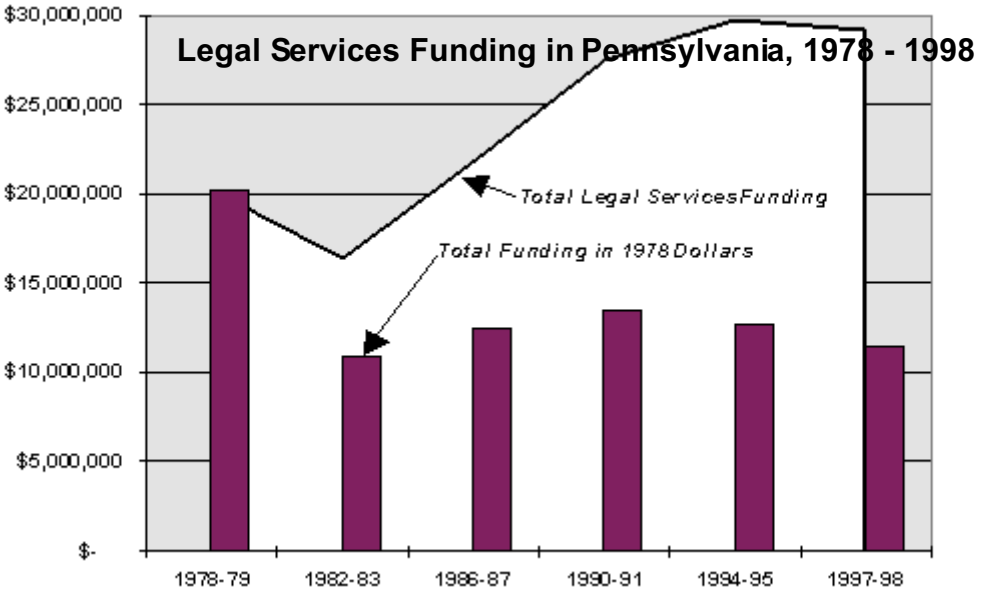
Program	Total Funds *(PLS Data)*	Non-LSC Funds *(PLS Data)*	Percent Non-LSC
Delaware County Legal Aid	$832,530	$543,736	**65%**
Legal Aid of Chester County	$543,969	$320,968	**71%**
Legal Services, Inc.	$742,040	$534,865	**72%**
Bucks County Legal Aid	$640,465	$476,292	**74%**
Montgomery County Legal Aid	$956,590	$759,206	**79%**
State Median— ***Pennsylvania's 17 "Geographic-Based" Programs (per 1997 LSC data base)***	—	—	**56%**
National Median — ***LSC "Basic Field" Programs (per 1997 LSC data base)***	—	—	**42%**

Pennsylvania's strong base of local and state funding, resulting from the close linkages of legal services programs within their local communities, is an invaluable asset that must not be unnecessarily placed at risk .

- **With many local programs, Pennsylvania generates political support for legal services.** By establishing a broad base of bar leaders, community leaders and legislators who understand and support the need for legal services for the poor, Pennsylvania's legal services system has had outstanding success marshaling support for legal services funding at the state and national levels. Congressional leaders from Pennsylvania have been in the forefront of those fighting — thus far successfully — to preserve federal funding for legal services.

These features have produced significant benefits for clients, not the least of which has been the ability to maintain services with local and state funding when federal funding was drastically cut and restrictions imposed in 1996.

- **In spite of successes in preserving state and local funding, Pennsylvania has lost ground in total funding.** As shown in the chart below, total funding for legal services has grown in dollar terms but the growth has not kept pace with inflation. In terms of buying power, legal services funding has declined to 57 percent of the amount available two decades ago. Growing an effective statewide resource development capacity is a major goal of the Pennsylvania vision for legal services.



3. Each program has developed real assets in its service delivery system but some have not been able to offer as wide a range of services as would be desirable. A regional approach will enable programs to share their strengths and undertake efforts that are beyond the scope and expertise of one program. By each contributing its strengths, the programs comprising a region can become a whole that is greater than the sum of its parts.

Synergy may be achieved, for example, by one program applying its strong "technology" capacity to bring all programs in the region up to a high level of performance. Synergy is created by pooling any of the individual strengths of programs — intake / advice / referral systems, library materials, case management systems, some exceptional trainers — to create a bigger, more powerful system.

