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May 15, 2002

Mr. Tim Watson
Program Counsel
Office of Program Performance
Legal Services Corporation
750 First Street, NE
10th Floor
Washington DC 20002-4250

Re: Arizona State Plan

Dear Tim:

On behalf of the Legal Services Steering Committee for the State of Arizona, I am pleased to enclose Arizona's State Plan For The Delivery of Legal Services. I believe the plan addresses the areas of inquiry raised in program letter 2000-7, and provides LSC with a thorough analysis of Arizona's delivery system.

I look forward to speaking with you regarding Arizona's State Plan, and I will be happy to answer any questions that you or anyone else from LSC might have.

Very truly yours,

Joseph C. Kreamer

JCK/kdh

cc: Legal Services Steering Committee

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ARIZONA'S STATE PLAN FOR THE

DELIVERY OF LEGAL SERVICES

Submitted to the Legal Service Corporation
May 15, 2002

By the Arizona Legal Services Steering Committee

ARIZONA'S STATE PLAN FOR THE DELIVER OF LEGAL SERVICES

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I. INTRODUCTION

The Legal Services Steering Committee for the state of Arizona is pleased to submit Arizona's State Plan for the delivery of legal services. Consistent with the objectives set forth in LSC Program Letter 2000-7, this State Plan is intended to be both an evaluation of the current delivery system in Arizona, and a report on the work that remains to be done.

As set forth in the Report below, Arizona is faced with many challenges in its efforts to continue to develop a seamless delivery system. At the forefront are challenges created by an expanding population, accompanied by a commensurate explosion in the poverty population. Arizona's large Native American population, and large rural population also present challenges to the legal services providers. Other issues such as increases in the elderly and Hispanic populations are also discussed below.

Fortunately, the relationship between the state's three LSC-funded programs, and the cooperation amongst the entire legal services community, has never been better. The Arizona legal services community has joined together, not only on a number of individual projects, but also on a statewide long-range planning level to develop a delivery system that is truly a collaborative effort. This Report was written as part of that effort.

II. ARIZONA'S MODEL FOR A COMPREHENSIVE, INTEGRATED DELIVERY SYSTEM WITH CLIENT-BASED OUTCOMES

A. An Overview Of Arizona's Delivery System

Arizona's system for the delivery of legal services is comprised of three LSC-funded organizations and a group of other civil legal aid programs. The delivery system also includes an emerging Legal Services Steering Committee, which provides input and guidance to the various legal services programs at a statewide level.

The three LSC programs are Community Legal Services ("CLS"), which provides services in the five western and central counties of Arizona; Southern Arizona Legal Aid ("SALA"), which provides services in the nine southern and eastern counties of the state; and DNA-People's Legal Services, which provides services in the Navajo Nation and Coconino County. The service area of these programs, as well as information regarding funding and client statistics, are discussed in Section III., *infra*. The methods of each program, as well as the efforts made to integrate each program's services into a seamless system, are also discussed in detail below.

In addition to the services provided by the three LSC programs, the Arizona delivery system includes several other types of providers or services. First, the William E. Morris Institute for Justice provides legislative and administrative advocacy services for low-income people and takes the lead on class actions and other impact litigation. Second, there are three immigration programs that provide immigration services for the thousands of immigrants in Arizona, both detainees and those in the community. Third, the two law schools in Arizona provide limited legal assistance through clinics, some of which partner law students with volunteer lawyers. Fourth, there are several smaller specialty legal services programs, which provide legal assistance to a single group such as the elderly, the disabled, victims of domestic violence, or tenants.

An emerging component of the Arizona delivery system is the Arizona Legal Services Steering Committee. The Arizona Legal Services Steering Committee is comprised of the LSC program executive directors, the Legal Services Director and Legal Services Assistant of the Arizona Bar Foundation, the Chairperson of the Arizona Access to Justice Commission, the executive director of the William E. Morris Institute for Justice, and the directors of two of the state's Volunteer Lawyers Programs. The Steering Committee has evolved into a forum where statewide legal services issues are discussed and collaborative efforts planned. The work of the Steering Committee and some of its specific delivery system initiatives will be discussed in detail below.

B. Issues That Impact Low Income Persons And Arizona's Response

The Steering Committee has identified several important issues that impact low-income individuals in Arizona and present obstacles to the delivery of legal services. These issues, and Arizona's response to these issues, are discussed below.

