



## MEMORANDUM

TO: Alliance Members and Supporters  
FR: Access to Justice Board  
RE: The *State Plan* Implementation Update Report  
DA: August 20, 2008

### MEMBERS

M. Wayne Blair  
Gregory R. Dallaire  
Hon. Elizabeth Fry  
Hon. Steven C. González  
Daniel S. Gottlieb, Chair  
Millicent D. Newhouse  
Bruce W. Reeves  
Elizabeth Schoedel

### STAFF

Joan E. Fairbanks  
Justice Programs Manager  
206 727-8282  
joanf@wsba.org



Two years ago the Access to Justice Board adopted its *Plan for the Delivery of Civil Legal Aid to Low Income People in Washington State (State Plan)*. Since then, an impressive amount of work has been undertaken by the Alliance members and supporters around the state in service of the implementation of the State Plan. The attached Implementation Update Report chronicles this work, all of which has resulted in the improvement of civil legal aid services to low income people in Washington State.

The Implementation Update Report also outlines those areas of the *State Plan* that have not yet been implemented; offers guidance as to further implementation; and provides a blueprint for the allocation of additional funding, if and when it is secured. Many of these were advanced as proposals by the ATJ Board's *State Plan* Oversight Committee (SPOC) and have been vetted with the Alliance. The ATJ Board received comments on the Implementation Update Report during two public meetings and through many thoughtful written comments, available online at [www.wsba.org/atj](http://www.wsba.org/atj). The ATJ Board carefully considered all of these responses before adopting this Report.

Most of the comments focused on two *State Plan* recommendations: (1) establishment of five pro bono "hubs;" and (2) establishment of a Statewide Support Center. The ATJ Board concludes that the hub proposal is sound and will serve to address the State Plan's goal of enhancing the pro bono delivery functions. The Report describes a phased-in process for the implementation of the hubs, recognizing that additional time, funding and technical support may be necessary. The ATJ Board will work with the Legal Foundation of Washington to ensure that technical support is available to all pro bono programs in the hub areas to assist with all aspects of implementation. We hope to meet with staff and boards of these affected programs over the upcoming months.

Regarding the Statewide Support Center, the ATJ Board concludes that the tenets of the *State Plan* and the Alliance in general are best served by an integrated center which would include staffing dedicated to supporting pro bono functions. We expect that the governance of the state support center will include significant representation by pro bono staff and/or pro bono program board members.

Establishment of the Statewide Support Center, additional staffing for the pro bono hubs, and pay increases for pro bono coordinators are all dependent on the procurement of new funding. Efforts are currently underway to secure additional funding from the state legislature. Your assistance in this effort will be necessary.

The ATJ Board continues to be interested in your ideas and thoughts on how to best communicate regarding *State Plan* implementation efforts. In the meantime, we encourage those of you involved in regional planning to continue to meet periodically to monitor improvements in your regional delivery system. Finally, we are very impressed and appreciative of your assistance in this effort; in just two years, the civil legal aid delivery structure in this state has been greatly improved.

**IMPLEMENTATION UPDATE REPORT**  
of the  
**Plan for the Delivery of Civil Legal Aid to Low Income People in  
Washington State (Revised 2006)**

**Access to Justice Board  
August 15, 2008**

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**IMPLEMENTATION UPDATE REPORT**  
of the  
**Plan for the Delivery of Civil Legal Aid to Low Income People in  
Washington State (Revised 2006)**

**Access to Justice Board**  
**August 15, 2008**

**INTRODUCTION**

In May 2006, the Washington State Access to Justice Board adopted its Revised Plan for the Delivery of Civil Legal Aid to Low Income People in Washington State. Over the past two years, significant progress has been made towards implementation of all aspects of this State Plan, and further effort remains. This Implementation Update Report documents the collective planning efforts of Alliance members and supporters across the state and highlights the areas of accomplishment and substantial progress on delivery system modifications called for by the State Plan. The Report also contains a number of recommendations or changes in the way civil legal aid is configured and supported in our state. The ATJ Board recognizes that additional time and resources may be necessary to fully implement the State Plan by 2010.

The State Plan called for the creation of nineteen local planning regions and contemplated the development of nineteen regional plans for achieving minimum client service delivery benchmarks. The ATJ Board's State Plan Oversight Committee (SPOC) guided the initial steps of the intensive assessment and planning process at the regional level. Regional planning teams composed of local and regional legal aid providers and community leaders worked diligently over the course of many months. Their efforts in turn produced a wealth of valuable information and confirmed the complexities of delivering on the promise of equal justice as provided for in the ATJ Board's Hallmarks of an Effective Civil Legal Aid Delivery System (Hallmarks). The results of this work are summarized in this Report. The regions are organized into eight larger geographic areas for ease of presentation.

This planning effort was a remarkable example of the effectiveness of Washington State's equal justice community — the Alliance. Countless individuals, representing scores of institutions, have contributed to the discussion. This Report represents the examination of this state's civil legal aid delivery system through multiple lenses — local, regional, and statewide. It also demonstrates the capacity of this community to creatively explore alternatives to maximizing the effective use of the limited resources available to address the civil legal needs of an increasing poverty population in Washington.

An important goal of the planning process is for all participants to reaffirm and reconnect to the mission of equal justice. Every day poor people in Washington are excluded from legal forums or denied rights that the law promises. This planning process has enabled Washington's legal aid providers, each charged with addressing its own service area and/or special focus, to step back from individual program perspectives, understand the broader delivery structure, strengthen relationships and collaborate in new ways. It is anticipated that this expanded sense of purpose and clarification of a commonly-held mission will assist providers in working together to ensure that the promise of equal justice is realized for those in need of civil legal aid.

Over the course of the past two years, a number of significant improvements have been made to our delivery system. New offices have opened in rural areas of the state,

additional attorneys have been added to existing offices, and King County now has an intake and referral system. These developments were made possible by an increase in the State legislative appropriation for the 2007/2009 biennium, and were informed in large part by the 2006 regional and state planning processes. This Report outlines a number of recommendations designed to further improve our delivery system, some of which are dependent upon the securing of additional resources. For those that require additional funding, these recommendations are designed to provide a blueprint for future budget requests and to inform resource allocation decision making in accordance with the State Plan. Implementation of the State Plan is an on-going process to continuously improve the civil legal aid delivery system in this state.

This Implementation Update Report is organized as follows:

- **Section I** summarizes the key points of the regional plans. Eight multi-regional service delivery areas feature recommended structural changes, including these highlights:
  - A. restructuring of rural service delivery through the development of plans for achieving minimum client service delivery throughout the state;
  - B. identifying changes in regional delivery system organizational structures that will create, enhance, and upgrade collaborative partnerships;
  - C. creating a new multi-program office in Moses Lake to serve those who are not eligible for state or federally funded legal aid; and
  - D. implementation of a new centralized intake system in King County.
- **Section II** identifies mechanisms to strengthen the pro bono delivery functions.
- **Section III** is a summary of the progress being made towards strengthening statewide support of the civil legal aid delivery system and necessary further enhancements of this component of the delivery system.
- **Section IV** outlines initiatives designed to improve access to civil legal aid.
- **Section V** covers other structural topics and observations.
- **Section VI** outlines the ATJ Board's conclusions and recommendations regarding further steps in the implementation of the State Plan.

## SECTION I — KEY REGIONAL PLANNING FEATURES

### Introduction

For purposes of reviewing the regional plans, SPOC divided the state into eight larger geographic areas, many of which cover more than one region. These areas were constructed with an eye to similarities in client populations, geography, availability of social services, and/or the location of legal aid providers. Maps can be found at the beginning of each section which show the counties and regions within a particular geographic area.

During the Assessment phase of regional planning, virtually every region indicated that the priority legal needs of clients tracked those found in the Civil Legal Needs Study. Additionally, all of the regional plans indicated that there is a need to increase the number of staff attorneys available to clients in the region. A large number of regions have Native American tribal populations; planners in all these regions recommended increasing services to this client community. These themes are reported summarily below.

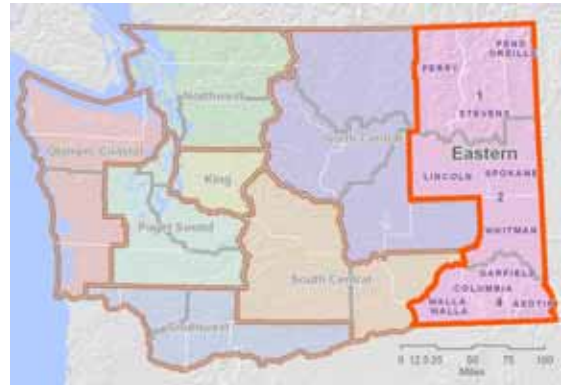
Regional planners spent considerable time creating their respective regional plans. In most cases, the Plans are lengthy and contain a significant amount of information and detail regarding the delivery system and recommendations to improve it. Because of space limitations, the information below is a very cursory summary of each Plan. If a reader is interested in reviewing a particular Regional Plan, please contact any SPOC member to request a copy.

### Eastern Washington Area

**Region 1- Ferry, Stevens, Pend Oreille Counties**

**Region 2- Spokane, Lincoln, Whitman Counties**

**Region 4- Asotin, Garfield, Columbia, Walla Walla Counties**



#### **I. Regional Configuration at the Beginning of the State Plan Implementation Process<sup>1</sup>**

The Eastern Washington Area is comprised of three State Plan identified regions containing the above-referenced ten counties. When the State Plan was adopted in 2006, the civil legal aid service delivery system in this part of the state included a Northwest Justice Project (NJP) office in Spokane with five attorney advocates serving clients in eight counties, a one-attorney TeamChild office in Spokane, a Center for Justice office, several specialized clinics at Gonzaga University Law School, and an Unemployment Law Project branch office with one attorney in Spokane. An NJP office was set to open in Walla Walla to be staffed by three attorney advocates<sup>2</sup>. The operational pro bono

<sup>1</sup> This section identifies the legal aid providers present in the area in May of 2006. With respect to the state-wide providers — Columbia Legal Services, the Northwest Immigrant Rights Project, TeamChild, and the Unemployment Law Project, the service delivery area is much broader than the region associated with the office. These entities are resources in all regions and areas across the state.

<sup>2</sup> The Walla Walla office was also assigned responsibility for Benton and Franklin Counties in adjacent Region 8, to be served from a Pasco satellite location.

programs were the Spokane County Bar Association Volunteer Lawyer Program, the Whitman County Legal Services Community Action Center in Pullman, the Asotin County Legal Services program in Clarkston and the Blue Mountain Action Council Volunteer Attorney Program in Walla Walla. The latter three programs were identified in the State Plan among those needing to consider changes given their stand-alone status and the very low number of available attorneys in their respective areas.