4. Some programs have not been able to develop and deploy specialists when it would have been desirable to do so. In order for the client population to get the services it needs the current program configuration in a region may have to be changed. Regionalization and new technology makes it feasible for legal specialists scattered among several small programs, some of them specialized, to be made available by phone or e-mail as

consultants/mentors to advocates throughout the region. In some cases, new programs or projects may need to be formed to create assets that do not exist in the region.

5. Programs find differences in their ability to carry out administrative and quality control functions well and efficiently. Some programs perform these functions well regardless of size while others do not due to issues of size and skill. In some cases regional centralization of these functions will free up program staff to do the service work they are more suited for and produce a more efficient support system.

As a result of the regional explorations that have taken place throughout 1998, it is generally acknowledged that regional collaboration among programs can have a high payoff in more and better services for clients. By October, 1998, programs had organized themselves into formalized regions to pursue this possibility. *Map I on the next page indicates the groupings that had emerged.*

The statistics for each region shown in Map I underscore the fact that Pennsylvania is a large, diverse state. Each of Pennsylvania's *regions* encompasses an area and/or a poverty population that is as large as contained in many entire *states*. The Pennsylvania legal services community has concluded that reconfiguration on a regional basis provides the best opportunity to capture synergies and address the weaknesses of existing programs while preserving the close linkages to local communities that historically have been a hallmark of Pennsylvania's system

3. Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: *We will provide every low income community and population group with access to the full range of legal services and legal remedies regardless of where they are in the state. The services that are provided will meet statewide standards for quality, efficiency of delivery and effectiveness.*

a. **The statewide community will take responsibility for full access, efficiency and quality of services.** Local programs will be required by state funders (PLS and IOLTA) to participate in regional and statewide efforts to realize the statewide vision. They will be regularly assessed on the basis of this requirement, and appropriate followup action will be taken when required. A variety of opportunities for inter-program and regional collaboration will be explored in the next phase of the statewide planning process, including initiatives to:

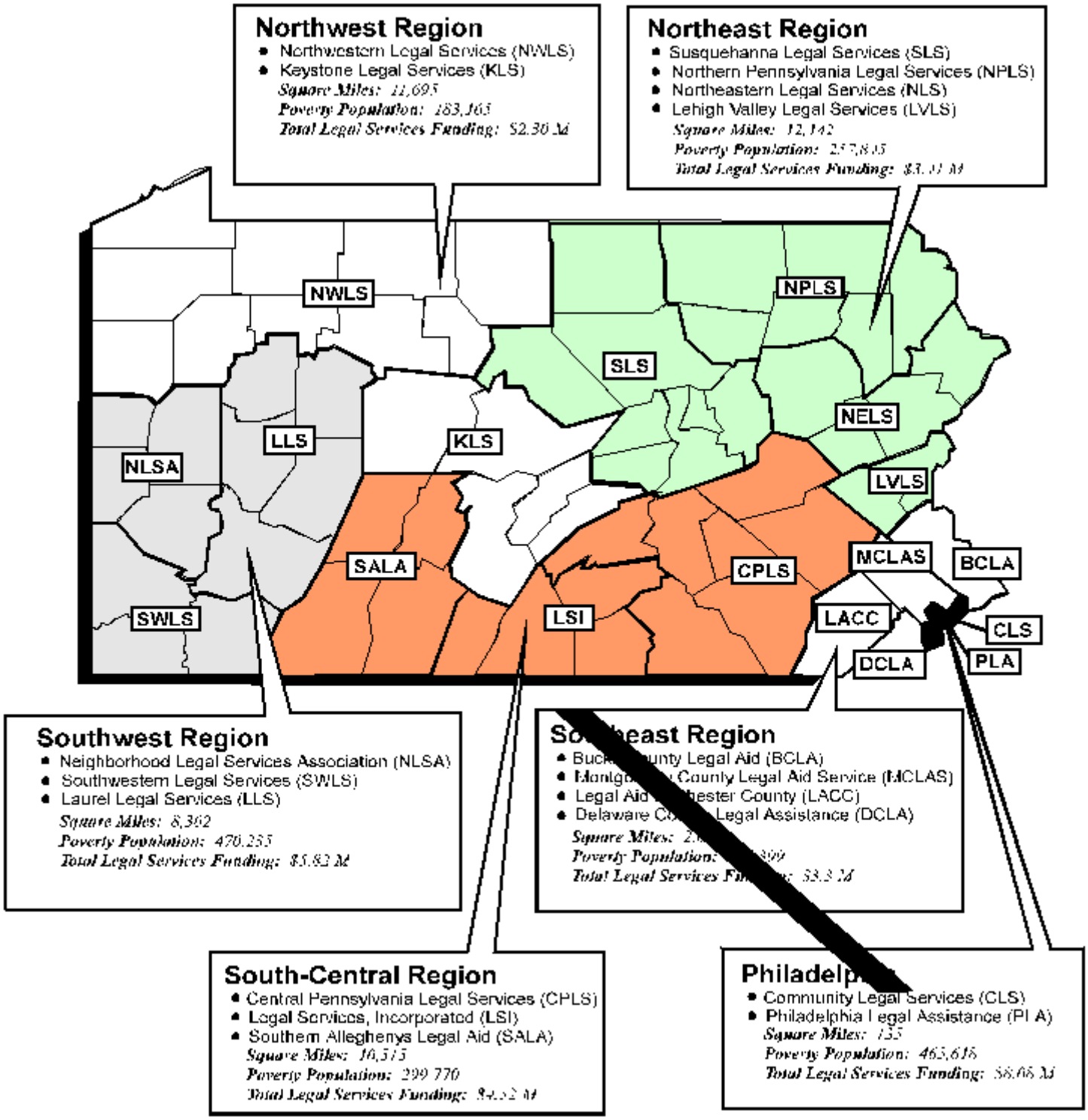
- Fill existing gaps that appear in some parts of the state, or with particular client populations, in terms of access to a full range of legal services and remedies;

