515030

Indiana Legal Services, Inc.

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September 16, 2002

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Randi Youells, Vice President for Programs
Legal Services Corporation
750 1st Street, N.E., 10th Floor
Washington, DC 2002-4250

Re: State Planning Evaluation Response to Program Letter 2000-7

Dear Randi:

I have enclosed our response to program letter 2000-7. Should you have questions or need additional information concerning the above referenced evaluation, please contact me or Colleen Cotter.

Sincerely,

Norman P. Metzger
Executive Director

NPM/k

pc: Michael Genz, Director
Office of Program Performance

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Indiana Response to Program Letter 2000-7
State Planning Evaluation

Submitted by: Indiana Legal Services, Inc. , Recipient Number 515030

In 2001 Indiana Legal Services, Inc. (ILS) became the only Legal Services Corporation (LSC) funded organization in Indiana. As a statewide program, ILS works with the judiciary, the private bar, all other legal service providers, law school clinics, social service providers, community leaders and clients in developing a comprehensive, integrated and client-centered legal services delivery system. Much of the staff and board time and energy has been focused on the integration of ILS as a statewide program. Now that much of that work has been completed, however, more energy will be focused on these partners upon whom we rely to ensure that all clients have access to justice.

I. To what extent has a comprehensive, integrated and client-centered legal services delivery system been developed in Indiana?

A. Response to important issues facing clients

The important substantive issues facing the client community include those that threaten clients' access to decent and affordable housing, income, assets, health care, family integrity and safety in the home. Indiana has among the highest bankruptcy and foreclosure rates in the country. In addition, clients in Indiana face barriers proceeding *pro se* in the courts. The population of low income people who have limited English proficiency continues to grow, causing or exacerbating legal problems. Finally, the affordable housing stock continues to shrink in Indiana. We have taken a number of steps to address these issues.

Priorities Setting: In 2002 Indiana Legal Services, Inc. (ILS) conducted a series of priorities setting meetings to discuss the legal needs of low income people. The meetings were held in 12 different locations throughout the state and were attended by 25 - 75 people. All legal service providers were invited to attend these meetings, as were judges, court clerks, private attorneys, social service providers, church and community leaders and clients. Each meeting began with a presentation of the information gained from a recent study of the legal needs of low income people. The rest of the meeting was a facilitated discussion addressing: how this information related to the local community; who is currently addressing these needs; are there needs that are not currently being addressed; are there specific issues included in these legal problems that are of particular concern to this community; ranking these legal needs; how ILS and other providers can best use their limited resources to address these legal needs; how can the providers

coordinate their work to ensure that a broad range of legal assistance to the client community; what alternative service models could be used; which of these legal problems best suited for advocacy and/or coordination on the state level; and what other resources could be garnered in this community to address these needs.

The final discussion about priorities will take place at the Access to Justice Conference on December 13, 2002. The goal is to develop a statewide network of priorities among providers. Some providers may have overlapping priorities, given the demand for services, but all priorities will be coordinated.

Consumer Law Center: In response to the high rates of foreclosure and bankruptcy, ILS established a Consumer Law Center. The Center's goal is to increase capacity among all legal service providers and the private bar to provide consumer law assistance to low income people. The Consumer Law Center staff provides direct representation but also provides co-counseling services, training and is available to give advice to other advocates. In July 2002 the Consumer Law Center sponsored a Used Car Continuing Legal Education event, and is planning another consumer training in early 2003.

Hispanic Law Center: In response to the growing Hispanic / Latino population in Indiana, ILS established an Hispanic Law Center. Like the Consumer Law Center, the goal of the Hispanic Law Center is not just to provide direct legal representation, but to develop capacity within the state to provide legal representation to persons with limited English proficiency who have legal problems that are caused or exacerbated by the language barrier. The Hispanic Law Center Director has conducted trainings throughout the state on a variety of issues. In addition, in Indianapolis, the justice community, lead by staff from ILS and the Neighborhood Christian Legal Clinic, has organized an Immigrant Service Providers Coalition which meets regularly to discuss barriers encountered by recent immigrants.

Indiana Justice Center: The Indiana Justice Center (IJC), a project of Indiana Legal Services, Inc., was established in 1999 with the goal to bring together all of the various partners in the state justice community. The IJC sponsors trainings and the Access to Justice Conference. The IJC works closely with the private bar, the judiciary and the 14 Judicial District Pro Bono Committees, to help ensure that we combine, rather than compete for, our limited resources.