## **II. State Plan Implementation Process**

### **A. Phase One: Regional Assessment of Legal Needs**

Planners in all three regions concluded that there were not enough staffed legal aid attorneys available to assist with the client demand. Attorneys in the Spokane and Walla NJP offices were covering a very large geographic area. Serving clients in this ten county rural area was noted as a particular challenge to meeting clients' needs. Planners in region 2 noted that clients with employment, housing and education discrimination cases were particularly underserved. Regions 1 and 2 identified Native American tribal members as an underserved client group. Region 4 identified persons ineligible for publicly funded legal services as the largest group of underserved clients in that region. Planners also noted difficulties clients faced in accessing CLEAR services.

Planners in Region 3 — Whitman, Asotin and Garfield Counties — expressed concerns about the alignment of the counties within this region, noting that Asotin and Garfield Counties' client populations were similar and more politically and geographically compatible with Walla Walla and Columbia Counties. In response, SPOC agreed to the proposed reconfiguration which aligned Asotin and Garfield Counties with Walla Walla and Columbia Counties. Whitman County was reassigned to Spokane and Lincoln Counties — Region 2.

### **B. Phase Two: Regional Plans**

1. **Upgrading the rural delivery system.** Regional planners made the following key recommendations:
  - The number of staff attorneys available to clients in Eastern Washington should be increased, including opening an NJP office in Colville.
  - There should be a regular attorney presence in each of the counties, even on a part-time basis.
  - There should be increased advocacy in substantive areas identified in the assessments.
  - Region 1 proposed establishing its own intake and advice system, and withdrawing from CLEAR.
  - Region 2 proposed increased collaboration with state-wide specialty providers, including Columbia Legal Services, in developing a protocol for conducting intakes at local institutions; establishing regional web connectivity to increase communication among regional partners on service delivery issues; developing outreach programs to marginalized communities; and increasing coordination and collaboration among providers through on-going regular planning meetings.
2. **Strengthening pro bono**
  - Planners in Region 1 recommended that NJP assume the pro bono functions previously performed by the former pro bono program in Colville.
  - Region 2 planners recommended continued funding and support of both the Spokane and Whitman County pro bono programs as separate entities.

- Region 4 planners recommended one pro bono contract for the entire four-county region, to be administered by a parent agency such as the Blue Mountain Action Council in Walla Walla, with offices in Walla Walla and Clarkston.

**3. Expanding access for all low income people.** Planners recommended:

- There is a need to improve services to undocumented or LEP (limited English proficiency clients).
- Additional attorney time should be dedicated to tribal issues.

**4. Other recommendations by regional planners**

- NJP's Contract Attorney Program in region 4 was viewed as needed to help out in "certain, unusual circumstances".
- The use of video cameras and computers to connect attorneys with clients in remote areas should be explored.

**C. Phase Three: SPOC's Response to the Regional Planners**

Region 1 — SPOC supported the local regional planners' recommendation that a NJP office be opened in Colville, with the expectation of continued planning to develop the most efficient way to serve clients in Stevens, Ferry and Pend Oreille Counties.

Committee members did not support the integration of the pro bono functions into the NJP office, but instead suggested that case referrals to attorneys occur informally once local bar relationships are established. The Committee did not support the region's recommendation to conduct its own intake, apart from the CLEAR system.

Region 2 — All of this region's recommendations were supported, with the exception of continued funding of the Whitman County pro bono program. The State Plan notes that there are an insufficient number of private attorneys in Whitman County to support a free-standing pro bono program. Given these factors, SPOC members did not support continued funding of the Whitman County pro bono program and, instead suggested exploration of a merger with the Spokane Volunteer Lawyer Program.

Region 4 — All the recommendations in this region were supported, with the exception of the continuation of the Asotin County pro bono program which has a very small number of participating attorneys. The Walla Walla (Blue Mountain Action Council or BMAC) pro bono program was also identified in the State Plan among those needing to consider changes from stand-alone status, but SPOC members recommended that it assume responsibility for an expanded geographic area including Garfield, Columbia and Asotin Counties. Additionally, SPOC noted the Walla Walla pro bono program is able to assist clients ineligible for state and federal funded legal services — a necessary service in Region 4. The Committee recommended the continuation of a half-time coordinator in Walla Walla, given the number of attorneys in the four-county area and increased coordination with NJP's enhanced Walla Walla office.

**III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

This area is now served by a larger delivery structure. The Spokane NJP office has seven staff attorneys serving Spokane, Whitman and Lincoln Counties; the new Colville NJP satellite office has two attorneys serving the northernmost three counties; NJP's Walla Walla office has three attorneys to serve the four southernmost counties. In total, twelve attorneys now staff legal aid offices throughout the Eastern Washington area.

During the pendency of the planning process no changes took place in the pro bono programs in this area.

#### **IV. Recommendations**

- In order to better integrate and support pro bono Alliance functions and reduce administrative duplication of efforts, the Asotin County pro bono program in Clarkston should be subsumed under its counterpart in Walla Walla.
- The Spokane pro bono program is appropriate for a pro bono regional service area or hub to provide services to clients throughout the six counties in Regions 1 and 2 (see section II below).
- The Whitman County pro bono program, also identified in the State Plan as not sustainable as a stand-alone program, should be integrated into the Spokane hub service area (see above).
- Additional staffing for the pro bono hub may be appropriate, if additional funding becomes available.
- There should be continuation of the significant progress made in Alliance wide service delivery coordination and capacity to Native American communities, which includes coordination with tribal legal aid office(s).

### **North Central Washington Area**

**Region 5- Okanogan County**

**Region 6- Chelan and Douglas Counties**

**Region 7- Grant and Adams Counties**



#### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

When the State Plan was adopted in 2006, the civil legal aid service delivery system in these three regions consisted of a five attorney Northwest Justice Project (NJP) office in Wenatchee with one of the attorneys assigned to staff an NJP satellite office in Okanogan and one attorney assigned to the state-wide Farmworker Unit. The Chelan-Douglas County Volunteer Attorney Program in Wenatchee served clients in Chelan and Douglas Counties; the pro bono programs in Okanogan County (Okanogan County Community Action Services Volunteer Attorney Program) and the North Columbia Volunteer Attorney Services Program in Moses Lake were both identified in the State Plan as needing to consider changes from stand-alone status and the lack of available private attorneys.

#### **II. State Plan Implementation Process**

##### **A. Phase One: Regional Assessment of Legal Needs**

Regional planners identified limited English proficient individuals and persons ineligible for state/federal funded legal services as the largest groups of underserved clients throughout this area. Colville tribal members were also identified as being underserved. Family law and youth law were both identified as priority legal problems needing additional resources to address the unmet need. Other gaps in service included extended representation in all substantive areas. Planners determined that there were not enough staff advocates or private attorneys available to provide services. Planners also noted a need for better community education about available services and a more user-friendly CLEAR system.

## **B. Phase Two: Regional Plans**

**1. Upgrading the rural delivery system:** Regional planners made the following key recommendations:

- The number of staff attorneys in the region should be increased.
- Coordination and collaboration among providers should be increased.
- There is a need for increased public awareness of the law and the legal system in outlying areas.
- There is a need for increased advocacy in substantive areas identified in the assessments.

**2. Strengthening pro bono:**

- Planners in Okanogan indicated they wanted to revive the local bar in order to support the pro bono program. They joined with their colleagues from Adams and Grant Counties in recommending participation in a statewide pro bono entity<sup>3</sup>
- Wenatchee planners suggested increasing the VLP staffing to include an administrative assistant or program coordinator who would free up the current director to recruit attorneys to serve undocumented clients, and spend more time on housing and employment law cases.

**3. Expanding access for all low income people:** Planners recommended:

- There is a need to improve services to undocumented or LEP (limited English proficiency) clients. Proposals included opening a NWIRP office in Wenatchee and/or staffing a Moses Lake office with one NWIRP and one CLS attorney.
- There is a need to dedicate additional attorney time to tribal issues in Okanogan County.

**4. Other recommendations by regional planners:**

- An Alliance task force should be established to work with prosecuting attorneys to handle pro bono cases.
- Video cameras and computers should be used to connect urban pro bono attorneys with regional clients in other parts of the state.

## **C. Phase Three: SPOC's Response Back to the Regional Planners**

Region 5 planners identified an impressive list of special initiatives or services that would benefit clients in the region. SPOC encouraged planners to pursue those with promised additional staffing. Region 6 planners indicated that they will engage in further planning efforts to determine how best to use a new NJP Wenatchee attorney to address regional priorities and needs; SPOC members encouraged Region 6 planners to do this in the context of additional regional planning. Region 7 planners will engage in further planning to determine how to better serve NJP eligible clients throughout the region. Noting that all the regions requested staffing to meet the needs of clients not eligible for state or federally funded legal aid, SPOC noted that the projected Moses Lake pilot would work to fill this need, along with the possibility of adding a TeamChild component as resources become available.

The State Plan identifies the Grant County pro bono program as not sustainable as a stand-alone program. SPOC noted that this is the only remaining region in the state that does not have a physical NJP office (the region is served from the Wenatchee office) and

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<sup>3</sup> The Statewide pro bono entity concept is explained in Section II, below.

this pro bono program complements NJP services to the federal and state-eligible client population. Given this important function and the fact that the pro bono program was to be co-located with the new Moses Lake program, SPOC members recommended that the Grant County pro bono program continue to receive Alliance support while this delivery system innovation develops. Additionally, the Chelan-Douglas pro bono program was asked to coordinate more closely with the Grant County pro bono program and consider a future merger. The Chelan-Douglas pro bono program was also asked to determine if it could integrate into its referral base any of the Okanogan County volunteer attorneys who may be interested in continuing volunteer opportunities.

### **III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

This area is now served by a much larger delivery structure. The Wenatchee NJP office has five staff attorneys and the Okanogan satellite NJP office has two attorneys, for a net gain of two NJP attorneys. A new office in Moses Lake recently opened. Staffed by two attorneys from Columbia Legal Services (CLS) and two from the Northwest Immigrant Rights Project (NWIRP), this office will primarily serve clients who are not eligible for services from NJP. Eleven attorneys now staff legal aid offices throughout North Central Washington.