- Link every program into a seamless statewide communications network to allow for sharing of expertise, information and resources by every service provider;

- Develop referral mechanisms to ensure that clients with special legal needs are matched with appropriate specialized services, including those which LSC-funded

programs are unable to provide.

Map I
Six Regions for Planning
Collaborations Underway as of December 4, 1998



- Provide every advocate with the training, professional development and information needed to efficiently deliver high quality legal services to clients;

- Develop funding streams needed for expansion of client access to the justice system and continually improving quality and efficiency;

- Assess quality, efficiency and effectiveness of services provided, and taking appropriate steps for ensuring these factors meet statewide standards.

b. **Local programs will be provided with technical assistance and a supportive climate for exploring restructuring possibilities.** Currently, three groups of programs are availing themselves of state support for merger discussions *(see Appendix B, Progress Report on the Status of Implementation*). Program mergers can, in some instances, offer long-term benefits to clients in the form of administrative efficiency and access to a critical mass of resources needed for program viability. At the same time mergers raise difficult issues that need to be carefully evaluated and addressed. Specific local circumstances will dictate whether a merger will in fact be in the long-range interests of clients. The Pennsylvania statewide community will encourage program discussions of merger possibilities and will provide technical assistance as needed and requested by the programs.

c. **Pennsylvania's confederation of independent legal services programs will be transformed into an integrated statewide delivery system.** Five core statewide functions will be established initially:
   - Computer and communication technology
   - Resource development
   - Training and expert networks
   - Assessment of local and regional programs
   - Intake and access systems

d. **Programs will be reconfigured into formal "regions" and regional planning councils will be established for integrating the service delivery system.** Planning on a regional basis provides great flexibility for accommodating the local variations that exist in different parts of Pennsylvania while creating new opportunities for pooling program strengths and capacities to assure that every community has access to all the types of services from which its population can benefit. Programs have voiced consensus that the concept of regionalism, which builds on the firm foundations of local, community-based programs without undermining their strengths, is the best way to proceed into the future.
   - **Local programs will be asked to form regions for purposes of planning and collaboration.** The map on page 7 indicates the six regions that have been identified. Each region will have a permanent planning council composed of stakeholders from each program within the region. The councils will develop an annual plan and oversee implementation of the plan. Each of the core capacities identified by LSC in its Program Letter 98-1 and further defined in Program Letter 98-6 will be addressed through the regional planning process.

- **Regionalization enables programs to:**
    - Fill gaps in the local service delivery system;
    - Realize administrative efficiencies through such means as administrative or financial consolidation, out-sourcing of functions, or program mergers;
    - Partner in program and resource development initiatives; and
    - Develop the relationships needed to pursue restructuring when needed.
- **Regional planning exercises will enable programs to explore** how they can achieve objectives through a regional planning effort that are not possible through local efforts alone. Through regional planning the programs will explore the possibility of collaborative efforts in, for example:
    - **Service delivery** — intake, advice and referral systems; sharing of specialized expertise; community legal education, pro bono and pro se systems; filling gaps imposed by service restrictions.
    - **Administration** — consolidation of administrative functions, outsourcing, technology;
    - **Development** — program development, resource development, and professional development (training and mentoring).

e. **State funders (PLS and IOLTA) will expect programs to participate actively in regional planning efforts.** A working definition of "minimum level of collaboration" needed to make regionalization work has been agreed upon (see Table I, page 10). Programs will be assessed in part on whether or not they have achieved this level of collaboration and appropriate followup action will be taken when required.