- *A significant increase in Arizona's poverty population.* According to 2000 Census reports, between 1990 and 2000, Arizona's population grew from 3,665,339 to 5,130,632. The increase of 1,465, 293 persons is a 40% gain from 1990. The percentage of Arizonans living in poverty remained at 15.6% of the total population. The 1990 census reported 571, 793 persons living at or below the federal poverty level. The 2000 Census reports that 800,378 were poor. This represents an increase of 228,585 in Arizona's poverty population. While Maricopa and Pima Counties have the highest number of individuals living in poverty, ten of the thirteen remaining primarily rural counties have more than 20% of their population living at or below the federal poverty levels. For example, Apache County reported 39.7%; Navajo County reported 28.4%; Santa Cruz County reported 25.8%; and Yuma County reported 25.3%.

Compounding the difficulty associated with an exploding poverty population is that unlike more discreet issues which may lend themselves to issue-specific solutions (i.e. landlord/tenant issues which can be addressed via a tenant's rights clinic), the explosion in the poverty population requires an evaluation and adjustment of the entire delivery system. Arizona has attempted to meet this challenge by adopting a two-pronged approach: (1) a complete evaluation and analysis of Arizona's delivery system to ensure that the delivery system fits the needs of Arizona as it is today and will be tomorrow, and (2) aggressive resource development to acquire the means necessary to deal with the expanding poverty population.

The Legal Services Steering Committee has taken the lead in a wide-ranging, statewide analysis of Arizona's delivery system. First, in June of 2001, the Steering Committee brought together key staff from all three LSC-funded programs in the state. Under the guidance of facilitator John Scanlon, this group analyzed not only the important issues surrounding the delivery of legal services, but also each participant's own "vision" for the delivery of legal services, and how best to communicate amongst each other to achieve that vision. Building on that meeting, the Steering Committee convened another statewide meeting of legal services staff in October, 2001 to continue the discussion and move toward specific proposals to improve all facets of the delivery system. Broad issues such as how to create a "seamless" delivery system, as well as specific issues such as client populations, technology, and staff training were discussed. Not only were substantive issues explored, but these statewide meetings furthered a growing atmosphere of communication and cooperation amongst all three LSC funded programs.

From these meetings, the Steering Committee established several subcommittees to continue the statewide planning process. A Delivery System Sub-Committee has met and begun the process

of identifying the critical client populations and associated issues, so that the state can move in a coordinated manner to address the important issues affecting low-income people. The Steering Committee has also established a Resource Development Sub-Committee, that has begun work on a statewide resource development and media plan.

Arizona has taken the initiative to develop resources to address the growing poverty population. All three LSC funded programs have joined in Arizona's Equal Justice Campaign, an effort to raise funds for the three programs. This campaign, aided by each of the Programs themselves, has reached across the state to obtain pledges from firms and individual lawyers. The Equal Justice Campaign is discussed in more detail below.

Additionally, under the leadership of Kelly Carmody, the Legal Services Director of the Arizona Bar Foundation, and via cooperation between legal services providers and various domestic violence advocacy groups, over $1 million in funding for legal services for victims of domestic violence was passed by the Arizona Legislature and signed into law by the Governor. This fund-raising effort is also discussed in more detail below. Further, the Legislature has funded an Elder Law hotline, operated by SALA, for the last four years. The significance of the funding of these legal services programs by the Arizona legislature cannot be overstated – the Arizona Legislature has traditionally been an extremely conservative body, unwilling to fund any type of legal services program or initiative. It was only through a cooperative, statewide effort that this funding was achieved.

- *The Native American population* presents special challenges to legal service providers. Tribes based in Arizona continue to experience high levels of unemployment on the reservations. A 1999 report states that unemployment is at 47% on the Navajo Nation, and 39% on the Hopi Reservation.

(Note that these Tribes do not have Indian gaming). The ability for the legal services providers to serve the Native American population is also hampered by the rural nature of the most of the Native American population. Many Native American communities are remote, rural communities that have been left behind because they cannot obtain workable access to the internet. Further, members of each Tribal area speak their own language, many speak only limited English, and most Native American clients do not read or write in their own languages.

Issues related to the delivery of legal services for Native Americans have traditionally been a focus for the Arizona legal services programs and the programs have adopted techniques designed to provide access to legal services in tribal areas. Legal services programs maintain multiple offices (six on the Navajo Reservation) on at least seven different reservations, and provide services for residents of at least ten more reservations. The programs cultivate relationships with the local Tribal governments to assist with delivery of services. At least five Tribes contract with legal services programs to provide direct services. Every program's offices on reservations have employees who are tribal members who speak the native languages.