Round Table Sections and E-groups: The IJC sponsors various e-groups and monthly conference calls to provide a forum for discussion and collaboration among staff of legal service providers and various ILS offices. The sections are organized around substantive legal issues, including: public benefits, consumer, housing, Hispanic, elder and family. These fora are used regularly by newer and more experienced staff members, and by staff within and outside ILS.

B. Components of the delivery system

Indiana has only one (1) Legal Services Corporation (LSC) funded program, Indiana Legal Services, Inc. In addition to ILS, however, there are a number of locally funded civil legal service providers, including: Elkhart Legal Aid, Evansville Legal Aid, Tippecanoe County Legal Aid, Bartholomew Area Legal Aid, Legal Aid Society of Indianapolis , Maumee Valley Legal Services (a former LSC funded program) and Neighborhood Christian Legal Clinic. Each of the four (4) law schools in Indiana also has at least one clinical program. In addition, in Indianapolis, there are additional specialized programs, including Community Organizations Legal Assistance Program, Protective Order Project, Children's Law Center of Indiana, Indiana Advocates for Children and the Empowerment Project.

The more recent additions to the delivery system are the 14 *Pro Bono* Committees, based in each of the 14 Judicial Districts. These programs are recipients of the Interest on Lawyers Trust Account (IOLTA) funds in Indiana and are dedicated to increasing the *pro bono* involvement of the private bar throughout the state. These Pro Bono Committees work closely with the legal service providers described above, and in some cases the local Pro Bono Committee contracts with ILS so that the Committee accomplishes its work through ILS staff.

Indiana also has a statewide *Pro Se* Project, which is part of the Supreme Court Administration Office. The *Pro Se* Project grew out of the work of a three (3) person committee appointed by Indiana Supreme Court Chief Justice Randal T. Shepard. That committee included an ILS staff attorney and two (2) trial court judges. Together they drafted a plan addressing how Indiana could provide support for unrepresented litigants. The *Pro Se* Project, staffed by an attorney, works with Indiana Legal Services, Inc. and the courts. The Project has posted several *pro se* packets on a web site, and trained court staff on how to work with *pro se* litigants.

Finally, the Indiana Justice Center, a project of Indiana Legal Services, Inc. was established in order to ensure that all of the above entities work together in order to develop a comprehensive and integrated delivery system.

C. Assessing system performance

There is no current mechanism for assessing performance of the legal services delivery system in Indiana, other than those employed internally by each provider or other partner. However, there are some common reporting requirements upon which we could build to develop an assessment mechanism. For example, each of the pro bono districts reports to the Indiana Pro Bono Commission the pro bono work done in their district. Because much of the IOLTA funds are distributed on a competitive basis with other pro bono districts, these reports are important for the distribution of IOLTA funds. In addition, most of the other providers receive state funds appropriated through the Civil Legal Aid

Fund from the general assembly. All of those programs must report the numbers and types of cases they handle in each county each year. Again, this could be the start of a statewide performance review. However, at this time there is no system for assessing performance, nor any entity that is empowered to conduct such an assessment.

D. Equitable access for clients

As the only statewide program, ILS is charged with ensuring that eligible clients throughout the state have access to legal services. In order to facilitate this, all ILS offices have toll-free telephone numbers and most intake is conducted by telephone. In addition, ILS staff conduct outreach to hard to reach communities, including the homeless, seniors, persons whose primary language is Spanish, and domestic violence victims. ILS has produced a series of more than 50 pamphlets addressing a variety of legal issues, and distributes them throughout the state. ILS also conducts education programs for groups of clients and service providers.

The various providers also work to ensure that under-represented communities have access to legal services. For example, in District IV the *Pro Bono* Committee's plan includes hiring bi-lingual staff so that the growing Spanish-speaking population will have access to legal services. In Indianapolis, ILS works with the Neighborhood Christian Legal Clinic to ensure that the legal needs of the growing Hispanic population are met.

In addition, ILS's plans to establish a *pro se* assistance program using pro bono attorneys who will provide assistance to *pro se* litigants over the telephone will ensure access in the most remote rural locations, where there are few attorneys to donate their time, and which are up to two (2) hours from the nearest legal services office.