Table I
Minimum Level Of Collaboration:
The Elements Funding Sources Would Expect To Be In Place

1. Commitment to the Full Service, Integrated System

1(a) Vision. Acknowledgment that the Regional area and population is large enough to support a full service legal service system and that the regional configuration selected will provide a full service system

1(b) Governance. A formal regional governance structure at three levels: Board, Management and Client

1(c) Planning. A planning discipline and practice that looks at the region through the lens of what a single entity could deliver at what cost, and shows how the configuration selected does it as well or better.

1(d) Commitment. *A regional program development agenda and a regional resource development agenda with significant long range investments and well defined action plans:*

- A written three year plan with critical milestone, benchmarks
- Well defined linkages with state functions
- Leadership voice in state planning task forces

2. Integration of Operations to Establish a Full Service System

2(a) Identity. Regional service delivery system components with a regional identity and region-wide client access.

2(b) Innovation. A formal process where program leaders in a service or functional area undertake "learning, experimentation, and replication of best practice".

2(c) Efficiency. Well defined strategies for realizing administrative efficiencies.

2(d) Specialization. Organizational structures to promote specialized legal representation and access to restricted services.

2(e) Referral standards. Integrated referral with pro bono programs, law schools, social service organizations, specialty programs, ...

2(f) State linkages. Participation in the state planning process, support functions and communication system.

3. Accountability

3(a) A common approach to case management and quality assurance with outside quality of service review across all programs and projects involved.

3(b) Formal annual review and update of 3 year plan.

4. Major Steps for Achieving These Goals

Three steps have been initiated for transforming the state delivery system through regionalization. *Appendix B describes the progress that has been made on implementation during the two months that have occurred since the statewide Plan was issued on October 1, 1998.*

a. **A statewide Steering Committee will oversee the policy of statewide support functions.** Four state-level organizations -- PLS, IOLTA, the State Bar of Pennsylvania, and the Pennsylvania Project Directors Association (PDA) have committed to there being an effective state support system and have agreed to play an oversight role in assuring its success. The Steering Committee will assure that:

   - Local programs and their regional collaborations have the support systems they need to meet client needs, and

   - Each community in Pennsylvania has access to a quality, efficient, community-based program and to the full range of legal services and remedies that can benefit clients in that community.

b. **Pennsylvania Legal Services (PLS) will manage the support functions and be accountable for their performance.**

   - The support system will be made up of core functions, each with a committee of volunteers from stakeholder organizations to help guide, carry out and assess the work. The committee chairs will be recommended to PLS by the Statewide Steering Committee.

   - The volunteer committees will be part of the PLS corporate structure. The PLS board and management will routinely evaluate the performance of the support functions in meeting the needs of the client population and legal services providers.

   - The PLS director will be responsible for the performance of the core functions. Any staff assigned to these functions will be hired, or contracted for, by PLS.

c. **Regular assessment of local programs and regional planning efforts will assure collaboration, efficiency and quality of service and compliance with statewide standards.**

   - A routine, centrally-administered assessment function will be developed to assess local program and regional quality and compliance. Guided by past experience with the PLS assessment process, a statewide task force will be chartered by the Statewide Steering Committee to develop a method and process for assessing regional and local delivery systems under the statewide plan.

- The state Steering Committee and PLS will expect each program to initiate the level of collaboration required to meet the vision that

  ... Every low income community and population group in the state will have access to the full range of legal services and legal remedies regardless of where they are in the state. The services that are provided will meet statewide standards for quality, efficiency of delivery and effectiveness.

- Funding sources will be offered the opportunity to use one central program assessment vehicle to meet their oversight and evaluation responsibilities. The PLS state assessment effort provides the opportunity to consolidate, streamline and improve the utility of the monitoring carried out by the various funding sources. The state Steering Committee and PLS will offer to be accountable to all funders for the quality and compliance of programs funded.