The Grant County pro bono program is co-housed with the new Moses Lake office. Due to the very small number of available attorneys in Okanogan County, the Legal Foundation of Washington (LFW) notified this program in November 2007 that it would receive no further funding effective January 1, 2008. This pro bono program closed the end of 2007. The Chelan-Douglas program received a funding increase to support additional services to clients.

### **IV. Recommendations**

- If additional resources become available, consideration should be given to the opening of an additional NJP office in the Grant Adams area.
- If additional resources become available, consideration should be given to adding a TeamChild attorney to the Moses Lake area to address youth law issues in this part of the state.
- The Wenatchee pro bono program is appropriate for a pro bono regional service area or hub to provide services to clients throughout the five counties in Regions 5, 6 and 7 (see section II below).
- Additional staffing for the pro bono hub may be appropriate, if additional funding becomes available.

## **South Central Washington Area**

**Region 8- Benton and Franklin Counties**  
**Region 9- Yakima and Kittitas Counties**

### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

When the State Plan was adopted in 2006, the staffed legal aid component of the service delivery system in these two regions consisted of NJP's Yakima office with four attorneys; a Farmworker Unit with two attorneys and the



Pasco satellite office of Walla Walla office with one attorney; Columbia Legal Services (CLS) offices in Yakima with three attorneys and in Kennewick with three attorneys; a Yakima TeamChild office with one attorney; and a Northwest Immigrant Rights Project office in Granger with two attorneys. Pro bono programs existed in Yakima (Yakima County Volunteer Attorney Services) and Kennewick (Benton Franklin Legal Aid Society).

## **II. State Plan Implementation Process**

### **A. Phase One: Regional Assessment of Legal Needs**

Region 8 planners identified family law cases as the highest priority. The assessment also revealed that clients with limited English proficiency face significant barriers in accessing services; clients in the rural outlying areas of the region have particular difficulty accessing services; and there are too few services for those who are not eligible for state or federally funded legal services. Consumer issues were also identified as difficult to serve given the demand. Planners also noted that confusion still exists regarding how the legal aid entities relate to each other.

Planners in Region 9 identified monolingual Spanish speakers (many of whom are not eligible for state/federal funded legal services) and Native Americans on the Yakama Reservation as having difficulty accessing services. Persons with private landlord-tenant disputes, consumer issues, family law matters, civil rights claims and education issues were also identified as being underserved.

### **B. Phase Two: Regional Plans**

**1. Upgrading the rural delivery system.** Regional planning key recommendations included:

- There is a need for a community worker in the CLS Tri-Cities office.
- There is a need to establish a regular attorney presence in outlying parts of the counties.
- There is a need for increased services to clients ineligible for state or federally funded legal aid.
- A NWIRP satellite office should be opened in the Tri-Cities.
- Services should be increased to Yakama Nation members, including driver's license reinstatement cases.
- TeamChild services should be increased.
- A pilot project should be established to serve emergency client needs in family law and housing cases.
- All providers in the Tri-Cities should be co-located.
- Confusion about the role of each provider could be minimized through "name-branding" and community education.

#### **2. Strengthening pro bono**

- Benton-Franklin Legal Aid is working to implement a mediation program for those attorneys who might be interested in assisting with family law cases, but are unable to provide direct representation. The program envisions hiring a full time staff attorney to focus on serving emergency family law needs. The attorney would also provide representation on an emergency basis and coordinate clinics and pro bono work to serve clients once the emergency has been addressed.
- Yakima Volunteer Attorney Services requested a staff person dedicated to developing pro bono prospects in Kittitas County.

**3. Expanding access for all low income people.** Planners recommended:

- There is a need to improve services to clients ineligible for state/federally funded legal services and LEP (limited English proficiency) clients.
- There is a need for additional attorney time dedicated to tribal issues.

**4. Other recommendations by regional planners**

- Direct representation continues to be a pressing unmet need. Creative partnerships that draw in volunteer lawyers from non-traditional sources like government attorneys or corporate counsel should be explored to increase capacity.
- Video cameras and computers can be used to connect attorneys with clients in remote areas.

**C. Phase Three: SPOC's Response Back to the Regional Planners**

SPOC encouraged Region 8 and 9 planners to work with the staff of the new office in Moses Lake on strategies to increase services to people in Central Washington ineligible for state or federal funded legal aid. With the addition of new NJP staff attorneys, staff time can be devoted to underserved priority needs, and to serving clients in the rural remote parts of the region.

While sympathetic to the requests of both pro bono programs to hire additional staff, SPOC advised the Regions that limited funding prevented consideration of these requests. The Yakima program was encouraged to first expand its services within Yakima County before extending services to Kittitas County.

SPOC appreciated the initiative of Region 9 planners to develop the drivers' license reinstatement project at the Yakama Nation and supported their efforts to identify other ways to serve this client population.

Region 9 planners were also urged to identify mechanisms to serve clients in Kittitas County, with consideration given to using space provided by HopeLink — a social service provider in Ellensburg.

**III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

The delivery system in this region has expanded. NJP staffing has been increased by two attorneys in Yakima and the Pasco office has been upgraded to two FTE attorneys, plus additional staffing support from the Walla Walla office as needed.

**IV. Recommendations**

- Although there is potential for expansion of the Yakima pro bono program into Kittitas County, the program was encouraged to focus initially on increasing services to Yakima County clients.
- Regional planners should continue to explore improved service delivery to Native American clients.
- It should be determined how NJP attorneys can increase services to low income persons in Kittitas County.

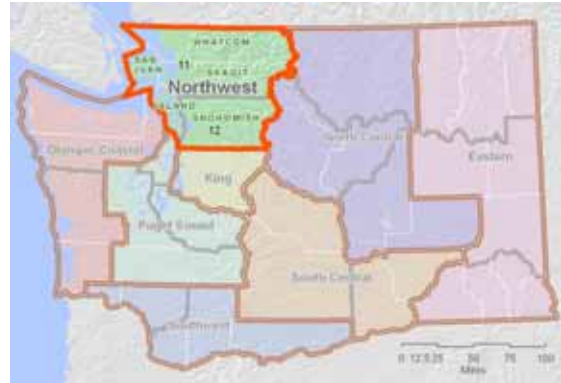
## **Northwest Washington Area**

### **Region 11-Whatcom, Skagit, Island and San Juan Counties**

### **Region 12-Snohomish County**

#### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

The Northwest Washington Area is comprised of the five counties in Regions 11 and 12. The civil legal aid service delivery system in this part of the state consists of one Northwest Justice Project (NJP) office in Bellingham with four attorneys, an NJP office in Everett with five attorneys, and a TeamChild office in Everett with two attorneys. There are four pro bono programs in the area: the Volunteer Lawyer Program of Island County, Skagit Volunteer Lawyer Program, Snohomish County Legal Services, and Law Advocates in Bellingham.



#### **II. State Plan Implementation Process**

##### **A. Phase One: Regional Assessment of Legal Needs**

- Underserved client populations in this five-county area include clients ineligible for state/federal funded legal services, veterans, tribal members, and disabled clients.
- Priority legal problems that are not adequately addressed include consumer and/or debtor rights, bankruptcy cases, family law, housing security issues, youth law, low-wage workers' rights, and government benefits.
- Additional "preventative law" or community education efforts are needed, especially with respect to consumer rights, landlord-tenant rights, and discrimination issues.
- Barriers to clients accessing legal aid include a lack of educational materials in languages other than English.
- Office hours do not accommodate low-wage workers.
- Clients have difficulty accessing the CLEAR system.

##### **B. Phase Two: Regional Plans**

###### **1. Upgrading the rural delivery system.** Regional planners made the following key recommendations:

- There is a need for increased advocacy in the substantive areas identified in the assessments.
- There is a need to enhance regional communication between providers to better respond to significant "breaking legal problems" or "bad actors".
- There is a need to collaborate with local college paralegal and pre-law programs to enlist assistance with community education events.
- There must be a greater legal aid "presence" in rural and remote geographical areas.
- There should be increased collaboration with TeamChild.
- Community education materials should be translated into relevant languages.
- There should be improved coordination with social service providers through community education presentations to increase legal aid presence and visibility in rural areas.

## **2. Strengthening pro bono**

The State Plan identifies the Island County program as not sustainable as a stand-alone program. Regional planners recommended continuation of this program with added responsibility for the support of pro bono services in San Juan County (which currently lacks an organized system); upgrading and sharing a staff attorney based in the Skagit VLP to provide direct representation in domestic violence matters arising in Skagit and Island counties; and coordination with the NJP attorney assigned to Island County.

## **3. Expanding Access for all Low Income people**

- Approximately 4000 low income persons in Northwest Washington are ineligible for state or federal funded legal aid. Regional planners recommended that the pro bono programs in the area assume increased responsibility for serving this client group (e.g., hosting immigration clinics, increasing outreach, and community education programs).
- The Island County pro bono program and NJP hope to strengthen relationships with the Whidbey Naval Air Station to serve eligible military personnel.
- NJP intends to build capabilities for representing Native American clients in various forums, including tribal courts. The offices have already established clinics with some of the tribes.

## **C. Phase Three: SPOC's Response Back to the Regional Planners**

SPOC members encouraged regional planners to proceed with many of their recommendations. However, expansion of the Island County pro bono program to further serve San Juan County could not be supported due to the small number of attorneys available to participate in the region. SPOC recommended creation of a unified pro bono program serving Skagit, Island and San Juan Counties, which could achieve the efficiencies of scale outlined in the State Plan. The Committee could not support the recommendation regarding the sharing of a staff attorney between the pro bono programs until they are better coordinated.

## **III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

This area was not targeted for additional resources by the State Plan, so the staffed attorney complement in 2008 remains the same as in 2006. However, the regional planning process generated a number of initiatives designed to improve program cooperation and collaboration which will, in turn, improve the delivery structure for clients.

As the State Plan identified the Island County pro bono program as not sustainable as a stand-alone program, SPOC members urged the Island and Skagit pro bono programs to consider a consolidation of efforts, with the goal of establishing a unified pro bono program serving Island, Skagit and San Juan counties. Discussions in this regard have occurred.

## **IV. Recommendations**

- The Skagit and Island County pro bono programs are asked to combine into a larger regionalized configuration, with the Skagit County program serving as the hub of a service area that includes Skagit, Island and San Juan Counties (see section II below.)
- As clients ineligible for state/federal legal services are underserved, planners are asked to consider mechanisms to increase services to this client group.

- Demographics for Snohomish County indicate that there are 3442 people in institutions; regional planners are asked to address the needs of this potential client group.