An example of the unique, creative initiatives that are necessary to serve this population is DNA's *Naalkidi bee haz'aanii yaa halne'* ("Computers That Speak of the Law") project. This project created nine touch-screen kiosks, installed at DNA offices. The kiosks will connect over satellite links to a multi-media website. The website will contain a host of community legal education and social service resource information in a graphically intensive, intuitively navigable format that focuses on the traditional Native American client. The information will be offered not only in English text, but in Navajo and Hopi audio. Through this innovative use of technology, DNA hopes to overcome the language barrier that so often acts as a barrier to legal services. Further, along

with the increased knowledge within DNA's Native American community of their legal rights and obligations, it is hoped that rural Native Americans will become more comfortable using computer workstations and related technology.

SALA also has a close relationship with several Tribal Nations. The Gila River Tribe pays SALA tribal court advocates and an attorney to represent tribal members in state and tribal court in civil and criminal matters. In addition, the White Mountain Apache Tribe pays SALA to represent tribal members in tribal court in criminal defense matters. Without these contracts, tribal members would not receive direct representation.

- *Major increase in immigrant population.* Due to our close proximity to Mexico, a substantial number of new immigrants to Arizona are from Mexico. However, there are increases in other immigrant populations as well (e.g. Asian, African, Haitian, etc.). Many of the new immigrants do not speak English and are seeking legal assistance to complete the immigration process and/or avoid deportation. One essential characteristic of immigrant populations is their vulnerability, especially for undocumented immigrants. The classic example is the mixed status family that is afraid to pursue a complaint against a landlord or employer because they fear immigration consequences for a member of their family.

In response to this growing population, the Arizona Bar Foundation has provided funding to legal services providers serving the newly immigrated, low-income population. These providers include the Florence Immigrant and Refugee Rights Project, which provided "Know Your Rights" presentations to over 9,000 detainees and closed over 1,900 files in 2001. The two Catholic Social Services in Phoenix and Tucson that represent immigrants have received significant funding from the state for citizenship and outreach classes. The Morris Institute for Justice has filed impact lawsuits

on behalf of immigrants. Staff from the LSC funded programs, while prohibited from providing legal services to individuals who are in this country illegally (with the exception of domestic violence cases), provide comprehensive referral services to everyone contacting their offices, regardless of their immigration status.

- *A major increase in the Hispanic population* with many working in low wage jobs, many unable to communicate effectively in English and reluctant to seek help from agencies or groups that do not speak Spanish.

In response to this population increase, all of the LSC funded legal service providers have staff who are available to communicate (orally and in writing) with Spanish speaking only clients. CLS offers an additional $1000 in language compensation, and SALA offers a 5% supplement, for all employees who are able to pass a Spanish test and help to effectively communicate with their Spanish-speaking clients. The Volunteer Lawyers Program has successfully recruited volunteer attorneys who speak Spanish in order to better serve these clients. Catholic Social Services in Phoenix has staff available to translate for social service agencies to non-English clients who speak more than twenty different languages.

- *Agricultural employers* recruit and hire migrant and seasonal workers, primarily from Mexico, in large numbers to harvest fruit and vegetables, and to perform menial tasks related to the landscaping business. Many do not speak English and are frequently in need of legal assistance to obtain unpaid wages or to address problems causes by unscrupulous "notarios" and document preparers that prey on low-income workers in the border communities. Yuma County has a high incidence of tax problems, primarily due to mistakes made by tax preparers for non-English speaking, low income workers who live in Mexico and work in Arizona. Other issues that confront migrant workers

include wage claims, field sanitation and pesticide exposure issues, unsafe or inadequate employer transportation and/or housing, and violations of the Agricultural Worker Protection Act (AWPA) and/or Fair Labor Standards Act (FLSA).

The programs address these problems by a variety of methods. CLS, with a statewide migrant farm worker program, has a specially trained unit of attorneys and paralegals (bilingual in English and Spanish) to engage in federal litigation, outreach and community education throughout areas of the state with a high concentration of agricultural workers. Toll-free telephone access is available on a statewide basis. Low Income Tax Credit Clinics are offered in Yuma County and other border communities to assist clients in resolving tax problems.

- As a result of *changes in the welfare laws*, there has been a decrease in the number of people receiving financial assistance from welfare programs, but no corresponding decrease in the number of people living in poverty. Welfare-to-work programs are available in urban areas to provide limited training, childcare and other support for low wage workers, but programs are non-existent or unsuccessful in most of the rural areas due to lack of jobs and lack of transportation.