E. Use of technology

There are two (2) major technology initiatives underway in Indiana funded in part through Technology Initiative Grants (TIG) from LSC. The first (TIG I) will place a case management system (CMS) on a remote server. The CMS will be accessed through the Internet, and therefore can be accessed from any location. ILS has applied for a grant to pay for the purchase of the CMS, and the TIG grant will provide funds for the infrastructure needed to ensure high-speed access to the CMS. The CMS system will be used by every ILS office throughout the state, by pro bono attorneys who volunteer with ILS and will be made available to all other providers, including the 14 Pro Bono Committees, in the state. The CMS will provide tools for casehandlers, for managers and for intake. It will provide an automatic list of things to do and time line for different types of cases, which will be of assistance to the new advocate and to pro bono attorneys who volunteer outside their area of expertise. Information about particular cases and clients will only be available to appropriate persons, to ensure confidentiality, but some information will be available to all persons. This will provide a case management tool that will be accessible from any web-enabled computer. The access to the tools of the CMS should improve our ability to recruit

pro bono attorneys.

TIG II provides funds for the new ILS web site. This site, in addition to providing information about legal services and a variety of substantive legal issues, will include a document assembly tool for use by legal services staff, pro bono attorneys and *pro se* litigants. Using this tool, *pro se* litigants will create court forms by answering questions on the web site. They will be provided with instructions about the use of the forms (where and how to file it) and how to present their case in court. Social service providers and librarians throughout the state will be trained to use the system, so that they can assist *pro se* litigants in using the web site. The same document assembly tools will extract information already contained in the CMS system described above, an insert it in forms chosen by a staff or pro bono attorney for the particular case. This time-saving tool will again be of great assistance in recruiting pro bono attorneys, and will create greater efficiencies for staff attorneys. These tools will be made available to other providers who choose to partner with ILS in this project. The development of TIG II is guided by an advisory committee, which consists of the staff of providers, social service providers, court clerks, judges, private attorneys, clients and teachers. This advisory committee will help ensure that the product developed will be responsive to the needs of these various groups, and will be a tool for the entire state justice community.

Other technology initiatives currently in operation include the Statewide *Pro Se* Project, which has posted its forms and instructions on its web site, and the various e-groups that are used by legal services staff to discuss various substantive issues, including housing, consumer law, elder law, Hispanic law and public benefits. These e-groups have proven to be an extremely valuable, easy to use and inexpensive tool for discussion among advocates from various offices and programs and of varying levels of expertise.

Finally, ILS is currently piloting the use of a telephone system which places callers in queues and can transfer calls to advocates anywhere throughout the state. If this pilot is successful and ILS can obtain this system statewide it will provide a system in which clients can be connected with the appropriate advocate (staff or pro bono) immediately, no matter where the client and advocate are located.

F. Expansion of resources

Since 1998 Indiana has expanded its resources to provide legal services to low income clients. These additional resources include grants from: Department of Health and Human Services, Administration on Aging, for a Senior Hotline grant; Department of Justice, for a domestic violence grant; Housing and Urban Development, to serve the homeless; AmeriCorps; and various United Ways and local foundations for a number of different projects. In addition, Indiana now has an IOLTA program, which provides funds to support pro bono programs throughout the state.

Many of the additional funds are used to target hard to reach groups, including the rural, elderly poor, who are targeted with the Senior Hotline Grant, and the homeless, who

are served with a variety of grants from the federal government and local foundations. In addition, ILS works with several partners, including the Indiana Coalition Against Domestic Violence, a statewide organization, and several local domestic violence agencies, to provide a holistic system to serve the needs of domestic violence victims. ILS and its partners receive special funding for this project, and the goal is to expand this system to serve clients in every county in the state.

Other providers have raised funds to serve under-represented clients. For example, the Neighborhood Christian Legal Clinic has raised funds to serve the needs of immigrants whose first language is Spanish, and works with ILS and other providers in organizing their work.

As discussed below, lack of resources continues to be a major hurdle in Indiana. Collaborations among legal service providers and with social service providers, however, will open doors to additional funding.