## **The King County Area**

### **Region 13- King County**

#### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

The major components of the civil legal aid service delivery system in the King County area consist of Columbia Legal Services (CLS), Northwest Justice Project (NJP), Team Child, the Unemployment Law Project, Solid Ground, Catholic Community Services, Seattle Community Law office and the Northwest Immigrant Rights Project.<sup>4</sup> Additionally, two pro bono programs are operational: the King County Bar programs and Eastside Legal Assistance. When the State Plan was adopted in 2006, the organizational system, with so many providers, was confusing to potential clients and there was no centralized point of entry. The need for this change was identified in the State Plan.



Regional planners were charged with unique responsibilities under the State Plan. First, they were asked to develop a system to centralize intake, access and referral services, much the same way as CLEAR has operated for clients in the rest of the state. Like other regions, they also were charged with assessing their delivery system and developing a regional plan with recommendations on how to make the overall organizational scheme more efficient and effective--a daunting task given the large number of providers in the area. As a result, this process is still underway.

#### **II. State Plan Implementation Process**

##### **A. Phase One: Development of the Proposal for the Centralized Intake System**

King County includes a large number of programs which provide civil legal services, including specialty legal services providers, pro bono programs, law school clinics and information and referral services. Each provider uses different intake criteria and case priorities. In 2006, there was no one place where people seeking civil legal services could turn for information regarding the types of legal services available to them.

Planners determined that a single entry point for accessing legal services was necessary to make the system more accessible and client friendly. After careful deliberation, King County planners concluded that the best system would be one that utilized the 211 Community Information Line's services to provide centralized referral services to local and specialty legal services, including CLEAR. The 211 partnership establishes the 211 telephone number as the initial point of contact for people with civil legal needs in King County. 211 staff screen callers based on the nature of the legal problem, eligibility and location and provide targeted referral services from a comprehensive 211 database that

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<sup>4</sup> The identified programs are those that are Alliance for Equal Justice providers; there are many other organizations outside this category that provide legal services in King County, too numerous to mention herein.

allows 211 staff to make a direct referral to a provider based upon referral criteria and intake questions or make an indirect referral by providing contact information to the client. Following a referral from 211, the legal services agency provides the next level of appropriate service.

NJP contracted with the 211 service which in turn hired and trained additional staff to take on this significant new service. It is important to note that in a discrete number and range of subject areas, CLEAR is an additional legal services resource available as a referral to 211. To this end, NJP hired three additional attorneys to work as CLEAR advocates serving King County clients.

## **B. Phase Two: Assessment of Legal Needs and Regional Plan**

King County planners determined, through extensive meetings with community partners and the use of surveys, that the most important legal needs generally track those identified in the Civil Legal Needs Study. A multitude of available resources were cataloged, along with the types of legal services offered. This allowed planners to assess the legal needs that are not adequately addressed which included: outreach to communities to help low income persons understand that legal services exist; a lack of resources for clients with civil rights issues, expungement issues, family law/child support and housing issues.

### **1. Upgrading the delivery system.**

- Planners proposed the development of a comprehensive database of resources;
- Planners will work to increase advocacy in the substantive areas identified in the assessments.

### **2. Strengthening pro bono**

King County has the largest number of attorneys in the state. Planners noted the value in increased pro bono participation and are engaging in efforts to accomplish this. A group of law firm pro bono coordinators meets regularly with legal aid providers to discuss mechanisms to increase volunteer attorney involvement and cases are disseminated through the NJP Advocate Resource Center website. This group is also considering referrals for low income persons residing in Snohomish, Pierce and Thurston Counties.

### **3. Expanding Access for all Low Income people**

- Planners noted that language is a barrier that affects many low income residents and suggested multi-lingual outreach, on-site clinics, and increased use of interpreters;
- Over the upcoming months, planners will increase outreach to communities of youth, Native Americans, African Americans, the homeless, mentally ill, immigrants, seniors, those that face legal issues upon reentry from an institution, veterans, and persons living in the rural areas of the county.

## **C. Phase Three: SPOC's Response Back to the Regional Planners**

SPOC welcomed the 211-NJP creative partnership as greatly improving access to low income persons in King County by establishing a single point of access for centralized screening, referral and intake services. With respect to the Regional Plan, Committee members noted the significant number of important initiatives that the planners identified and encouraged the participants to prioritize and implement them. Periodic updates on the progress of these efforts were requested.

SPOC members also encouraged planners to discuss the role of pro bono in King County, and recommended and offered to staff an assessment of the level and types of pro bono services that are provided in King County and how these services are coordinated. Committee members will discuss this further with planners. This may provide useful information regarding the potential for coordinated efforts to expand pro bono involvement in the region, as well as the development of statewide pro bono panels contemplated by the State Plan.

King County has two pro bono programs: the King County Bar Foundation Community Services and the Eastside Legal Assistance Program. Committee members encouraged regional planners to discuss whether consolidation of these two programs might make sense.

SPOC also encouraged planners to consider how services are being delivered to all corners of the County, as geographic communities in South, Southeast and North King County appear to be underserved

### **III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

- The 211-NJP partnership became operational on January 1, 2008. Low-income persons can now call 211, undergo an intake assessment, and be directed to an appropriate referral for assistance with their particular legal need.
- King County planners are continuing their regional planning efforts, meeting regularly to develop additional strategies to improve the overall organizational structure.

### **IV. Recommendations**

- Recent census trends indicate significant shifts in the client eligible population to south King County. As such, planners are asked to determine what adjustments may be necessary to best serve clients in this area, as well as other geographic areas with high poverty populations that may have difficulty accessing services.
- Coordination and planning between east Pierce County and south King County providers needs to occur.
- A pro bono assessment may be useful in understanding the level and scope of volunteer attorney involvement in King County.
- As the existence of two pro bono programs in the county suggests duplication of resources and effort, planners are asked to consider configurations which achieve economies of resources.

## **The Puget Sound Area**

**Region 14- Pierce County**

**Region 15-Thurston, Mason, and Lewis Counties**

**Region 17-Kitsap County**

### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

When the State Plan was adopted in 2006, the



civil legal aid service delivery system in this area consisted of a Northwest Justice Project (NJP) office in Tacoma serving Pierce County, a satellite office in Bremerton with a part-time attorney serving Kitsap County, and another NJP office in Olympia responsible for serving clients in six counties — Thurston, Mason, Lewis, Grays Harbor, Pacific and Cowlitz counties. Columbia Legal Services and the Northwest Immigrant Rights Project had offices in Olympia and Tacoma, respectively. Four pro bono programs were operational: the Tacoma-Pierce County Volunteer Legal Services Program, Kitsap Legal Services in Bremerton, Thurston County Volunteer Legal Services Foundation in Olympia and the Lewis County Bar Legal Aid program in Chehalis. The State Plan identified the Lewis County pro bono program as unsustainable as a stand-alone program.

## **II. State Plan Implementation Process**

### **A. Phase One: Regional Assessment of Legal Needs**

Underserved clients throughout this three-region area include persons with language barriers, those who are ineligible for state/federal funded legal services, institutionalized persons and Native American communities. There is a shortage of staff advocates and private attorneys. Housing and family law matters were identified as major unmet substantive legal problems. Other gaps included consumer/debt, youth law, and employment issues, as well as legal problems specific to institutionalized persons. Planners in regions 14 and 17 expressed concerns about CLEAR.

### **B. Phase Two: Regional Plans**

**1. Upgrading the delivery system.** Regional planners made the following recommendations:

- Increase the number of staff attorney resources serving Kitsap County;
- Establish a service delivery system in east Pierce County, with cooperation from providers serving south King County, to accommodate clients who go there for services;
- Examine replacement of the present CAP attorney arrangement in Kitsap County with another staff attorney;
- Address the lack of knowledge by potential clients about existing resources and how to access them.

#### **2. Strengthening pro bono**

There are over 3500 attorneys in this geographic area. The State Plan does not call for any restructuring of the Tacoma, Olympia and Bremerton/Kitsap pro bono programs. Kitsap County planners recommended hiring a staff attorney for the pro bono program.

The Lewis County pro bono program is identified as unsustainable as a stand-alone program under the State Plan. Regional planners recommended the creation of a statewide entity which would contract with or employ an individual in Lewis County for provision of pro bono services. Alternatively, Lewis County pro bono board members requested continuation of Alliance funding for the stand-alone program.

#### **3. Expanding Access for all Low Income people**

- Region 14 planners indicated a need to improve services to LEP (limited English proficiency clients), immigrants, the elderly, disabled, military and veterans, and clients living in rural east Pierce county;

- Region 15 planners indicated a need to improve services to Spanish speakers, immigrants, and tribal communities, institutionalized persons, and those in the rural parts of the county;
- Region 17 planners indicated a need to improve services to prisoners and undocumented immigrants. (Active military/veterans were not identified as a client group, despite the presence of military bases in the region).

#### **4. Systemic recommendations by regional planners**

- Region 14 planners recommended creation of a centralized “law help” center in the Pierce County courthouse for information intake and referrals; improving signage in the courthouse regarding existing legal aid services; and developing relationships in outlying parts of the county to link with clients.

### **C. Phase Three: SPOC’s Response Back to the Regional Planners**

SPOC members were impressed with and encouraged Pierce County planners to pursue the exploration and implementation of a notable list of special initiatives and services they identified that could benefit clients in the region. Similarly, given increased regional resources (see below), the Committee supported Region 15 planners’ efforts to address previously unmet needs in the Region.

Committee members expressed concern about the continuation of the Lewis County pro bono program as a separate stand-alone entity, noting that the status quo is not consistent with the thresholds and factors set out in the State Plan. The Committee indicated that if a statewide pro bono entity is not created, it would revisit the question of whether continuing support for the program is consistent with the client service objectives and other factors and thresholds for pro bono administration and operation set out in the State Plan.

### **III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

Increased state funding for civil legal aid for the 2007-2009 biennium made possible the opening of a three attorney NJP office in Aberdeen, Grays Harbor County. The Aberdeen office relieved NJP’s Olympia office of responsibility for covering Grays Harbor and Pacific Counties, allowing the Olympia office to refocus its services in Thurston, Mason and Lewis Counties. Pierce County planners are moving ahead with implementation of the innovations outlined in their regional plan. NJP is evaluating its current use of CAP attorneys in Bremerton.