In response to these changes, the Morris Institute for Justice has initiated impact litigation and has advocated for additional funding to make up for the shortfall. CLS advocates developed and provided training to the staff of social service agencies and community groups relating to the impact of the changes in the welfare laws on the low income client community. Each workshop participant received a packet of community education materials for distribution to client. Due to popular demand and the success of the workshops, CLS regularly updates the materials and plans to work with other legal service staff to offer training throughout the state.

- *Problems of the elderly* include high costs of prescriptions and medical care, vulnerability to

predatory lending practices neglect and abuse. There has also been substantial increase in the number of grandparents raising their grandchildren. Arizona has an exploding elderly population as part of its general population increase, and as part of a migration of senior citizens to the state as a retirement destination.

In response to the needs of the elderly population, SALA operates a toll-free statewide hotline to provide legal services to anyone over sixty (60) years old. Legal Hotline and Intake attorneys handle 400 cases each month. Experienced attorneys staff the hotline forty hours per week and provide direct advice or appropriate referrals to clients. SALA also has two contracts with local area agencies on aging, over a five county area, to provide legal services to the elderly. Legal services providers throughout the state include legal assistance to obtain guardianship in their 'priorities' to help address the increased legal problems of grandparents raising their grandchildren.

- *Lack of public transportation* in twelve of the fifteen counties in Arizona is a major obstacle to accessing services for low income, elderly and disabled residents of Arizona. Only 50% of residents on the Navajo and Hopi reservations have a reliable automobile.

The programs respond to this problem in a variety of ways. Toll-free telephone access to legal assistance is available statewide. Regular visits to outreach sites in rural counties with several population centers increase access to many clients without access to a telephone. The intake system for all of the programs is computerized. CLS' system is web-based and provides remote access using laptops. As set forth in more detail below, a statewide website is being developed. To help defray the high costs of fuel, all of the LSC funded providers offer staff and volunteers mileage reimbursement for use of their vehicles to serve clients. DNA attorneys hike or ride horseback ten miles to the bottom of the Grand Canyon to provide services to members of the Havasupai Tribe.

- *Lack of affordable housing.* The demand for housing has increased along with the increase in the population. This has resulted in affordable housing being in short supply. Housing is second to family law in requests for legal assistance. 50% of all Native Americans on reservations within the state do not have adequate or safe housing (HUD). That number is at 65% on the Navajo reservation and is believed to be even higher on the Hopi reservation. One-third of Navajo residents do not have electricity. Nearly half cannot get telephone service in their homes. Roughly 40% do not have access to running water in their homes.

To provide legal assistance to the thousands of renters seeking legal advice and assistance in landlord/tenant cases, community education materials are distributed which explain rights and responsibilities of tenants under Arizona law. Clinics are also sponsored weekly in Maricopa and Pima Counties, and bi-monthly in many of the rural counties. For Maricopa County, CLS receives support from NAPIL, AmeriCorp, and the Cities of Phoenix and Glendale. Three AmeriCorp attorneys are engaged in litigation, policy advocacy, outreach and community education to help the low-income community avoid legal evictions, utility shut-offs and disqualification for public housing subsidies. In Yuma, La Paz and Mohave Counties, with financial support from the state Department of Commerce and the Cities of Yuma and San Luis, CLS staff provide regular outreach and community education presentations to groups of landlords, tenants and developers regarding compliance with fair housing laws. In 2002, legal service providers plan a statewide training for all advocates relating to housing laws.

- *Domestic violence* continues to be a major problem throughout the state. The demand for legal assistance to help protect victims has increased proportionally to the increase in the general population.

In response to this issue, the LSC funded programs have worked with the Arizona Bar Foundation to obtain a large increase in resources in the last three years. This has been achieved through a collaboration of organizations that are part of the Arizona Domestic Violence Legal Assistance Project. Originally, a more limited Project that included the three LSC-funded programs and seven domestic violence programs received a collaborative grant of $226,000 from the U.S. Department of Justice Violence Against Women Act Office in 1999 that funded three attorneys and seven part-time lay advocates. In 2000, the Project worked together to get funding from the Arizona legislature and received $1 million in TANF funding. In 2001, the Project's funding increased to include $1 million in TANF funding and $200,000 in general revenue funds. This allows the Project to fund, partially or totally, over 65 existing and new staff in the three civil legal aid programs and 15 domestic violence programs across Arizona. The Project has also funded a major volunteer lawyer recruitment campaign. The USDOJ grant has increased to $320,5000. In the first 16 months of operation after receiving funding from the Arizona legislature, almost 7,000 victims received legal assistance from attorneys and paralegals, and over 2,3000 victims received assistance from lay advocates in domestic violence programs.