G. Leadership

ILS addressed the idea of identifying, creating and nurturing leadership within the existing legal services delivery system by utilizing the formal structure of a new Board of Directors. The old ILS Board had 23 members. The new Board has 51 members. Membership was broken into 14 geographical regions throughout the state with lawyers and non lawyers appointed proportionally to the population count from each region. Twenty-seven (27) members are women. Twenty-four (24) are men. Thirty-four (34) are white, fourteen (14) are African American and three (3) are Hispanic. All regional bar associations are represented. Members include representatives of two (2) homeless shelters, two (2) domestic violence shelters, a church, a senior center, two (2) interfaith organizations, two (2) minority bar associations, two (2) law schools, two (2) community organizations, three (3) client councils, two (2) universities, a civil rights organization and a center for independent living.

The Board has eleven (11) standing committees and they are working committees, particularly the executive, compensation and benefits, client training, priorities, resource development and pro bono committees. The committees are diverse and allow clients and lawyers from geographically distinct areas of the state to work together on issues of concern. ILS historically has had four (4) client Board members as President and currently has a non lawyer as President. The composition of the officers puts them in place to move up which will currently allow African Americans, Hispanics, men and women, clients and lawyers as well as white males, to become President of the Board.

Finally, the new ILS bylaws provide for Regional Advisory Councils, composed of clients, attorneys, community leaders, service provider representatives and others with an interest in legal assistance to the poor, to assist ILS in setting eligibility guidelines, raising funds, coordinating pro bono activities, collaborating with other organizations in each region, addressing issues unique to each region, and advising on various policies and appointments to the Board. We believe this formal structure will provide the best

opportunity for new leadership to evolve and will ensure that emerging needs of clients will be addressed.

H. Next steps to achieving a client-centered integrated and comprehensive delivery system

One next major step toward developing a client-centered integrated and comprehensive delivery system in Indiana will be the next Access to Justice Conference on December 13, 2002. The first two (2) Conferences were attended by 150-180 people each. The 2002 Conference will bring together representatives of the private bar, legal service providers, the judiciary, social service providers and clients. The Conference will provide a forum for discussion about the progress in developing a comprehensive system, and the next steps that need to be taken. Topics for the Conference will include; priorities, including discussions about which programs are best suited to address which issues; *pro se* assistance; reaching out to under-served populations; ethnic and racial disparities and their impact on poverty; the role of the various partners in a comprehensive system; and the use of technology within the delivery system.

Client leaders have been involved in the past Conferences and will again be involved. In addition, the data gathered from the Priorities Setting Process, which is centered on the responses of low income individuals, will play a critical role in the next steps taken to achieve an integrated and comprehensive system.

Another major step will be a meeting of representatives of all of the providers in Indiana on December 12. This will be the first meeting of its kind and will provide a forum to discuss how the various providers can better coordinate their work, and collaborate on issues such as major litigation, community legal education and training.

Finally, we will continue to build on the examples of the Hispanic Law Center and the Consumer Law Center. The next center for which we are seeking funding is the Housing Law Center. This will be a collaboration of a number of different entities, including the Indiana Civil Rights Commission.

I. Greatest obstacle

The greatest obstacles to achieving a statewide, integrated, client-entered delivery system are: 1) the lack of collaboration and cooperation among service providers; and 2) the lack of resources available to providers.

The difficulty of collaboration and cooperation among service providers was greatly reduced by combining four (4) LSC funded programs into one (1). However, there remain obstacles between offices within that one (1) program and between the LSC funded program and the other legal service providers in the state. These difficulties are exacerbated by the lack of a formal Access to Justice Commission or other entity focused

on the issue of developing a statewide integrated, client-centered delivery system. However, great strides have been made since 1998 in the collaboration among providers. The Access to Justice Conferences provide a forum for discussion among the providers and other stakeholders. In addition to the Conference on December 13, the Indiana Bar Foundation (IBF) plans to bring together representatives of all of the providers on December 12, to discuss how the providers can better collaborate. Involvement of leaders like the IBF which can assert leadership in bringing providers together will greatly assist this effort.

Indiana has taken steps to address the lack of resources available to providers by finally implementing an IOLTA program, making available additional dollars to the system. Although the IOLTA funds in Indiana are only available to pro bono programs, not to fund staff-based programs, they system is designed to bring together all providers, the private bar, the judiciary and clients to develop plans for increasing legal assistance, and to fund the implementation of those plans. The continued development of the IOLTA program will bring in additional resources to the system.