### **IV. Recommendations**

- As there are a large number of enlisted military personnel and veterans in the Puget Sound Area, planners are encouraged to develop a plan to serve this client community.
- The Kitsap County NJP office appears to be understaffed.
- Poverty population numbers are increasing for Kitsap and Pierce Counties indicating a need for an increase in staffing levels.
- The Thurston and Lewis County pro bono programs are asked to combine into a larger regionalized configuration, with the Thurston County program serving as the hub of a service area that includes Thurston, Mason, Lewis, Grays Harbor and Pacific Counties (see Section II, below.)
- Coordination and planning between east Pierce County and south King County providers needs to occur.

- Additional staffing for the Thurston County pro bono hub may be appropriate, if additional funding becomes available.

## **Southwest Washington Area**

**Region 10- Clark, Skamania and Klickitat Counties**

**Region 16- Cowlitz and Wahkiakum Counties**



### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

When the State Plan was adopted in 2006, the staffed legal aid component of the service delivery system in these two regions consisted of a Northwest Justice Project (NJP) office in Vancouver/Clark County with approximately 4.6 FTE attorneys serving the five counties identified above. Pro bono programs existed in Clark (Clark County Volunteer Lawyers Program) and Cowlitz Counties (Cowlitz-Wahkiakum County Bar Association Legal Aid Program), with the latter identified as no longer sustainable as a stand-alone program under the State Plan.

### **II. State Plan Implementation Process**

#### **A. Phase One: Regional Assessment of Legal Needs**

Planners in Region 10 indicated that the priority legal needs of clients in this region generally tracked those of the Civil Legal Needs Study. They noted that the greatest legal needs not being met were extended representation in all areas of the law, legal services for undocumented people, family law, youth law and consumer law cases. Limited English Proficiency speakers face the most barriers in accessing services.

Region 16 planners identified family law issues as the highest priority, followed by housing, elder and consumer issues. Clients with housing, family and disability issues were underserved.

#### **B. Phase Two: Regional Plans**

**1. Upgrading the rural delivery system.** Key regional planning recommendations included:

- Region 10: Additional state funding allowed the opening of a three attorney NJP office in Longview to serve Cowlitz and Wahkiakum Counties. The change in office configuration allows staff attorneys in NJP's Vancouver office to focus on the priority legal needs of clients in Clark, Skamania and Klickitat Counties. As such, Region 10 planners are meeting with relevant social service providers in these counties to determine the legal needs of low-income persons, and then will determine how best to serve clients in Skamania and Klickitat Counties;
- Region 16 planners recommended the opening of a three-attorney NJP office in Longview focusing on dissolution, custody, DV, housing, benefits and consumer law cases. Attorneys in this office would also conduct outreach to the rural areas of Cowlitz and Wahkiakum Counties, and coordinate with the pro bono program in Longview.

## **2. Strengthening pro bono**

- Region 10 planners recommended that the Clark County Volunteer Lawyer Program co-locate with the Vancouver NJP office;
- The Clark County pro bono program was considering providing services to clients in Skamania and Klickitat Counties;
- The Cowlitz-Wahkiakum Legal Aid program is identified in the State Plan as no longer sustainable as a stand-alone program. Regional planners recommended participation in a state-wide entity, if such an organization was established;
- The Cowlitz-Wahkiakum Legal Aid pro bono program also indicated that it was working to increase its scope of client services.

## **3. Expanding access for all low income people.** Planners recommended that:

- Columbia Legal Services (the nearest office is Olympia) and the pro bono program serve the large Russian speaking community in region 10;
- Outreach and education be provided to persons in Skamania and Klickitat Counties;
- Services be improved to undocumented or LEP (limited English proficiency clients) in Region 16.

## **C. Phase Three: SPOC's Response Back to the Regional Planners**

Region 10 — SPOC requested supplementation of the Regional Plan for further information on how the delivery system will serve clients in Klickitat and Skamania Counties and how the Vancouver/Clark County NJP staff will work to meet priority legal needs now that there is no longer responsibility for Cowlitz and Wahkiakum Counties. Their supplement provided a helpful explanation of these issues.

Region 16 — The planning team was asked to make recommendations regarding the working relationship between the existing pro bono program and the new NJP Longview office. A supplement to the plan was created and submitted to the Committee which outlines the new organizational delivery system structure.

The two pro bono programs were encouraged to consider consolidation given their geographic proximity. A unified pro bono program serving all five Southwest Washington counties would achieve the efficiencies of scale outlined in the State Plan and help to conserve limited resources. Planners did not reply to this suggestion in their supplements, but the Committee understands that some discussions on this topic have occurred.

## **III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

The Region 16 Longview NJP office opened its doors in the fall of 2007. The three attorneys in this office are establishing relationships with the bar and bench, and together with the pro bono program, are determining the priorities for services to the low-income community, and planning how best to meet these needs.

Likewise, Region 10 planners are engaging with social service agencies in Klickitat and Skamania Counties to determine how best to serve the communities in these areas.

Regarding the pro bono programs, no changes have occurred in the Clark County program. The Cowlitz-Wahkiakum program is now coordinating with attorneys in the Longview NJP to coordinate services and identify ways that the NJP office can support improved pro bono assistance.

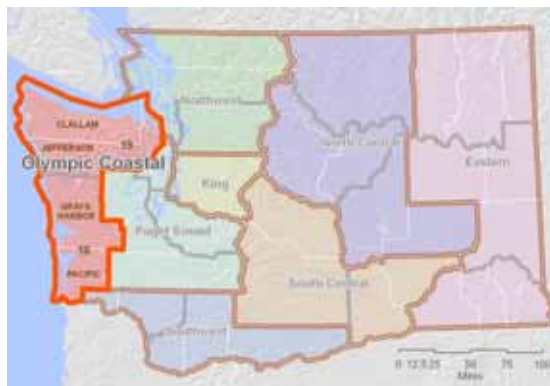
#### IV. Recommendations

- The Cowlitz-Wahkiakum and the Clark County pro bono programs are asked to combine into a larger regionalized or centralized configuration, with the Clark County program acting as the hub for the delivery of pro bono services throughout the area.

### **The Olympic Coastal Area of Washington**

#### **Region 18-Grays Harbor and Pacific Counties**

#### **Region 19-Clallam and Jefferson Counties**



#### **I. Regional Configuration at the Beginning of the State Plan Implementation Process**

The Olympic Coastal Area is comprised of two identified regions in the State Plan covering the above-referenced four counties. In 2006, this area's civil legal aid service delivery system consisted of one pro bono program in Clallam County. NJP offices in Tacoma and Olympia also provided some limited service to the area, as did NJP's CAP program. No pro bono program existed in Region 18 and the State Plan identified the Region 19 pro bono program needing to consider change given its stand-alone status and the lack of a sufficient number of available private attorneys.

#### **II. State Plan Implementation Process**

##### **A. Phase One: Regional Assessment of Legal Needs**

No formal assessment was completed in Region 18, but an informal report was submitted. This along with the Region 19 assessment indicated that the lack of resources and the geographic size of the service area prevented NJP from establishing a regularly scheduled presence in any of the four counties. Instead, residents received advice, information and referrals from CLEAR and, on a very limited basis, some emergency services and extended representation in cases, provided by NJP staff attorneys from either Tacoma or Olympia and supplemented by NJP's CAP program.

##### **B. Phase Two: Regional Plans**

###### **1. Upgrading the rural delivery system**

- Planners in both regions called for the opening of NJP offices in their respective communities;
- Region 19 planners recommend that an NJP attorney be deployed from a Port Angeles office to serve the Forks area and Port Townsend on a regular basis, in addition to the larger Port Angeles-Sequim communities;
- Region 19 intends to increase coordination and collaboration among providers by on-going regular planning meetings and will develop a plan to provide regular services to low income persons, including those who reside in Pacific County.

###### **2. Strengthening pro bono**

The Clallam County Volunteer Lawyer Program is the only pro bono program in the Olympic Peninsula area. When the State Plan was written, it provided limited services

to persons from the communities of Port Angeles and Sequim. The State Plan determined that the program could not be a sustainable stand-alone operation due to the small number of available attorneys in Clallam County. In turn, building on the presence of the new NJP office in Port Angeles responsible for serving Jefferson County, regional planners set about expanding the pro bono program to include the Jefferson County Bar and expand its service area.

### **3. Expanding Access for all Low Income people**

Region 19 planners recommended that the Clallam County pro bono program serve low income persons who would otherwise be ineligible for NJP services. Additionally, this region has a significant Native American population and NJP was encouraged to build capabilities for representing this client group in various forums, including tribal courts.

### **C. Phase Three: SPOC's Response Back to the Regional Planners**

SPOC supported the request for the opening of NJP offices in each region. With the anticipated opening of the offices, planners in both regions were encouraged to establish relationships with the bar and bench, assess the needs of the low income communities, and develop a plan to meet the priority legal needs of the clients.

The Committee also endorsed the recommendation regarding legal aid "presence" in western Clallam County (Forks) and Jefferson County (Port Townsend.) Committee members also noted that the expanded pro bono program now has an available attorney base of 167 attorneys which meets the State Plan threshold for continued support of a stand-alone, independent pro bono program.

### **III. Changes Implemented Since the Beginning of the State Plan Implementation Process**

The NJP offices in Port Angeles and Aberdeen opened in the fall of 2007. Attorneys in these offices are actively engaged in determining how best to serve the needs of the client communities. The Clallam County pro bono program has expanded into Jefferson County and now serves clients across the two-county region with the help of volunteer attorneys from both Clallam and Jefferson counties. The Port Angeles NJP office and the pro bono program co-located, ensuring increased communication, collaboration and support.

### **IV. Recommendations**

- Given the sizeable number of persons who are ineligible for NJP services in this area, additional resources, as available, may be appropriate to serve this client community.
- A regional plan to serve Grays Harbor and Pacific Counties was never submitted. NJP staff should take the lead in conducting an assessment and developing a regional plan.
- Videoconferencing may be useful for serving clients in the remote areas of the region.

## **SECTION II — PRO BONO SERVICE DELIVERY ISSUES**

### **Background**

A key goal of the State Plan is to strengthen the pro bono delivery system by increasing the amount, diversity, quality and consistency of pro bono services responsive to the highest priority needs of clients. While hundreds of committed attorneys across the state

give freely of their time and provide significant levels of pro bono legal services to low income clients and many more represent persons with moderate means at reduced fees, only about ten percent of the total number of attorneys in the state volunteer their services. A high percentage of these will only accept pro bono work requiring limited services. The challenge, then, is to more effectively engage and channel the energy and skills of volunteer attorneys into the delivery of legal services of greatest need to low-income clients.