Additionally, the Volunteer Lawyers Program has established the Family Lawyers Assistance Project ("FLAP") in Maricopa County in which volunteer attorneys provide individual advice or brief assistance to people representing themselves in family law cases. Issues include divorce, paternity, custody, child support and domestic violence. Volunteers receive orientation, opportunities to observe experienced family law attorneys, sample forms, reference materials, and discounted CLE training.

C. Expanding Delivery System Access, Efficiency, And Equity

As part of the state planning process, the Steering Committee has examined issues relating to overall system access, system efficiency, and equity issues. Below are the methods that Arizona has developed to address these issues.

1. Technology

The use of technology has been one of the central topics of discussion in the recent statewide meetings of the Legal Services Steering Committee and the meetings between staff of the LSC funded programs. Arizona's geographical configuration presents special challenges in formulating a statewide technology strategy. Outside the major urban areas of Phoenix and Tucson, the vast majority of each of the program's service area is rural in nature, making access to computers and even basic communication lines difficult. Native Americans face particularly difficult challenges, because there is a lack of even the most basic infrastructures on the reservations (i.e. telephones) much less computer access, and language barriers make communication difficult even when such infrastructures are present.

All legal services staff have computers on each of their desks with internet access, word processing, the intake system, timekeeping, case management and legal research capabilities. However, the programs recognize the need to further expand the technological capabilities of the programs and the tremendous benefit that can be gained, not only for technological access by clients, but the opportunity to create a more seamless statewide system by linking the programs via technology. In this regard, as part of the Steering Committee work, a statewide technology committee, made up of representatives from the three LSC programs and the Bar Foundation, has been established to develop a plan with timetables for technology initiatives that will increase access

and enhance services to clients throughout the state. The technology plan for 2002 will create a structure and timetable for relative equity in access to computer based information to remote areas in the state and on the reservations. The Volunteer Lawyers Program subcommittee of the Steering Committee is exploring videoconferencing technology to connect clients in rural areas with attorneys in urban areas.

As part of this work on increasing access through technology, the state applied for and received an LSC grant for a statewide website. The Steering Committee asked SALA to apply for the grant on behalf of the Committee. SALA did so, and then contracted with the William E. Morris Institute for Justice to carry out the project. The project has an Advisory Committee that includes representatives from the LSC-funded programs, non-LSC funded programs, the Bar Foundation, the Arizona Supreme Court, and the community. The project is utilizing Probononet's template. A website coordinator is funded by the grant, and the coordinator has collected much of the community education materials that the programs have developed, and will be posting it soon. The next step will be development of additional community education materials, and development of the portal for staff and volunteer attorneys.

A unique use of technology is DNA's Native Legal Net website. This website will be developed via a 2001 grant from LSC, and will enable DNA to create a dynamic, interactive virtual community for those who practice law in the tribal courts. It will provide access to tribal cases and laws, court locations and procedures, community legal education materials, *pro se* forms and instructions, *pro bono* resources, job announcements and links to other legal information available on the Web. The site will contain information useful to tribal court judges and staff, tribal departments of justices, prosecutors and defenders, as well as members of the tribal bar associations.

The Native Legal Net website will also provide a "private web" in which DNA staff can communicate privately and share information quickly and easily.

2. Pro bono attorney involvement

Pro bono attorney involvement in Arizona has increased sharply in the past few years. Pro bono attorney involvement is developed and coordinated mainly by the state's Volunteer Lawyers Programs ("VLP"). The state's VLP programs are generally a cooperative program between the local county bar and the LSC-funded programs, and are administered by the LSC-funded programs.

The VLP programs have enjoyed significant recent success in developing and implementing a statewide attorney recruitment campaign. In November of 2001, the VLP in Arizona joined together to conduct a statewide campaign. Although each of the individual programs had initiated recruitment campaigns in the past, this was the first collaborative effort of its kind in Arizona. The goal of the campaign, called "92 Reasons" was to work together to increase the number of attorneys who participate in the VLP and thereby increase the number of clients that receive legal assistance. The campaign ran throughout November and December of last year and was responsible for recruitment of more than 300 new volunteer lawyers in Arizona.