In addition, there are many un-tapped resources, or under-used resources, which can be further developed. These include a more successful attorney campaign to raise funds from individual donations through the Indiana Equal Justice Fund, accessing more non-LSC federal grants, and increasing the state allocation of funds to the civil legal system.

J. Benefit-to-cost analysis

Indiana has conducted no benefit-to-cost analysis regarding its work toward a comprehensive, integrated and client-centered legal services delivery system. However, we have learned that a more connected system often means a more expensive system. For example, the more isolated separate legal services programs had lower telephone and travel costs than the integrated single LSC funded program that now exists. As a further example, the ILS Board was expanded from 23 members to 51 members to make it more representative of the state but Board meetings and conference calls are more costly. We do believe, however, that this integrated system will provide more and higher quality assistance to clients, but acknowledge it is more expensive to provide a system in which staff members from different offices and different programs meet regularly in person and by telephone.

The administration of a statewide program was thought to be an area where economies of scale could be achieved by eliminating 3 executive directors and 3 controllers. However, ILS now manages 45 grants (up from 25) and a Resource Development Director, Grants Manager and Assistant to the Controller had to be added to the administration staff. Many of the new grants are local and smaller yet have numerous and time consuming reporting requirements which challenge the benefit of such grants.

K. Resources, Technical Assistance and Support needed

There are two issues here. The first involves the high cost of integrating four (4) separate staffs by equalizing salaries and benefits of four very disparate compensation packages of the four (4) separate merged programs. The equalization effort was believed to be necessary to bring into existence a team with real teamwork.

The second involves the high cost of building the organizational infrastructure necessary to accomplish the goals of merger. For example, our pilot intake and hot line project, to make intake more efficient at each branch office, has never been funded to the level it takes to properly staff such an operation. The required case management software did not exist at the time of implementation to allow the hotline to function properly. Time honored intake systems were, and still are, viewed with greater favor by many staff persons rather than centrally imposed, glitchy systems which have had mixed results. Our consumer law center, highly acclaimed for the technical expertise and support it brings to the practitioner, was not made up out of whole cloth. We diverted existing funds and resources to the consumer law center from other cost centers which reduced their ability to deliver services to clients.

Now that we are facing additional funding cutbacks from LSC due to the 2000 census, greater focus needs to placed on alternative delivery systems such as preventive and community legal education (high on the priorities list from our priorities setting meetings) private attorney involvement and pro se litigation. For example, ILS has been working with the Pro Se Committee of the Indiana Supreme Court Administrator's office and its Project Director, Anthony Zapata. Mr. Zapata has spoken with LSC regarding financial assistance to the Pro Se Committee to sponsor an in-state event and funds to attend an out of state conference on pro bono and pro se.

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

A. Addressing issues impacting upon low-income persons - measuring success

The strategies currently used to address the issues impacting upon the low income community in Indiana were in part discussed above in section I.A. Although there is no formal means of measuring success of these strategies, or of those developed in the future, the communications tools developed in the state planning process to provide a forum for a less formal measurement of success. For example, the monthly conference calls for advocates to discuss issues of housing or consumer law provide a forum to discuss whether issues spotted in earlier calls have been addressed, whether strategies

developed during earlier e-mail conversations were successful, and whether they can be replicated elsewhere in the state. The success of outreach or community legal education strategies are shared, and where appropriate, replicated. The broader priorities meetings and Access to Justice Conference provide the opportunity for additional organizations and individuals to express their concerns and their satisfaction with strategies used by the various partners in addressing the legal needs of the low income community.

Although these avenues of communication are of great import, there remains a need for measuring the success of the state planning initiative. The tools needed to measure success will be on the agenda for the next Access to Justice Conference in December.

B. Expansion of access through coordination with providers

Access to legal assistance has been greatly expanded since 1998. In addition to an Indiana Legal Services, Inc. office, each county is now also served by a Pro Bono Committee. This means that persons with whom ILS has a conflict are not excluded from legal assistance, but have an additional avenue. Because ILS and other providers coordinate their work with the local Pro Bono Committee, this overlap in service area is not duplicative, but rather complementary. The reporting system for the pro bono committees is still being developed, and therefore we cannot at this time quantify the increase in access and services.

The ILS Pilot Hotline has also increased access that applicants have to the intake system. Intake hours for most ILS offices have increased, and now include evening hours. This makes the intake system more accessible to persons who work go to school or otherwise have difficulty contacting ILS during business hours.