5. Assessment of Pennsylvania's Plan According to LSC's Indicators

In its *Program Letter 98-6, "State Planning Considerations"* (July 6, 1998), LSC provides five "indicators" for state planners to use in assessing whether a state delivery system *"maximizes the effective and economical delivery of high quality legal services throughout the state."* Pennsylvania's statewide Plan performs at a high level on each of the indicators.

a. The Pennsylvania statewide delivery system is designed and configured to maximize access for clients throughout the state.

- Pennsylvania has committed to establishing telephone intake and advice systems as one of the five core statewide core functions to be implemented in 1999. It has set a goal to make telephone intake, advice and referral available to clients in every county in the state by the year 2000.

- Each region will provide the Statewide Steering Committee by February, 1999 a detailed assessment of gaps in access to services, the region's plans for addressing them, and the region's needs for support from the statewide structure. Gaps will be identified in terms of types of services that are available and special barriers, such as language, disability or specialized legal problems, that need to be addressed. Planning on a regional basis builds on the local knowledge and community relationships of individual programs while maximizing opportunities for pooling programs' strengths and sharing resources to address gaps in the existing service delivery system on a region-by-region basis.

- Pennsylvania's vision is a "full access" system that provides every client with the level and type of service appropriate to the client's need. Telephone intake and advice systems will provide the gateway to a full range of services that include information, client self-help materials, pro se workshops, specialized legal clinics, referral to an appropriate agency, legal advice, or full representation by a highly trained legal services specialist or private attorney. Each region is being asked to assess its current status in relation to this vision and to outline its plans

for moving toward it in the future.

b. The Pennsylvania statewide delivery system is designed and configured to maximize effective legal services to clients throughout the state.

- Pennsylvania is committed to upgrading its capacity to provide appropriate training and professional development to legal services practitioners everywhere in the state. Training is one of the core capacities that is being investigated as part of the reconfigured statewide structure. An upgraded training capacity will enhance statewide coordination, minimize duplication of effort, and increase access to training by legal services staff, board members and private pro bono attorneys.

- Internet technology will be used to substantially increase collaboration among programs, encourage greater participation in training events, and expand access to training materials and specialized legal expertise. One of Pennsylvania's major investments over the next two years (supported by the "Technology" statewide core function) will be to provide Internet access to every legal services practitioner in the state, providing the infrastructure to support a statewide network for training, mentoring and information sharing around both general and specialized areas of legal services practice.

- The Task Force on Barriers to Access will continue to explore opportunities for expanding client access to the courts, enhance self-help opportunities for low-income people, and provide preventative legal education and advice. Recommendations will be delivered to the Statewide Steering Committee during 1999.

c. The Pennsylvania statewide delivery system is designed and configured to make the highest and best use of available resources.

- Resource development is one of the five statewide core functions that are being established initially. The statewide resource development effort will be applied to preserve the existing funding base of local and state funding, generate new statewide funding streams, and provide technical support for local and regional fundraising efforts.

- Regional planning efforts are addressing the issue of how programs can best reconfigure themselves in each region to achieve synergy, create economies of scale, apply new technology, and add elements needed to create a "full access" delivery model. The options that are being explored include mergers, joint ventures (e.g., specialized hotlines), and collaborations that pool administrative and/or service delivery functions.

- A task force led by the Pennsylvania Bar Association is exploring how best to maximize private attorney participation in pro bono efforts and how to expand

funding for legal services on a statewide basis. The results of that effort will be integrated into the statewide planning effort when the PBA task force has completed its work.

d. The Pennsylvania statewide delivery system is designed and configured to encourage innovation in the delivery of legal services accompanied by appropriate evaluation of results.

- The Pennsylvania legal services community has committed to a new structure and an ongoing process for transforming itself into an integrated system that will assure low income persons in every Pennsylvania community have equal access to justice. Ongoing state planning for experimentation and innovation will be continued, carrying forward the planning effort and structure used to develop the initial blueprint for the integrated statewide system.

- Pennsylvania is augmenting its program assessment capacity, as one of the five initial core statewide functions to provide accountability for efficiency and quality and to support innovation in the delivery of legal services. A new statewide planning task force is being established to develop a program assessment system that addresses three questions

  - Are the programs in each region providing access to the full array of quality legal services (as defined by state funding sources) everywhere in the region?

  - Are funders (local, state and federal) and clients confident that the programs serving the region are providing a full array of efficient, quality legal services?