The success of the campaign can be attributed directly to the strength of the partnership among the programs. By working together, the programs developed recruitment materials that have a uniform design and method. The entire state was blanketed with the same strong theme, and materials could be seen in courthouses and at bar meetings in border towns and urban areas alike. The collaboration also allowed for financial investment in the production of the materials that would not have been possible had the programs conducted separate campaigns. The visibility and the singular message also made the campaign a media attraction.

3. Special projects to increase access

There are several special programs or projects that are designed to meet the needs of groups who might not otherwise have access. These projects have been implemented through a variety of creative methods by the programs.

Both CLS and DNA sponsor low income tax clinics. For the past three years, with a grant from the IRS and support from the Arizona Bar Foundation, the CLS Farm Worker Program has sponsored a series of Low Income Tax Clinics and community education initiatives designed to provide groups of workers in Yuma County with information to help address their tax problems with the IRS. DNA implemented its Low Income Tax Clinic in response to the overwhelming need for free quality tax preparation in the Native American communities. Because Native Americans often perform seasonal work, many are entitled to large tax refunds and/or earned income tax credits. Native Americans often use this method as a way of saving money. Unfortunately, because of their inability to speak or read English, many Native Americans cannot properly fill out the necessary forms to obtain their refunds and/or tax credits. Prior to the implementation of DNA's Low Income Tax Clinics, no free tax assistance was available within the vast majority of DNA's service area.

A disability project, Advocates For The Disabled, has also expanded access to legal services in Arizona. For the past five years, with a grant from the Arizona Bar Foundation, the project has provided legal and social work assistance to Social Security Disability and SSI claimants who are unable to secure private representation. Project staff coordinates a monthly overpayment clinic using pro bono attorneys. The clinic offers advice and brief services to recipients of disability benefits who have been charged with an overpayment.

Arizona has also successfully recruited NAPIL Fellows, which brings funding into the state

for new attorneys that are some of the brightest new law graduates in the country. The Florence Immigrant and Refugee Rights Project have had two NAPIL Fellows that have created sustainable projects to increase legal assistance of detained immigrants. SALA has also received funding for a NAPIL Fellow who then joined the SALA staff as an attorney, providing resources to a project that provides legal assistance to battered women in Pima County, including immigrant women.

CLS, the Maricopa County Bar Association and VLP have also collaborated to provide legal assistance to persons with HIV or AIDS in Maricopa and Pinal counties. The HIV/AIDS Law Project is supported by federal Ryan White Care Act funds and serves nearly 800 people each year through a statewide hotline, staff paralegals, and volunteer attorneys.

4. Resource development

In addition to the resources developed from the Arizona legislature for the Arizona Domestic Violence Legal Assistance Project and for the Elder Law Legal Hotline as set forth above, Arizona implemented the "Arizona Equal Justice Campaign" in 2001. The campaign solicits the Arizona legal community at a "leadership gift level", the financial equivalent of two billable hours per attorney per year for a pledge period of three years. The campaign is administered by the Arizona Equal Justice Foundation, which is a 501(c)(3) non-profit corporation with the goal of promoting and improving the welfare and general well being of mankind by facilitating the delivery of legal services. The Equal Justice campaign is chaired by the partners of two of the largest law firms in the State, and the Equal Justice Foundation Board is comprised mainly of the managing partners of the largest private law firms in the State.

All three of the LSC funded programs are beneficiaries of the campaign and all three have worked together to implement the campaign throughout the State. To date, the campaign has raised

over $486,000 in cash contributions and a pledge commitment of over $1.45 million.

D. The Next Steps Toward A Seamless Delivery System

1. Client centered activities and involvement

The programs have worked to develop and support new and emerging leaders in the equal justice community by developing strong client involvement in the system, and working to identify and assist an energetic and diverse staff in the programs themselves.

The LSC-funded programs' boards are composed of a diverse group of lawyers and client representatives committed to meaningful involvement of clients in the governance of the organizations. At CLS, at least three of the seven members of the Executive Committee must be client representatives of the Board. A client representative and an attorney representative served as Co-Presidents of the Board of Directors during the 2000/2001 Board term. Client eligible representatives are active in their community and meet as a committee to discuss community issues that should be brought to the attention of the full Board. Each year, a client representative on the Board and the Board Chair accompany the Executive Director and other staff representatives to the National Legal Aid and Defender Association Conference.

The three programs have kept client representatives on the programs' boards apprised of the state planning process. All of the programs have encouraged client representatives to participate in statewide and regional events. In addition, Steering Committee representatives have discussed state planning issues with David Fraley, a member of the CLS Board of Directors and the new President of the Region 7 Client Council.