. Finally, the collaboration and capacity building done by and through the Round Table Sections and the various centers have increased client access to assistance in specific, complex areas of law. Because of the Consumer Law Center, for example, a client with a fair debt collection problem can now receive quality representation, no matter where he or she lives. In addition, in many localities where there are multiple providers, those providers are working together to coordinate their work so that all clients can benefit from the expertise and capacity of the different organizations. We are moving to adopt that model on a statewide as well as local basis.

As with the outcomes measurement, we have not made much progress in measuring the increase in access and services. Because not all providers receive grants from the same funder, and because there is no Access to Justice Commission which can enforce standards of case counting or outcomes, we are at a disadvantage in developing a system to measure the number of clients served and the impact collaboration has on those numbers. However, this is an area in which we can and will improve in the future.

C. Improvement of quality

The quality of services provided by the legal services delivery system has improved as we move toward a more comprehensive and integrated system. Because ILS is now statewide, the attorneys and paralegals in every office are able to learn from the experience and expertise of colleagues throughout the state. Where before there were small programs with only a handful of advocates working in isolation, now all of the advocates at ILS work with more than 100 colleagues. Through the use of email and conference calls ideas and strategies are readily shared and skills are developed by newer advocates, or those with little experience in a particular area. The level of complexity and diversity of cases has already increased. In addition, through regular communication and interaction, referrals among programs are more successful and co-counseling is made easier. Finally, the numerous training programs sponsored by the Indiana Justice Center enable staff members to take on cases in new areas of law and address more complex issues. Recent training programs have included: Special Education Advocacy; Used Cars; Disability and Housing; Domestic Violence and Public Benefits; and Medicaid. The IJC, in collaboration with other providers, sponsors 3 - 4 continuing legal educational seminars each year. These seminars are organized by committees of advocates. Trainers include attorneys in Indiana with expertise in the area and outside trainers whom we bring to Indiana. Topics are chosen based on client needs and the needs of various staff members.

D. Relative equity of client access

As a statewide legal services program ILS offers relative equity to clients throughout the state, regardless of county of residence, language, race, gender, national origin or other barriers. Because of all of the tools discussed elsewhere in this document (hotline, toll-free telephone numbers, mechanisms for exchange of ideas, strategy and expertise and capacity building in complex areas) low income people in Indiana have relative equal access to legal assistance. For example, prior 2001 when ILS became a statewide program, clients in some areas of the state did not have access to assistance in complex housing or consumer law cases. Now they do.

Where inequities exist, they do so because in some communities there are multiple programs providing civil legal services to low income people. While there is much need in those areas still unmet, it does mean that there are more resources available in, for example, Indianapolis, in proportion to the poverty population, where there are several programs, as compared to New Albany, where there is only ILS and the local pro bono committees. However, through the priorities setting process, discussed above, and by continuing to work to develop capacity statewide through the various centers, we are working to develop a statewide system in which clients in every area of the state have the same access to high quality legal assistance.

E. Relative equity of availability of the full range of civil equal justice capacities

By providing training of staff members and pro bono attorneys, and through the work of the various centers to develop capacity in a variety of areas, we have increased access to a full range of civil equal justice capacities. Referral systems work better because programs interact more and have a better understanding of the work that other programs do. Through appropriate referrals clients are more likely to have access to the appropriate level of services needed.

In addition, ILS's Pilot Hotline Project and statewide Senior Hotline are developing ways in which advice and brief service can be provided in an efficient and effective manner. By learning from this pilot project, we hope to implement a statewide hotline that will conduct centralized intake for ILS and for some of the 14 Judicial District Pro Bono Committees, and will provide advice and brief services as appropriate.

The challenge of serving the rural poor remains. ILS has toll-free numbers and varied intake hours to ensure that ILS is accessible to the rural, as well as the urban, poor. However, it often costs more in resources to serve clients in rural areas, where clients may live more than 2 hours from the nearest legal services office. However, because the Pro Bono Committees are located throughout the state they have made considerable progress in recruiting pro bono attorneys in even the most rural counties. The newly formed Pro Bono Committee in District 13, for example, has been able to recruit pro bono attorneys in the smallest counties, where there are few private attorneys. Because of the few numbers of attorneys, this cannot possibly meet the need, but it does increase the resources available to clients in those rural areas. As the work of the Pro Bono Committees continues we will be able to better measure the access available to clients throughout the state.

