

**II. Summary of Listening Sessions (continued)**  
**C. Listening Session with Legal Services Directors**

Participants began the discussion by identifying overarching principles and goals for the use of the new public funding. There was general agreement that community should seek to:

1. Increase the presence of legal services in underserved neighborhoods;
2. Build capacity within existing organizations;
3. Increase and improve collaboration among service providers (a number are already discussing how they can collaborate to address unmet legal needs; for example, Ayuda and the Asian Pacific American Legal Resource Center are planning to work together to increase access to legal services for the immigrant community);
4. Focus on filling gaps in current services (for example, targeting populations that receive little or no services);
5. Recognize that poverty lawyering cannot simply be case-based; it must include strategies to empower and organize the community, so that clients can be better advocates for themselves;
6. Try new strategies for serving clients and addressing poverty more systemically;
7. Be proactive, not reactive;
8. Increase the role of the larger legal community, pro bono attorneys in particular, in tackling systemic issues.

One participant also urged that future efforts “build on the core legal services values” of seeking justice for all segments of the community. Several participants agreed that future efforts should demonstrate a “return to our legal services roots” and focus on core legal needs such as providing direct representation, helping clients to navigate systems, giving clients fundamental skills to defend and advocate for themselves, and providing community education.

One participant urged the group to think about the public (as opposed to private) character of the new funding and to consider how public funds should be used differently than private funds. Several participants agreed that the public funding should support core services and that private funds should augment them, and support other organizational needs, such as attorney-retention. Another participant urged the group to use the money to “correct” the ad hoc way that services are provided in the District.

**Thinking Point: What criteria should the Bar Foundation consider when evaluating program proposals?**

. One participant identified (and the group appeared to support) the following core elements:

**The proposed programs should increase the number of attorneys serving the community:** Most participants agreed that increasing the sheer number of attorneys providing services is a clear priority. Some participants noted (and the group seemed to agree), however.,that this is only one element of the comprehensive strategy needed to improve access to services and combat poverty.

**The proposed programs should reduce barriers to access:** Participants agreed that access to services is a critical problem facing underserved communities. They noted that proposals should tackle access problems by placing attorneys directly in underserved communities and providing multiple access points for services (i.e. phone access, email access, in-person access).

**The proposed programs should reduce the “bouncing” of clients between programs and help clients to reach the program best able to serve them:** Like participants in other listening sessions, participants voiced concern about the chronic re-referral of clients. Some participants advocated increased collaboration among providers, co-location of services in one facility, and facilitated referral of clients.

**The proposed programs should provide a full range of service:.** A number of participants agreed that programs should have the capacity and resources to provide the different types of services clients may need – brief services, direct representation, impact litigation, and legislative advocacy.

### **Thinking Point: Where could legal services be located for greatest impact?**

Like participants in other listening sessions, participants strongly agreed that legal services organizations should provide services in the neighborhoods and communities where clients reside. They also agreed that services should be located where indigent individuals already congregate and that ease of access should be a priority in choosing locations. Participants also supported mobile services. Participants agreed that ideally, the funding would support both these approaches. But they recognized the challenge of prioritizing given limited resources.

One participant urged the Bar Foundation to consider the difference between projects that propose a physical location in an underserved neighborhood versus those that propose a “presence” in the neighborhood. This participant argued that potential clients are significantly better served from a facility located in the neighborhood. Without such a physical location, this participant contended, clients do not feel that they have “a place to go” when they need help.

One participant stressed that the conception of underserved community not be defined strictly in geographical terms. In particular, this participant identified prisoners as an underserved population that is spread across the country. Participants agreed that the definition of “underserved” should not be defined only by geography.

**Thinking Point: Who should provide these services?**

Participants recognized great benefit in having more experienced attorneys fill these positions. However, one participant voiced a “management concern” about depleting main offices of experienced attorneys and noted that organizations would have to think carefully about the impact of this strategy.

Participants also stressed that attorneys are not the only individuals with the skill set to improve service provision. They noted an important role for paralegals and other paraprofessionals that can support attorneys’ work (e.g. do filings). They also urged increased outreach to bilingual professionals who are familiar with and comfortable in underserved communities.