  - Are the programs in the region developing innovative plans to fill gaps in service and quality and implementing those plans?

e. The Pennsylvania statewide delivery system is designed and configured to respond effectively and efficiently to new and emerging client needs and other changes affecting the delivery of legal services to the poor.

- Regional planning councils have been established to ensure ongoing review of emerging client needs and opportunities for improving service delivery.

- Statewide program assessment will be used to ensure accountability to statewide standards, including responsiveness to the changing needs of the low income community in each region.

- The Statewide Steering Committee, with representatives of the state funders, will provide ongoing oversight of the system. Statewide planning task forces will recommend adjustments in priorities as needed to address new issues and client needs as they arise.

6. Conclusion

Pennsylvania has made a statewide commitment: ***we will address the limitations of the existing system while at the same time preserving the features that deliver major benefits to clients.*** The Pennsylvania legal services community will address the variations that appear from one community to another in terms of access to legal services and the capacities that define an effective legal services system. It will set in place a structure enabling it to set and enforce a high standard of performance everywhere in the state on measures of quality, efficiency and range of services available to clients.

Appendix A: Task Force Methodology and Membership

1. Methodology

Pennsylvania Legal Services (PLS) formed a Statewide Planning Steering Committee composed of 14 leaders from the legal services community, private bar and Pennsylvania IOLTA program. The Steering Committee appointed a separate Configuration Task Force to study this issue and to prepare a report with findings and recommendations. (Appendix A provides a list of the 14 members of the Task Force.) The Task Force met by telephone conference on April 30, May 5 and May 21, 1998, and also in person in Hershey, Pennsylvania on May 13, 1998. It produced a preliminary report which was reviewed at a statewide meeting of the Steering Committee and planning task force chairs on May 27, 1998. The Steering Committee provided written feedback on the preliminary report on July 2, 1998. The Task Force recommendations and the Steering Committee's feedback were incorporated in Pennsylvania's report to LSC on October 1, 1998. The Task Force met again by telephone conference on November 19, 1998 to review progress toward implementing its recommendations. A final report was delivered to the Statewide Planning Task Force on December 4, 1998.

2. Membership

Eve Biskind Klothen, Esq., *Co-Chair*
Vice President, Pennsylvania Legal Services

Lou Rulli, Esq., *Co-Chair*
University of Pennsylvania Law School

Al Azen
Executive Director, Pennsylvania Interest on Lawyers Trust Account Board

Robert Brenner, Esq.
Executive Director, Southwestern PA Legal Services

Karen Detamore, Esq.
Executive Director, Friends of Farmworkers, Inc.
President, Project Directors Association of Pennsylvania

Michelle DeBord, Esq.
Executive Director, Keystone Legal Services

Jeffrey A. Ernico, Esq.
Attorney Board Member, Pennsylvania Legal Services

Mike Donohue, Esq.
Community Legal Services

Elizabeth Fritsch, Esq.
Executive Director, Bucks County Legal Aid

Carolyn Johnson, Esq.
Executive Director, Legal Aid of Chester County

Linda Morris
Client Board Member, Pennsylvania Legal Services

F. Charles Petrillo, Esq.
Executive Director, Legal Services of Northeastern Pennsylvania

Harvey Strauss, Esq.
Executive Director, Montgomery County Legal Aid

Ann Torregrossa, Esq.
Executive Director, Pennsylvania Health Law Project

Appendix B:
Progress Report on Implementation of the Pennsylvania Integrated Statewide System

December 4, 1998

- ***Goals and Implementation Steps For Regional Restructuring Outlined in Pennsylvania's October 1, 1998 Statewide Plan***
- ***Progress on Regional Restructuring***
- ***Progress on Implementing the New Statewide Governance and Support Structure***

1. Goals and Implementation Steps for Regional Restructuring Outlined in Pennsylvania's October 1, 1998 Statewide Plan

In its October 1, 1998 statewide Plan, *"Pennsylvania Agenda For Legal Services 1998-2001,"* the Pennsylvania legal services community made a profound commitment. This was expressed in terms of four major goals:

- **Statewide accountability for providing more and better services.** *The statewide community will take responsibility for full access, efficiency and quality of services.*
- **Statewide support for reconfiguration.** *Local programs will be provided with technical assistance and a supportive climate for exploring restructuring possibilities.*
- **System transformation.** *Pennsylvania's confederation of independent programs will be transformed into an integrated statewide delivery system.*
- **Regional restructuring.** *Formal regions and regional planning councils will be established. These will assure every community has access to all the types of services from which its population can benefit.*

The Plan also outlined three concrete steps to be taken toward achieving these goals, including:

- **A new statewide structure** to oversee core statewide support functions, planning and innovation;
- **Centralization of management and accountability under PLS;**

- **Regular assessment of local programs and regional planning and implementation efforts** to assure collaboration, efficiency and quality of service and compliance with statewide standards.