When the Plan was adopted in 2006, there were twenty-four separate pro bono programs in the state whose primary missions were to recruit volunteer attorneys to provide legal services to low-income residents. The variety of configurations, the small size of many programs, and the lack of an adequately supported and coordinated infrastructure resulted in communication and coordination challenges. Administrative burdens, inefficiencies, and the redundancy inherent in maintaining many small separate programs were additional problems. The State Plan recognized that the administrative costs of maintaining these stand alone independent pro bono programs were presumptively too high in the absence of an available volunteer base of at least 160 attorneys. Eleven pro bono programs were identified by the Plan as falling into this category, requiring them to develop new organizational configurations. Regional planners in these areas met, considered and proposed alternative models for pro bono service delivery as a part of the regional planning process required by the Plan.

The responses from the local planners were varied. Two of the eleven pro bono programs expanded their geographic reach, thereby increasing the number of available attorneys to attain the threshold levels set out in the State Plan. Two pro bono programs ceased operation about the same time the State Plan was adopted. The majority of the remaining seven programs expressed interest in maintaining the status quo or, to different degrees, associating with a statewide pro bono entity, should one be created.

The remaining thirteen pro bono programs have generally been successful over the past few years. These programs share common elements which may contribute to their relative health. Three general characteristics appear most connected to success for these programs: they work from a base of more than 300 attorneys from which to draw volunteers; they are co-located in the same facility as a staffed legal aid office; and they tend to have more than one employee on staff to assist clients and recruit lawyers.

Concurrent with regional planning efforts, SPOC members worked with pro bono service providers to define a detailed set of core "pro bono functions." These run the gamut from basic non-profit administration and governance to grant writing and fundraising, volunteer recruitment and support, training, mentoring, program development, coordination and oversight, client intake and referral, IT management, case management and activities related to program accountability. Consideration of the range of these functions helped SPOC members focus on enhancing those that directly relate to volunteer attorney recruitment and support and client service.

SPOC members examined the client delivery system as a whole and from this perspective tried to address how to best strengthen and integrate the pro bono delivery component into the coordinated civil legal aid delivery system. SPOC members participated in a number of discussions regarding pro bono delivery options including statewide meetings on the subject; considered a variety of suggestions on how to structure pro bono programs to maximize effectiveness and efficiency; reviewed the tenets and goals of the State Plan; and looked at pro bono models in other parts of the country.

With all this information, SPOC members were in a position to take a “bird’s eye” look at the client delivery system as a whole, and to think about new ways to integrate and strengthen the pro bono component in Washington State. This perspective provided some new ideas and potential configurations that allowed SPOC to make recommendations regarding the strengthening of pro bono in keeping with the goals of the State Plan. These recommendations were publicly vetted at two community meetings and through written comments.

The ATJ Board has carefully considered all of the comments and the SPOC recommendations and believes that the structural changes identified below will serve to upgrade the pro bono functions in the state.

## **A. CREATION OF PRO BONO REGIONAL SERVICE AREAS (HUBS)**

### **Background**

A number of the pro bono programs fall into natural groupings that share a commonality of geographic proximity, client communities, staffed legal service providers, and legal issues. After reviewing the plans developed during the local planning process, the history of pro bono program efforts to organize themselves, responses to questions raised by SPOC and client service information submitted by local pro bono programs, SPOC recommended that certain pro bono programs combine into a larger regionalized or geographic configuration, with administration centered in a “hub” or main office and deployed to outlying parts of the service area as appropriate in order to make sure that recruitment and support of pro bono lawyers continues to have a local component. The new configuration could be structured in any number of different ways, such as:

- all staff work out of the centralized hub office and travel to outlying parts of the service area;
- satellite offices staffed by full or part-time coordinators, with functions limited to lawyer recruitment and referral;
- pro bono coordination in outlying areas provided through contracting with an existing organization;
- pro bono coordination in outlying areas provided through a contract with an individual who would be accountable to the contracting program for delivery of effective services;
- other organizational schemes that meet the requirements of the State Plan.

It is expected that the hub office pro bono programs would best determine, in partnership with regional partners, the optimum staffing structure to ensure the provision of pro bono legal services to low income residents with high priority needs in their respective areas.

The ATJ Board considered the following specific hub configurations:

- Establishing the Clark County pro bono program in Vancouver as the hub of a service area including Clark, Cowlitz, Skamania, Klickitat, and Wahkiakum Counties — the Southwest Area of the State (regions 10 and 16). The Clark County pro bono program hub would administer and support the pro bono work in this area. This arrangement would result in pro bono staff working with an attorney pool of approximately 500 lawyers practicing in the area.
- Establishing the Thurston County pro bono program in Olympia as the hub of a service area including Thurston, Mason, Lewis, Grays Harbor and Pacific Counties (regions 15 and 18). The Lewis County program would become a

part of the Thurston County hub. This would result in pro bono staff working with an attorney pool of approximately 1700 attorneys practicing in the area.

- Establishing the Skagit County Volunteer Lawyer Program in Mount Vernon as the hub of a service area covering Skagit, Island and San Juan Counties. The Island County program would become a part of the Skagit hub. This arrangement would result in pro bono staff working with an attorney pool of approximately 350 lawyers practicing in the area.
- Establishing the Spokane pro bono program as the hub of a service area including Spokane, Lincoln, Whitman, Ferry, Stevens and Pend Oreille Counties (regions 1 and 2). The Whitman County pro bono program service area would be included in the larger Spokane hub. This arrangement would result in pro bono staff working with an attorney pool of approximately 1800 attorneys practicing in this area.
- Establishing the Chelan-Douglas Counties pro bono program in Wenatchee (Region 6) as the regional center or hub of a North Central Washington service area including Chelan, Douglas, Grant, Adams and Okanogan Counties (regions 5, 6 and 7). This arrangement would result in pro bono staff working with an attorney pool of approximately 400 attorneys practicing in the area.

### **ATJ Board Conclusions**

The ATJ Board carefully considered the range of opinions expressed in both written comments and oral presentations received at a June 8, 2008 Leadership Group meeting at the Access to Justice Conference, and July 11, 2008 Access to Justice Board meeting. The ATJ Board concludes that the hub configurations will serve to accomplish a number of State Plan goals, including consolidation of administrative functions and support, a reduction in inefficiencies and redundancies, and expansion of the volunteer attorney pools to maximize the resources available to address the priority legal needs of clients. The ATJ Board concludes:

- The implementation of the hub structure should occur in phases. The Spokane and Chelan-Douglas pro bono programs have indicated a willingness to establish recommended multi-regional hub configurations. The ATJ Board finds that establishment of those hubs as soon as practicable is consistent with the goals of the State Plan, and encourages those two areas to proceed immediately with the implementation of their regional service areas.
- With respect to the remaining three hub areas, the ATJ Board supports the establishment of multi-regional hubs, unless a specific area can establish a feasible alternative that meets the goals of the State Plan. Any area that elects to craft an alternative configuration must submit its recommendation to the ATJ Board by May 30, 2009.
- It is recognized that additional funding will be necessary to implement the hubs. Further, programs will need time and technical support. The ATJ Board, working with Alliance partners, will ensure that hub programs receive the support necessary for planning and implementation.

### **B. RELATED PRO BONO CONSIDERATIONS AND ATJ BOARD CONCLUSIONS**

Creation of the hubs effectively addresses the concerns relating to eight of the eleven pro bono programs identified by the State Plan as requiring organizational change. With

respect to the remaining three programs, the ATJ Board concludes that their efforts to reconfigure meet the requirements of the State Plan. Specifically, the Clallam County pro bono program located in Port Angeles has expanded to include Jefferson County and now has an available base of approximately 200 attorneys. Additionally, this office is co-located with the new NJP office, ensuring optimal cooperation and collaboration in serving the low income client community of this region. The Blue Mountain Action Council (BMAC) pro bono program, presently serving Walla Walla and Garfield Counties, is apparently expanding its service area to include Columbia and Asotin Counties, thereby expanding its volunteer base and client service delivery area.

With respect to the remaining pro bono programs, an issue worth noting from the planning process is the wide variation in the percentage of active volunteer attorney participation, compared with the available pool of practicing attorneys in each service area. The percentage range of participating attorneys is as follows; Benton/Franklin (25%); King (10%); Kitsap (19%); Pierce (20%); Snohomish (14%); Spokane (10%); Thurston (14%); Whatcom (22%); and Yakima (7%). The ATJ Board will work with the organized bar to evaluate why this large variation exists, and make recommendations as to how to increase and equalize volunteer attorney participation across the state.

Many pro bono programs in Washington are chronically understaffed, including some of the proposed hubs. This is an issue of significant concern, and work is underway to develop a framework to help determine appropriate staffing levels for similarly situated pro bono programs (and hubs) which can be used to target new resources that may become available for this purpose. Professional pro bono staffing is critical to the ultimate goal of strengthening the pro bono delivery system. Pay equity and benefits for employees of pro bono programs must be addressed. Staff positions compensated fairly and equitably will allow programs to retain a high caliber of employees and should reduce the frequent turnover that has plagued many of the pro bono programs. As ideas and recommendations are developed regarding these issues, they will be shared with Alliance partners and will be subject to a vetting process involving Alliance members.

## **C. STATEWIDE PRO BONO SUPPORT**

### **Background**

There is a long history in this state of pro bono participation in by the private bar. Related to that has been a growing need over the years for increased support for the pro bono function and to strengthen the pro bono programs themselves. Historically, the staffed legal aid programs have not seen it as an imperative to integrate pro bono into the Alliance. Significantly, the ATJ Board's initial State Plans (1995 and 1999) did not address integration and support for pro bono. As a result, the pro bono programs have increasingly lobbied for more meaningful integration into the delivery system structure, and concomitant support for their work. Studies and surveys of pro bono coordinators over the years consistently have expressed a desire to be further integrated with the staffed legal aid programs and other providers.

Structurally integrating pro bono into the delivery structure is identified as an area of planning focus in the State Plan. Integration of pro bono into the Alliance would insure that this key component of our delivery system receives support comparable to that of the staffed programs: training of pro bono staff members and volunteer attorneys, administrative support, fundraising assistance, technology innovations and support, professional development, access to statewide specialty panels of volunteer attorneys, and an increased and strategic deployment of urban lawyers to rural areas.

Over the course of the regional planning process, individuals in regional communities came together to consider improvements to the civil legal aid delivery structure. After several meetings, members of the pro bono community began to see the need for a broader discussion as to how to strengthen the pro bono component of the delivery system. To that end, directors and board members of Washington's pro bono programs convened a Pro Bono Symposium in Yakima on July 19, 2007 to discuss plans to improve administration and support for pro bono programs.