The programs maintain environments that promote and support diversity, encourage creative and different approaches to lawyering and promote dignity and respect for clients. Each of the

programs has taken affirmative steps to create a culturally sensitive work environment. Generally, the staff of the legal services community in Arizona are diverse and have multi-cultural staff at all levels of the work force. Women and ethnic minorities out-number the white males in the total number of employees and in top leadership throughout the legal services community. Of the three executive directors, one is a woman and an ethnic minority, one is a Native American male, and the other is a white male.

In order to provide increased opportunities of promotion and recognition among staff attorneys, CLS recently created the position of senior attorney. An attorney with a minimum of four years of experience, two of which must be at CLS, who has developed a specialty in one or more substantive areas, coordinated a special project, which may include community education materials and training and/or developed expertise and engaged complex litigation may apply to be designated as senior attorney. The designation includes an annual stipend of $1,000 added to their salary.

Eight of the eleven SALA managers are female including two African American and one Hispanic manager. The SALA Board of Directors reflects the diversity of SALA's service areas, and the President of the SALA Board is the President of the Arizona Minority Bar Association.

The Arizona Bar Foundation has implemented a loan forgiveness program, designed to recruit and retain the brightest attorneys for legal services programs. In 2001, this program provided $20,000 of loan forgiveness for attorneys, and expects to provide over $28,000 in loan forgiveness to attorneys in 2002. CLS also has its own loan forgiveness program that provides up to $200 per month to lawyers with outstanding educational loans.

2. Mechanisms to assess performance

An overall system for performance for review has not been created by or for this system yet.

The Arizona Bar Foundation is developing a performance review system for the providers funded by IOLTA, which are the majority of the providers in the service delivery system. The performance review system will draw from other state's experiences and will use the ABA standards for providers of civil legal services and the ABA standards for program providing civil pro bono legal services to persons of limited means.

The Steering Committee has also invited the Peer consulting Project of the ABA's Pro Bono Project to come to Arizona to assess our VLP programs. The Steering Committee has asked for suggestions on any changes to the programs that would help improve access to legal aid in Arizona. We expect a team visit and report this summer.

III. PROGRAM CONFIGURATION AND APPROACH

A. Current Program Configuration

Arizona's LSC service areas were reconfigured effective January, 2000. Three service areas in Southern Arizona were merged into one area. This led to the current configuration that has the following components. Arizona now has three LSC-funded programs that provide the general civil legal assistance in all the counties and on the reservations in Arizona. CLS covers approximately one-third of the state geographically (five counties), but has the majority of the State's population with the inclusion of Maricopa County -- the sixth largest metropolitan area in the country -- in its service area. SALA covers approximately one-third of the State geographically (nine counties and two half-counties) in the southern and eastern portion of Arizona. DNA covers the remaining one-third of the state in the northern portion of the State with coverage of one county and the Arizona portions of the Hopi and Navajo Nations. In 2000, the three LSC programs received $10,798,238 or ninety percent of the total funding of $12,055,742 for civil legal aid in Arizona. This funding is a

combination of LSC, IOLTA, state, federal, city, foundation and private funding.

Arizona has three programs that provide legal assistance in immigration matters. The Florence Immigrant and Refugee Rights Project provides services to the detainees in the INS facilities in Florence and Eloy, Arizona. Holding an estimated 10 percent of the detainees nationwide, these facilities process 1,900 detainees per month. The asylum program at Catholic Social Services in Tucson provides representation in asylum cases to clients in Southern Arizona. The immigration program at Catholic Services in Phoenix provides representation in family unity and asylum cases for clients in Central and Northern Arizona. In 2000, the three immigration programs received $788,912 in funding or 6.5 percent of the total funding. This funding is primarily IOLTA and foundation funding.

Arizona has four specialty programs that provide assistance to victims of domestic violence, tenants, the elderly or the disabled. These organizations have one or two attorneys on staff. The Verde Valley Legal Advocacy program provides services to victims of domestic violence in the Verde Valley. Southern Arizona People's Law Center provides services to tenants in Pima County. The Senior Citizen's Law project provides legal assistance to the elderly in Maricopa County. Advocates for the Disabled provides legal assistance to the disabled in Maricopa County. Two of the programs are funded by IOLTA and their funding level is $140,148, or 1.2 percent of Arizona's total funding. The other two programs' total funding is not known, but is likely to be about $150,000 total.