F. Efficiency of the system and areas of duplication

As a statewide program, ILS does operate more effectively than the previous four (4) separate programs did. However, there remain many areas of duplication. For example, ILS does not yet have a centralized database and one case management system, but will soon. In addition, ILS does not have a centralized intake and hotline system, although is piloting such a system now and will develop one based on the outcome of that pilot. Implementation of a single case management system, which can be used by ILS staff, pro bono attorneys and the staff and pro bono attorneys of other programs would result in great efficiencies.

In the larger system there are some areas of duplication. It can, unfortunately, be difficult for potential clients to navigate the system and determine which provider among the several in Indianapolis, for example, he or she should call. On the other hand, duplication can be beneficial to resolve conflicts and provide additional services to clients

in a system so over taxed that all service providers turn away clients otherwise financially eligible. In some areas of the state the intake for the local pro bono program has been joined with the intake for ILS. As these new systems work over time, the successes and problems of them will be shared with other pro bono and staff programs, and the efficacy of developing a single point of entry will be considered.

G. Involvement of private lawyers

Indiana has made perhaps its greatest progress in the area of private bar involvement in the provision of legal services to low-income people. The role of the Indiana Supreme Court in developing a statewide pro bono program was discussed above. Through court rule the Supreme Court created the Indiana Pro Bono Commission and Pro Bono Committees in each of the 14 Judicial Districts. The 14 Committees submit plans to the Commission each year explaining how they will recruit and retain pro bono attorneys to provide free legal assistance to low income people. Each of these committees includes representatives of the private bar, the judiciary, all legal service providers in the district and members of the community. They serve as a local planning body for pro bono. The Indiana Pro Bono Commission is appointed by the Indiana Supreme Court and the Indiana Bar Foundation. The Commission includes representatives of the judiciary, the private bar, legal service providers and the law schools. The Commission reviews the applications submitted by the local pro bono committees, and recommends to the Indiana Bar Foundation funding levels from the IOLTA funds collected by the Foundation. This results in a very integrated system with involvement by the bar, judiciary and providers on the local and state level. Although the program has not operated long enough to determine the outcome, every indication is that it will result in many more pro bono attorneys in the system.

The Indiana State Bar Association (ISBA) has also recently taken a much more active role in the state justice community. The ISBA houses the Executive Director of the Indiana Pro Bono Commission, who also serves as the ISBA Pro Bono staff. The ISBA Pro Bono Committee has been meeting actively to develop ways in which the ISBA can play a leadership role in increasing the number of attorneys who volunteer. The current ISBA President, Kristin Fruewald, has also taken a very public stance regarding the importance of pro bono and legal services. Local bar associations around the state are also taking on leadership roles in working with the local pro bono committees. The involvement and leadership of the organized bar associations is very important to the success of the pro bono program in Indiana.

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

A. Current configuration of programs

The legal service providers in Indiana include:

- Indiana Legal Services, Inc. - statewide
- Elkhart Legal Aid - Elkhart County
- Tippecanoe County Legal Aid - Tippecanoe County
- Evansville Legal Aid - Vanderburgh County
- Bartholomew Area Legal Aid - Bartholomew and surrounding counties
- Legal Aid Society of Indianapolis - Marion and surrounding counties
- Legal Services of Maumee Valley, Inc. - Allen and surrounding counties
- Community Organizations Legal Assistance Project - Marion County
- Neighborhood Christian Legal Clinic - Marion County
- Valparaiso University Law School Clinic - Porter County
- University of Notre Dame Law School Clinic - St. Joseph County
- Indiana University School of Law - Indianapolis - Clinic - Marion County
- Indiana University School of Law - Bloomington - Clinic - Monroe County
- Protective Order Project - Marion County
- Protective Order Project - Bloomington
- Judicial District *Pro Bono* Committees in each of the 14 Judicial Districts
- Indiana Advocates for Children - Marion County, Indiana
- Children's Law Center of Indiana - Marion County, Indiana
- Empowerment Project - Marion County, Indiana

These organizations receive funding from a wide variety of sources. All of the *Pro Bono* Committees receive IOLTA grants, and some have additional sources of funding. ILS is the only recipient of LSC funds.