Participants at that meeting discussed the creation of a statewide pro bono entity, which could address problems common to pro bono coordinators across the state, including: isolation, lack of a voice in the Alliance, funding discrepancies, and a lack of professional standards. A steering committee was appointed to follow up on the Symposium's work. A follow-up meeting was held on February 28, 2008. The meeting included pro bono staff and board members, staffed program representatives, funder representatives, and other stakeholders. These stakeholders concluded that there was strong support for a statewide pro bono support center designed to deliver a range of essential support services needed by field pro bono staff and to develop and coordinate statewide pro bono initiatives that are responsive to the needs of clients.

### **ATJ Board Conclusions**

Section III of this Report recognizes the need for statewide support for pro bono. The ATJ Board concludes, however, that an integrated statewide support center which houses support for pro bono, Alliance-wide training and leadership development and related functions, will best serve the goals of the State Plan and the Alliance. Key responsibilities of the Support Center would be to develop and deliver training and technical assistance to pro bono staff, support volunteer attorneys, coordinate statewide pro bono initiatives, and develop and coordinate statewide volunteer attorney panels in discrete areas of law or for discrete communities of clients. These tasks would be assigned to staff designated to support the pro bono programs. The current statewide coordinator responsibilities should be increased to at least 1.5 FTE and these positions should be integrated into the Statewide Support Center.

## **SECTION III — STRENGTHENING STATEWIDE SUPPORT FUNCTIONS**

### **Background**

Two years have passed since the adoption of the State Plan. Strengthening statewide support functions is one of the major goals of the Plan. Other sections of this report describe many of the recent and anticipated changes in the delivery system. These changes further reinforce the need to enhance the organization and cohesion of the system of statewide support so that all who provide civil legal aid services to low income people — staff attorneys and volunteer attorneys — have access to the training, tools and resources necessary to provide high quality services that are responsive to the most pressing needs of clients.

The regional planning process and the discussions among service providers related to state support have illuminated strengths and weaknesses of the existing system. A somewhat uneven approach to development and deployment of statewide support capacities has evolved over time. The present system works well for certain functions and for certain types of providers, but not as well for others. Over a period of years, some important statewide support roles and functions have been assigned and reassigned primarily on the basis of which organization at the moment had the ability to host and

resource such functions. Lacking has been a systematic effort to assess the overall statewide support needs of the Alliance and to identify the best mechanism by which to strategically address these needs. There is now an opportunity to remedy the long-standing need for a coordinated statewide support structure that does not burden the host provider(s) and instead benefits all provider partners in our network of Alliance members. The current challenge is to integrate the observations and the new ideas generated during the past two years into a more effective, cohesive, and efficient statewide support structure.

Each of the Statewide Support Functions outlined in the State Plan, beginning at page 25, is listed below. A summary of the current status of the function is included, along with Committee members' recommendations regarding further implementation efforts.

### **Statewide Support Functions**

#### **1. State Planning & Implementation**

This function is carried out by the Access to Justice Board which in turn established the State Plan Oversight Committee to oversee planning and implementation of the State Plan. Over the past two years, SPOC members have met every two to three weeks, guided the regional planning process, and monitored other State Plan related activities such as pro bono support, statewide infrastructure related support functions, and creation of the King County 211 system. As directed by the ATJ Board, the Committee will oversee additional necessary state planning efforts.

#### **2. Evaluation & Accountability**

The ATJ Board is responsible for overall delivery system accountability. This task has been delegated to a Performance and Accountability Committee which is charged with updating the ATJ Board's Civil Equal Justice Performance Standards (1999). A revised set of draft standards will be provided to Alliance members in July 2008 for review and comment. The ATJ Board is expected to adopt standards after consideration of Alliance comments and feedback to the revised draft by the end of 2008.

In addition to program performance standards, the Hallmarks create an expectation that the effectiveness of the delivery system (as opposed to that of specific providers) will be regularly evaluated on a regional and statewide level. The ATJ Board will assume this responsibility. Periodic reviews of the system on these two levels will take place.

#### **3. Advocacy Coordination**

NJP was charged with taking the lead in developing a standing Alliance-wide Client Advocacy Coordinating Group to develop an effective system for coordination and support of client advocacy. A broad-based committee was convened and is meeting regularly to address and guide Alliance-wide advocacy coordination, beginning with development of a checklist of advocacy coordination objectives and functions to ideally be available for all staffed, specialty and volunteer lawyer/pro-bono legal service programs. The Advocacy Group will continue to meet regularly and will work to upgrade and expand advocacy coordination throughout the Alliance. Continued involvement of partners throughout the Alliance will ensure the enhancement and vitality of Alliance-wide advocacy coordination needs.

#### **4. Resource Development**

Significant gains have been made in the past few years regarding the coordination and upgrade of resource development activities. These accomplishments have resulted in a

substantial increase in financial resources. The ATJ Board concludes that continuation of these efforts is warranted. Further, where possible, these coordinated and effective resource development efforts should be expanded.

#### 5. Professional Development & Training

The 2006 State Plan bifurcates the professional development and training support functions. NJP is charged with the responsibility of forming, in cooperation with other Alliance members, an inter-program training committee. The ATJ Board is charged with the responsibility of coordinating ongoing individual, organizational and statewide leadership development. The State Plan directs that both funders and providers will dedicate sufficient resources to carry out these efforts.

Since the State Plan was adopted, the need for professional development and training has been increasingly recognized as an area of high priority within the Alliance.<sup>5</sup> While recognizing that a number of these functions must necessarily take place within individual programs, the Committee's review of the current structure led to the conclusion that these two interrelated functions should no longer be bifurcated. The ATJ Board concludes that both of these functions should be assigned to a Statewide Support Center with staff dedicated to those purposes. This change would ensure that Alliance members, pro bono lawyers and others across the spectrum benefit from a unified and coordinated training and professional development strategy. Integrating these functions in a Center is consistent with other recommendations which are being offered by the pro bono community, members of the Client Advocacy Coordinating Group, and the ATJ Board's Nominating and Leadership Development Committee.

#### 6. Pro Bono Support

Section II of this Report outlines the ATJ Board's conclusions with regard to pro bono support. While the State Plan calls for implementation of recommendations by 2010, some of the recommendations outlined in the pro bono section call for additional funding that may or may not become available by this date. As directed by the State Plan, the recommendations are designed to provide a blueprint for future budget requests, and resource allocation decision making once funds are secured.

#### 7. Technology

Key technology needs of the Alliance are being addressed in a number of ways. The ATJ Board's Technology Committee is charged with identifying, evaluating and implementing new technologies for the benefit of the Alliance. Based on the Technology Committee's Plan recommendation, a new statewide case management system (CMS) was acquired which became operational in June 2008 and will be fully deployed among all providers by spring 2009. It was developed with funding from LFW and OCLA and support from outside management. There will likely be a need for ongoing CMS-related statewide support.

The Technology Committee also recommended the establishment of the ATJ Board's Statewide Website Advisory Group (SWAG), which has been effective in coordinating messages and avoiding duplication of web content on all justice system websites. The Committee developed a proposal for an expansion of the GIS mapping technology which was used in the State Plan implementation process. That mapping technology is being funded and housed at OCLA for the benefit of the Alliance. The Technology Committee is currently exploring the development of videoconferencing technology, which was identified

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<sup>5</sup> A robust civil legal aid training capacity would include training in areas of substantive law, skills development, cultural competency, and leadership development skills.

in many of the regional plans as a priority technology need. It is also looking at expanding access through broadband services to low income communities in rural areas of the state where needed.

NJP operates the ARC, which is a web-based advocate resource center. The planning process has resulted in suggestions that a dedicated staff person be assigned to administering, maintaining and updating the ARC site. Specifically, the Advocacy Coordinators Committee stated:

“We should examine the barriers to effective use of the ARC and determine whether the Alliance needs to employ someone whose primary job is to maintain and promote the ARC and train advocates on effective use of the ARC. We should consistently “market” the ARC so that members become more familiar with all of the information currently available.”

An assessment of the resource and staffing needs of effective ARC utilization is necessary, including exploration of whether these functions would most appropriately be situated within the Statewide Support Center, should additional resources be available.

Several regional plans indicated an interest in developing increased web based local communication capacities and for improved access to information. Additionally, there is a need for increased coordination of technological initiatives. The ATJ Board recommends that the Statewide Support Center work to facilitate this in coordination with the ATJ Board’s Technology Committee and explore opportunities available to regional and local communities to develop improved communication and information sharing capabilities.

The ATJ Board recommends further discussion regarding whether the present structure is the best way to address the technology needs of the community.

#### 8. Communication, Messaging and Marketing Issues

The ATJ Board’s Communications Committee is charged with these tasks under the ambit of “Building Support for Equal Justice”. The Committee has developed an external Communications Plan which is being carried out by the Equal Justice Coalition Director and other members and supporters of the Alliance. The Committee will continue to meet and support the work of the EJC Director as needed.

An issue identified in the planning process involves internal communications, both within and between service providers. The ATJ Board recommends further discussion as to whether this should be addressed by the ATJ Board’s Technology Committee or the Communications Committee.

#### **Summary**

This planning process has given Alliance members an opportunity to comment on the utility and accomplishments of the existing statewide support structure as well as to identify further needs and ways to improve the system. State planning, advocacy coordination, resource development and building support for Equal Justice all appear to be functioning as intended. No changes are recommended regarding the structure of these areas.

The remaining support functions, however, would benefit from further coordination and focus. The ATJ Board concludes that the best approach is the creation of a Statewide Support Center which will be tasked with implementation of two priority support functions: pro bono support and Alliance-wide professional development and training. In addition, consideration should also be given to a Statewide Support Center role regarding the ARC, GIS, CMS help functions and other technology support. A renewed focus on the statewide

support functions, and the creation of the Statewide Support Center, will build on the observations and the new ideas generated during the past two years and result in a cohesive, organized, unified, effective, and efficient statewide support structure.

The creation and support of the State Support Center is dependent on the availability of additional resources.