2. Progress on Regional restructuring

Regional restructuring comes with high expectations as described by Table I (see page 10 of the Task Force report). Moving into a regional collaboration as defined by Table I is a big step for a program, a board and a community to take. It requires:

- Boards to assume responsibility for services to the client population beyond the program's own service area, encompassing the region;

- The program directors' roles to change;

- The nature of the delivery system to change from a traditional "triage" model for allocating a static or shrinking resource base toward a "full access" model that seeks to provide an appropriate level of service to everyone in need;

- New organizational structures to be developed.

Forming a regional collaboration is in many respects similar to entering into a marriage or business partnership. Some matches occur quite naturally while others require more time for exploration and accommodation. The best collaborations are those in which there is a shared vision, common values, mutual respect and complementary competencies and assets. Pennsylvania programs have explored a number of partnerships and have arrived at a regional structure shown in the map on page 7 of the Task Force report.

Stages of Development. Through the discussions that have occurred throughout 1998, the Pennsylvania legal services community has learned that it must go through a process to develop a sound regional configuration. In that process, program directors have had to play both leadership and facilitation roles. The following phases and steps have emerged out of that experience:

Phase I: Forming

Step 1: Program Directors (PDs) jointly explore program strengths and weaknesses.
Step 2: PDs take a common stand that change is necessary.
Step 3: PDs commit to a relationship & shared vision.
Step 4: Gain agreement among boards, staff and clients on the possibilities and opportunities of collaboration.

Phase II: Planning

Step 5: Develop a full service delivery blueprint and the case for it.
Step 6: Design the organizational structure the region needs to have an efficient and effective full service delivery system.
Step 7: Communicate the blueprint to stakeholders and enroll them in it.

Phase III: Implementation

Step 8: Develop an implementation plan and budget.
Step 9: Implement against the plan
Step 10: Assess with the community and adjust to priorities

The regions started in different places and today are in different stages. *The table on the next page summarizes their status.* It is expected that by the end of 1999 all regions will finish the first 8 steps and make significant inroads into step 9. Full implementation of mergers and delivery system integration may take more time.

The program discussions to date have confirmed that restructuring on a regional basis makes sense. Pennsylvania's large population and size provides "regions" that are large enough to capture a critical mass of the ingredients needed for program viability and growth (population, political support, funding, program specialists, private lawyers . . .) while still allowing legal services to maintain a strong community presence and local identity. By collaborating on a regional basis, programs will be able to offer a wider range of services and operate more efficiently than they have been able to do individually. Regional restructuring will allow Pennsylvania to maximize the benefits of consolidation while preserving the strengths derived from local involvement.

Regional configurations being explored. As part of each region's vision, a working model of a regional configuration has been put forward. These are not final and will evolve and change as planning proceeds and relationships develop. Several of the Regional Planning Councils are working with an expert consultant in legal services to explore organizational and service delivery models that can work for the region.

As summarized in the table on the next page, the working regional models are:

- **Northeast:** A merger of four programs.

- **Southeast:** Retain three or four independent local programs and explore setting up a central organization to carry out administrative functions, central intake, restricted work...

Status: Regional Collaboration Process Phases and Steps

Process Phases and Steps	Process Status, by Region ● = *Complete;* ○ = *In Progress*; ■ = *Configuration Model*					
	Northeast	Southeast	Philadelphia	South Central	Southwest	Northwest
Phase I: Forming						
Step 1: PDs explore strengths & weaknesses	●	●	●	○	●	●
Step 2: PDs take a stand for change	●	●	●	○	●	●
Step 3: PDs commit to relationship & vision	●	○	●	○	●	●
Step 4: Gain agreement among board, staff & clients	○	○	●		●	○
Phase II: Planning						
Step 5: Develop "Full Access" delivery blueprint & case	○		●		●	○
Step 6: Design structure	○		●		●	○
Step 7: Communicate with & enroll stakeholders	○		●		●	○
Phase III: Implementation						
Step 8: Develop implementation plan & budget			●		○	
Step 9: Implement against plan			●		○	
Step 10: Assess & adjust priorities			●		○	
Configuration Model						
Merger into one regional program (or one LSC-funded program)	■		■			■
Establish set of special purpose organizations for the region		■		■		
Consortium of programs in joint venture to create regional system					■	

- **Philadelphia:** Reconfigured in 1996-97 with two "general services" programs, one

LSC funded and the other not; collaboration and joint projects among the many programs that exist in the Philadelphia facilitated through monthly meetings of groups from all of the organizations, coordinated by a full time staff person at the Philadelphia Bar Association.