**Thinking Point: What would attorneys need (e.g. technology, resources, access to supervision, administrative support) to be effective?**

Participants identified the following needs:

**Technology:** Participants agreed that technology is critical component to making service delivery more effective and efficient. One participant noted in particular laptops with wireless internet access would greatly increase efficiency. Another participant voiced concern that it would be “bad for morale” if some attorneys -- because of the funding stream supporting their work -- had better technological resources than others. This participant favored improving technology but noted that organizations should think through how to ensure that all attorneys benefit .

**Information sharing:** A number of participants stated that the community needs better mechanisms – both technological and otherwise – for sharing information. One participant suggested web-based mechanisms.

**Supervision:** Participants agreed with participants in other listening sessions that supervision is critical, particularly if new attorneys fill the positions funded by the Foundation grants.

**Organization infrastructure:** One participant noted that in order to accommodate an influx of new attorneys, organizations need adequate infrastructure. Many organizations are already operating at capacity and would need to expand their facilities and support functions for new attorneys.

**Staff retention incentives:** Many participants agreed that, as a global issue, organizations need resources to improve staff retention. Many organizations regularly lose their most experienced attorneys after only a few years . Although the public funding is likely not a source for these efforts, participants agreed that it would be helpful to explore as a group how they can collectively improve their health care benefits, retirement benefits, etc. and pool resources on retention issues.

**Thinking Point: What ideas do you have for evaluating the successes of the initiatives to be funded?**

Participants had strong reactions to the evaluative component of the grant program and strongly urged the Bar Foundation to make evaluation secondary to the actual provision of services. Participants agreed that it is important to examine and evaluate whether the initiatives have the proposed effect but are also wary of complex evaluation procedures that would draw resources away from actually serving clients. Participants had the following suggestions for evaluating the success of funded initiatives:

**Focus on qualitative, not quantitative, measures:** Participants agreed that in this arena, it is significantly more informative to examine qualitative changes rather than to focus on numbers. The impact of the services provided, they contend, is more important than the number of people served. Participants suggested that the Bar Foundation create metrics that look at results (for example, a reduction in TANF sanctions, an increase in the number of individuals retaining public benefits, a decrease in the number of people displaced from their housing). One participant noted that other foundations have changed their evaluative requirements to reflect these types of metrics. Participants urged the Bar Foundation to be “creative” in its assignment of metrics and to give grantees sufficient flexibility to provide evidence of success that may not correspond to traditional success measures.

**Do not limit the evaluation of success solely to contributions by grantees:** One participant noted that grantees will leverage grant funds to obtain contributions from organizations that will not receive grant funding (for example, the DC Bar Pro Bono Program). These contributions should be counted as part of the success evaluation, as they provide an indication of the project’s sustainability.

**Articulate the desired metrics as part of the RFP:** A number of participants urged the Bar Foundation to articulate outcome measures as part of the RFP. It would help legal services providers immensely to know what types of measures (e.g. decrease in evictions, increase in retained benefits) the Bar Foundation is interested in using for its assessment of the program. This will reduce the need for providers to expend resources creating the evaluation piece and will create consistency in metrics between grantees. It will also ensure that the Bar Foundation receives the type of information it needs to report on its grants. A number of participants also requested that the Bar Foundation provide an evaluative instrument for all grantees to use. This will again preserve grantees’ resources for use in service provision rather than evaluation development.

**Consider the importance of non-quantifiable contributions:** A number of participants stressed that there are many measures of success that simply cannot be quantified. Community education, for example, has the potential to assist numerous individuals at one time, but it is nearly impossible to quantify the impact of such initiatives. Similarly, there is often value in simply providing representation to someone,

even if the client does not ultimately prevail. A number of participants noted that client support is itself an important outcome that cannot be quantified. Some pointed to client satisfaction surveys as an important measure of success – clients will report that having an attorney made an enormous impact on their lives, regardless of the case outcome. Participants urged that all of these non-quantifiable contributions be considered as part of the “success story.”

**Use mapping to show impact:** A number of participants urged the Bar Foundation to use before-and-after mapping to show the impact of the new funds. Such a map could indicate where attorneys have been placed and where individuals are being served. Organizations with experience in project evaluation stressed that visual exhibits are most effective in showing program benefits.

**Include demographic information in the RFP:** A number of participants urged the Bar Foundation to include in the RFP demographic information demonstrating where the service gaps are. One participant objected to this idea, noting that the organizations should know the populations they are serving without having to rely on the Bar Foundation for demographic information. Other participants countered that their organizations did understand the populations they are serving but did not necessarily have the type of statistical information that some evaluation pieces required.