B. Other configurations that have been explored since 1998

Since 1998 the LSC program configuration has undergone a total transformation - from four (4) programs to one(1). This transformation was formally completed in 2001, but the details of the transformation continue. In order to join the staff together, we have spent considerable time and energy developing systems and policies for a statewide program. The transformation will not be totally completed for several years. No additional changes are contemplated for the coming year.

C. Does the system eliminate duplications of systems?

Having one statewide program has eliminated many duplicative systems. However, because there remain many civil legal service programs in Indiana, that necessarily means

that there remain numerous accounting and human resources management systems. The programs are moving toward the possibility of using one case management system, sharing other technological tools, as discussed above. There are, however, no other plans to address this duplication among the various staff-based providers. Instead, the system in Indiana is developed to take advantage of the varying areas of expertise and capacity among providers.

One area in which we are working to eliminate duplication is among the various *pro bono* programs. The *pro bono* system established by the Indiana Supreme Court creates 14 different *pro bono* committees. These are designed to be locally based, and receive funding for the local work. However, there are a number of functions which could be combined in a more efficient way. For example, by collaborating on recruiting, training and recognizing *pro bono* attorneys the districts could possibly accomplish these functions in a more efficient way. For example, the Indiana Justice Center conducts all of its trainings in partnership with one of the *Pro Bono* Committees - the Heartland *Pro Bono* Council. The Indiana Justice Center sponsors a monthly conference call for representatives of the 14 *Pro Bono* Committees and others involved in *pro bono*. This regular communication should open the door for further collaboration.

The various legal service providers currently use different case management systems. In fact, ILS still has not combined all of its data on one case management system. However, as discussed above, ILS has applied for a grant to purchase a new case management system, and the other providers in the state will be invited to use this system. By sharing costs and perhaps maintenance of the system we will make the system more affordable for all programs.

D. New innovative service delivery systems / mechanisms / initiatives

Indiana has developed several innovative service delivery systems since 1998. They include: Senior Hotline; centralized intake pilot project; Hispanic Law Center; Consumer Law Center; *Pro Bono* Committees; and *Pro Se* Assistance. Many of these initiatives were discussed above. Additional information is provided here.

Senior Hotline: Through a grant from the Administration on Aging, ILS has a statewide Senior Hotline which provides advice and brief service to seniors. It also provides a single telephone number which seniors can call to access legal assistance. Cases that require more than advice and brief service are referred to the local appropriate office within ILS or other organization which serves that county and legal problem.

Centralized Intake Pilot Project: ILS is piloting a centralized intake system, which services four offices, four *Pro Bono* Committees, the Migrant Farmworker Project and Spanish-speaking clients throughout the state. Cases are screened for county and type of legal problem, and intakes are then forwarded to the appropriate location, including outside ILS to other providers. The future of this pilot project is in large part dependant

upon the success of ILS's grant application to purchase a new case management system.

Hispanic Law Center: The Hispanic Law Center's mission is to develop the capacity of the delivery system in Indiana to address the legal needs of persons whose first language is Spanish. This client community has unique legal needs which arise from or are exacerbated by the language barrier. The Center provides direct legal representation and also provides support to *pro bono* attorneys and other provider staff in providing this assistance.

Pro Bono Committees: The system of *pro bono* committees in each of the 14 Judicial Districts is unique to Indiana. This innovation may prove to be the greatest source of resources for civil legal assistance in the state.

Pro Se Assistance: This system, which includes judges, court clerks, private attorneys and providers, provides assistance to persons who cannot retain an attorney. With appropriate "triage" this will help persons who can navigate the legal system on their own with the tools they need to do so. It will also relieve providers and *pro bono* attorneys of these additional cases which can be resolved with little or no assistance from an attorney. This will ensure that the resources of staff and *pro bono* attorneys will be spent where they are most needed.

Conclusion

The creation of a statewide LSC funded program and 14 *Pro Bono* Committees have greatly changed the landscape of the state justice community in Indiana in the last three (3) years. These developments have increased access to justice for low income people. Together with the other local programs throughout the state, the state bar, judiciary and client community, ILS is working toward its goal of ensuring that all low income people have access to justice. The first important step in that process was the recognition that ILS cannot provide this assistance alone, but can be a major partner in ensuring that the assistance is provided. While we are not there yet, we have made major progress and continue to develop the systems, relationships and capacities that will enable us to achieve that goal.