- **South-Central:** Augment independent local programs with collaborative efforts and/or organizations that do restricted or unrestricted work.

- **Southwest:** Consortium of three programs to carry out joint ventures that create an integrated service delivery system under a regional governance structure.

- **Northwest:** A merger of two programs is currently being explored.

3. Progress on Implementing the New Statewide Governance and Support Structure

- **Statewide accountability.** The four major statewide stakeholders — PLS, IOLTA, the Pennsylvania Project Directors (PDA), and the Pennsylvania Bar Association (PBA) have endorsed the Plan. They have appointed representatives to form the Statewide Legal Services Steering Committee. The Steering Committee met in Philadelphia on November 19, 1998 with chairs and co-chairs of the task forces to begin implementation of the Plan. A preliminary proposal and budget for implementing Phases I and II of the statewide core functions was reviewed and a timetable set for finalizing Phase I implementation plans.

- **Statewide support for reconfiguration.** Two of the state's six regions — Northeast and Northwest —are exploring merger possibilities with statewide support and technical assistance. Three regions — Southeast, Central and Southwest — are exploring opportunities for collaboration and/or possible restructuring with encouragement and support from the Statewide Steering Committee. The sixth region, Philadelphia, carried out reconfiguration in 1996-97.

- **System transformation.** Proposals for establishing the five statewide core functions (Technology, Training, Resource Development, Intake and Advice Systems and Program Assessment) were submitted to the Steering Committee by the corresponding statewide planning task forces on November 11, 1998. Planning for the functions is expected to be completed by March, 1999.

- **Regional restructuring.** All regions have begun discussions (see the summary of regional restructuring efforts in the previous section). A Regional Planning Guide questionnaire was distributed to all programs in September, 1998 to guide exploration of reconfiguration possibilities. A second Regional Planning Guide has been prepared for distribution in December, 1998 to guide regional planning councils in assessing where their regions stand in relation to the seven "core capacities of an integrated legal services delivery system" outlined by LSC in

Program Letter 98-6. Regions will be asked to report to the Steering Committee during February, 1999 on the results of their assessments and their plans for integrating service delivery in their regions.

- **Centralization of management and accountability under PLS**. PLS is preparing an integrated plan for phasing and budgeting the staffing of the five core statewide functions that have been decided upon.

- **Regular assessment of local programs and regional planning and implementation efforts.** A new statewide planning task force is being established by the Statewide Steering Committee to develop a program assessment system. A preliminary outline for the new task force was discussed by the Committee at its meeting on November 17. The program assessment function would be a set of activities, processes, events and standards that would answer three types of questions as established in the Plan:

    - Are the programs in each region providing access to the full array of quality legal services (as defined by state funding sources) everywhere in the region?

    - Are funders (local, state and federal) and clients confident that the programs serving the region are providing a full array of efficient, quality legal services?

    - Are the programs in the region developing innovative plans to fill gaps in service and quality and implementing those plans?

The standards that apply will be drawn from:

- **Standards set by the statewide core functions** (for example, the minimum level of technological capacity as set forth by the Technology function);

- **Plans and targets set by regional plans** (for example, timetables for integrating intake and priorities across the region);

- **Professional standards of quality and efficiency** (for example, the *ABA Standards for Providers of Civil Legal Services*);

- **Grant requirements set by funders** (for example, compliance with PLS grant conditions and deadlines).

The task force is being asked to recommend whether and how at least three types of assessments would be organized within the statewide system:

1. Program compliance with funding guidelines. Does the program meet all the requirements of state, federal and local funding sources, and if not, what actions or changes are needed to bring it into compliance?

2. Quality of legal services. Do the services provided by program meet high professional standards and produce valuable outcomes for clients?

3. Program plans and progress. Is the program providing access to the full array of legal services everywhere in its service area, and if not, does it have plans for filling the gaps and moving toward more and better services?