#### **SECTION IV — IMPROVING ACCESS TO CIVIL LEGAL AID FOR ALL LOW INCOME PEOPLE**

Consistent with the Hallmarks, the State Plan directs that new and innovative efforts be undertaken to address obstacles that limit access to the legal aid system due to cultural, linguistic, status-based, ability-related or other challenges. The State Plan recommends specific structural changes to improve client access. Since adoption of the State Plan, significant efforts have been undertaken Alliance-wide to identify strategies at the statewide, regional and programmatic level to increase the relevancy of the civil legal aid system to client communities that experience social, cultural and other obstacles to knowing of and timely accessing necessary services. A number of initiatives in this regard have been implemented over the past two years, including:

- Planners in every region of the state identified underserved low income communities and are developing strategies to ensure equitable access to civil legal aid services for members of these communities.
- NJP has undertaken an extensive outreach and capacity building effort to enhance the availability and relevancy of its services to on- and off-reservation Native American client communities (see below);
- The Legal Foundation of Washington worked with Columbia Legal Services and the Northwest Immigrant Rights Project to fund and establish a legal aid office in Moses Lake to serve clients who are ineligible for state or federal funded legal aid throughout Central Washington.
- Advocates have successfully lobbied for the establishment of an ADA coordinator at the Administrative Office for the Courts; policy legislation and funding has been secured to require and support courthouse-based LEP (Limited English-speaking Persons) plans and expand courthouse-based interpreter services.
- The Alliance successfully defended the Legal Foundation of Washington's ability to invest IOLTA funding in ways that ensure equitable access to civil legal services for low income clients and client communities who, because of legislative restrictions, cannot be properly served by state or federally funded legal aid providers.
- Under the leadership of the Impediments Committee, the Alliance was successful in securing the Supreme Court's adoption of GR 33 (ensuring access for persons with disabilities) and developed a guide for courts to ensure access for persons with disabilities.
- The State Plan further called for continued effort to establish a right to counsel where free legal resources are unavailable to those who cannot afford legal representation in judicial proceedings involving fundamental interests. Under the umbrella of CIRCLE (Committee for Indigent Representation and Civil Legal

Equality), Alliance members have worked to define an expanded constitutional right to counsel for indigent persons in civil judicial proceedings.

The ATJ Board further notes that federal and state legislative restrictions continue to significantly limit the Alliance's ability to provide access and a full range of civil legal services to all low income communities by excluding certain classes of clients from publicly funded legal assistance, and limiting the Alliance's use of the most appropriate legal strategies to effectively represent low income clients with high priority legal needs. The ATJ Board recommends that it take up consideration of ways to address these highly problematic obstacles to access to justice.

Washington's Access to Justice Community continues to be confronted with deep and persistent barriers to low income communities needing to access our justice system. Among these obstacles are a high number of LEP clients (and an insufficient pool of qualified interpreters); educational, physical or mental limitations that prevent low income persons from accessing or utilizing existing resources; ensuring relevancy to client communities that experience cultural barriers (e.g. immigrants who do not access the system because they do not understand the independence of attorneys in our legal system or who fear providing personal legal information over the telephone); lack of telephone access; and a lack of knowledge about the availability of legal aid or self-help information. Throughout the planning process, the ATJ Board, Alliance members and justice system stakeholders have demonstrated a continuing commitment to developing strategies and capacities to address the full gamut of access to justice barriers confronting Washington's low income communities. Continuing these efforts and remaining vigilant to unforeseen barriers is essential to ensuring equitable access to the civil justice system for all.

## **SECTION V — OTHER STRUCTURAL TOPICS AND OBSERVATIONS**

The State Plan identified several additional structural topics for future consideration. The Regional Plans confirmed that these continue to be important issues and in fact, many regions and partners at the statewide level are moving forward to address them. These include:

- Evaluation of the current approach taken regarding special populations, including Native Americans, institutionalized persons, veterans, youth, and farm workers. Most regional planners identified this issue in the course of the planning process and many service delivery recommendations were made. The ATJ Board greatly appreciated the efforts of Planners in this area and encourages regional planners to proceed with their implementation efforts.
- With respect to services to Native American communities, NJP created a Native American Advocacy Coordinator position which allowed for re-invigoration of the Native American Taskforce. Building on this effort, a comprehensive statewide Native American legal needs survey was completed and NJP has implemented comprehensive outreach, training and advocacy capacity coordination initiatives to enhance services to Native American client communities around the state, both on and off reservation. The thrust of NJP efforts is to increase the level and availability of legal services to Indian communities by expanding its tribal court and Indian Law advocacy capacity in its field offices, as well as enhancing collaboration with Alliance Partners, the Native American bar, WSBA's Indian Law Section, Pro Bono Groups and Tribal entities. In conjunction with this effort, NJP

has established specialized CLEAR capacity to address the special needs of Native Americans and the emergency needs of domestic violence survivors.

- Improve collaboration between the Alliance and law schools and other participants in the delivery of civil legal aid. The ATJ Board's Law School Relations Committee meets monthly to address these issues;
- Improve collaboration with other entities providing related services to low income clients. The Regional Planning process in many areas involved broad collaboration with community and social service organizations. New partnerships and relationships were developed in furtherance of this goal;
- Renewed emphasis on client and community outreach and education on substantive legal issues and the availability of legal assistance by Alliance members is warranted.

The ATJ Board will consider whether and how SPOC can work with Alliance members in their efforts to continue addressing these structural topics during the next phase of State Plan implementation.

## **SECTION VI — RECOMMENDATIONS AND CONCLUSIONS**

### **Overview**

Through the efforts of local and regional legal aid providers and community leaders across the state, this strategic planning process has resulted in a wealth of innovations designed to improve our legal aid delivery system. The Regional Plans, work-groups, committee and community discussions have all contributed to this collaborative process. Offering a statewide perspective, the ATJ Board's role has been to synthesize all of this and reach specific recommendations and conclusions. This section summarizes these.

The ATJ Board recognizes that some of the recommendations and conclusions will require organizational change, others will necessitate additional funding or a reallocation of resources, and some will depend on continued policymaking on a statewide basis. Given all of these considerations, implementation will occur at varying time frames and as additional resources become available. The State Plan sets out a time frame for its implementation with an end-date of June 2010. The ATJ Board, in partnership with Alliance members, will continue to work on implementation of these initiatives, all designed to further upgrade and improve the civil legal aid delivery system.

### **Specific Recommendations and Conclusions**

Implement the Regional Planning Recommendations (Section I)

Further upgrade the delivery system, contingent on the availability of additional funding in the following ways:

- Achieve equity of client service capacity throughout the state, with emphasis on those areas that are currently underserved (in proportion to the poverty population) such as Seattle, South King, Tacoma, East Pierce, Kitsap, and Spokane Counties.
- Evaluate and consider expanding the Moses Lake pilot project concept statewide to ensure equity of access for clients not eligible for federal or state funded services.
- Consider expanding NJP in Grant-Adams or other rural areas where offices were not recently opened and where there are substantial numbers of eligible clients.

Pro Bono

- Integrate the pro bono support coordinator functions into a Statewide Support Center.
- Create five centralized pro bono service delivery areas with hub offices.
- Address inequities in the pro bono staff salary and benefits structure.
- More effectively channel the energy and contributions of volunteer attorneys into the delivery of legal services clients most needed.
- Encourage additional involvement of the pro bono community in advocacy coordination activities.
- Create state-wide pro bono panels in key subject areas.
- Develop mechanisms to enable attorneys in urban areas to provide services to clients in rural areas across the state.

#### Creation of a Statewide Support Center

- Integrate the pro bono support coordinator functions into a centralized entity.
- Create, coordinate and administer a mission-driven professional development and training curriculum.

#### Evaluation and Accountability

- Through the Performance and Accountability Committee, update the 1999 ATJ Board's Performance Standards.
- Develop and implement mechanisms to regularly evaluate the delivery system on a regional and statewide level.

#### Advocacy Coordination

- Continue existing advocacy coordination functions with expanded participation by pro bono advocates and specialty providers as recommended by the Advocacy Coordination work group.

#### Improving Access for All

- Continue to work to ensure maximum relevancy of CLEAR services for the broadest spectrum of client populations.
- Continue to develop alternative efforts to provide outreach to and access for low income people who experience social, cultural, ability-based, linguistic and other barriers that limit their ability to know of and timely access civil legal aid services.
- Undertake an assessment of the impact that civil legal representation has on the outcome of cases experienced by those who are forced to participate in civil judicial proceedings without legal representation, the corresponding individual consequences, and other impacts on the systems of justice.
- Continue to identify and remove legal barriers that limit the ability of civil legal aid providers to provide services to all who are in need, in all forums and using all appropriate legal tools.

#### Contract Attorney Program

- Evaluate the Contract Attorney Program in light of recent delivery system enhancements, including consideration of whether this program can be used to develop and support specialty panels on issues such as bankruptcy and Right to Counsel efforts.

#### Communication issues

- Continue to implement and refine the ATJ Communication Committee's "Communication Plan".

- Determine whether internal communications issues, both within and between service providers, would be best addressed by the ATJ Board's Technology Committee or the Communications Committee.

#### Technology

- Further consideration should be given to technology and communication related issues, such as assigning a dedicated staff person to the ARC and the possible placement of the ARC, GIS system and CMS support capacity within the State Support Center.

#### Resource Development

- Continue to expand capacity to identify and coordinate requests for foundation and appropriate special purpose government grant opportunities.

#### Other Structural Topics and Observations

- Continue to improve collaboration between law schools and other participants in civil legal aid.
- Continue to improve collaboration with other entities providing related services, including courthouse facilitators, and local human service groups.
- Continue to improve and coordinate community outreach and education efforts.
- Continue right to counsel efforts through the creation and support of pilot projects and the creation of a Task Force with broad-based representation to identify and define the scope of such projects.
- Continue efforts to evaluate current Alliance approaches to special populations including Native Americans, youth, veterans, institutionalized persons, farmworkers, and other non-English speaking persons.

The Alliance is a statewide justice community with shared vision and values. The Hallmarks and the State Plan state that the delivery system must be client centered and that services for low income persons must be seamless and coordinated, and not limited by geographic or organizational identification that impedes change. This Report is offered in this spirit.

## **Appendix: State Plan Oversight Committee Members and Participants**

James A. Bamberger

*Office of Civil Legal Aid*

Jorge L. Barón

*Northwest Immigrant Rights Project*

Caitlin Davis Carlson

*Legal Foundation of Washington*

Gregory R. Dallaire, chair

*Access to Justice Board*

Laurie Davenport

*Volunteer Legal Services Program*

Marla Elliott

*Columbia Legal Services*

Joan E. Fairbanks

*Access to Justice Board*

Lynn Greiner

*Access to Justice Board*

Anne Aiping Lee

*TeamChild*

Aurora Martin

*Columbia Legal Services*

John Midgley

*Columbia Legal Services*

Michele E. Storms

*William H Gates Hall UW School of Law*

César Torres

*Northwest Justice Project*