The William E. Morris Institute for Justice is the organization that provides the legislative and administrative advocacy for low income Arizonans, initiates class action cases and provides some coordination services for the three LSC-funded programs. The Institute's funding in 2000 was

primarily from IOLTA and totaled $273,376 or 2.3 percent of the State's total funding for civil legal aid.

In addition to the programs set forth above, there are several very small legal services projects that provide advocacy for low-income clients. These programs are generally created and funded by a small group of attorneys or other advocates and some receive funding from smaller bar organizations such as the Maricopa County Bar Foundation.

B. The Effects Of Reconfiguration

During 1998, when potential reconfiguration was discussed among the legal services community in Arizona, there was some debate regarding the advisability of a reconfiguration of the then five LSC-funded programs. This lack of consensus at the statewide level was reflected in Arizona's 1998 state plan, which ultimately concluded that the then-configuration was appropriate, but acknowledged that the configuration was awkward and not what would be established if the state were "starting over" to configure its legal services programs.

In 2002, there is no debate in Arizona about the configuration of the LSC-funded programs. The unanimous conclusion of the legal services community is that this configuration is working. The reasons for this conclusion are set forth below:

1. Program collaboration

In the last two years the collaboration between the LSC programs and between the LSC programs and other elements of the delivery system has increased significantly. The Legal Services Steering Committee, described in detail above, regularly meets (approximately once a month) to discuss a broad range of issues affecting the specific programs and the delivery system as a whole. As a result, the various parts of the delivery system know what the other parts are doing at any given

time. As set above, the programs have engaged in numerous collaborative efforts to obtain funding, establish statewide programs, and draw on each other's successes to develop their own programs.

Further, the directors of the three programs have had a solid, working relationship. The directors have in turn communicated regularly with Kelly Carmody, the Legal Services Director of the Arizona Bar Foundation, as well as other individuals who are part of the delivery system.

2. Lack of duplication

Part of the recognized problem with the previous configuration in Arizona was a duplication of effort among the LSC-programs. There is no duplication of effort today. The programs have worked toward technological initiatives (i.e. the state website) that allow statewide participation. Programs do not compete over service areas, nor do they provide overlapping services.

3. Arizona's geography and demographics support the current configuration

The Steering Committee believes that the configuration of three programs, one serving mainly the northern part of the state, one serving the central part of the state, and another serving the southern and eastern parts of the state, fits with the traditional configuration of different client populations in the state. DNA's program is uniquely tailored to serve a large Native American population found in the northern part of the state. CLS has developed expertise not only in serving the populous Maricopa County, but serving the specialized needs of migrant farm workers in the western part of the state. SALA not only is a long-time established presence in Tucson, but has adapted to serve a large rural area, which includes a Native American population. Simply put, unlike 1998, there are no voices in Arizona advocating a configuration different than the current one.

C. Challenges To Come

As set forth in detail above, Arizona has moved toward a statewide approach in structuring its delivery system. Each of the LSC-funded programs is at least aware and in many cases participate in the major initiatives and projects of the other LSC-funded programs. The direction of the state in analyzing its delivery system, and attempting to craft solutions to the problems in providing services, are universally addressed at a statewide level by the Legal Services Steering Committee. The Steering Committee believes that the current Arizona process is reflective of the type of process that LSC has asked the states to develop. The programs, clients and overall community are all involved in the delivery system, from the identification of the system priorities to the delivery of the services.

The Steering Committee recognizes that much work remains to be done, however. As set forth above, the tremendous increase in Arizona's poverty population is severely impacting the delivery of legal services to low-income Arizonans. The forty percent increase in the population in the last census--with our state gaining two congressional seats--is just the tip of the iceberg. The 2000 census is the accumulation of an exploding population increase that continues unabated. The U.S. Census recently released a study of the fifteen months (April 2000 to July 2001) after the census was taken, and found another 122,000 individuals moved into Maricopa County in those fifteen months. At that rate, which is not slowing, Maricopa County has at least another 100,000 people by now. The study found that in July 2001, more people lived in the Valley and around its edges (the bulk of which is Maricopa County) than 21 other states. Obviously, significant increases in the number of people that need service will continue to be one of our largest challenges.

Arizona is prepared to meet this challenge and the rest of the challenges associated with a client-centered seamless delivery system. As set forth above, the LSC-funded programs are

committed to make the effort a collaborative one. Much has been accomplished since 1998 and while much work remains, Arizona is positioned to face the road ahead.