

Translating the Results of a Legal Needs Assessment into Updated Priorities, New Initiatives, & More Resources in Tough Economic Times

Session Overview

NLADA Conference 2010 – Atlanta, GA
10:15 a.m. - 11:45 a.m. on Friday, Nov. 12, 2010
Room: Georgia 4

Presenters:

- Amy Gendall, Development Director, Legal Aid of Southeastern Pennsylvania
- Clay Nestler, Managing Attorney, Southwestern Pennsylvania Legal Services
- Kelly Thayer, Research Analyst, The Resource for Great Programs, Inc.
- Ken Smith, President, The Resource for Great Programs, Inc.

Learning Objectives

By the end of this session participants will:

- 1) Understand regulatory requirements of LSC (and other funders) related to conducting a legal needs assessment.
- 2) Gain an awareness and understanding of some innovative approaches being used for conducting legal needs assessments at the local level.
- 3) Understand how to link the activities and outcomes of a legal needs assessment with strategies for resource development, outreach, and service delivery to produce more dollars, greater program effectiveness, and increased community understanding and support for the program's mission.
- 4) Learn about some next steps to take in exploring the potential for applying these powerful tools in their own programs and civil justice groups back home.

What is a civil legal needs assessment?

A civil legal needs assessment is a process for a program (or other entity) to determine the most pressing legal problems facing its low-income population *and* plan how best to meet those needs. The needs assessment should be forward-looking and solution oriented.

- **The ABA Standards for the Provision of Civil Legal Aid (August 2006)** – The standards “assert that in all cases, the provider needs to ground its choices about where it focuses its resources and what delivery strategies it employs on its awareness of the low income communities’ critical legal needs.” The legal needs assessment should:
 - Include the low-income community and groups that serve it
 - Include “isolated persons” and “low-wage workers,”
 - Prioritize “severely limited” resources in serving “overwhelming needs,”
 - Recognize “other resources available to respond, including those available from the statewide and regional system in which it operates.”
- **LSC Performance Criteria (April 2006)** – “The program periodically undertakes comprehensive assessment of the most pressing legal problems and needs, both addressed and unaddressed, of the low-income population in its service area, including all major segments of that population with special and similar legal needs or access challenges.” The legal needs assessment should:

- Be made frequently enough to be reasonably calculated to identify new developments and opportunities affecting that population.
- Help establish a “well-thought out framework” for addressing the most pressing legal needs
- Demonstrate that the program has come to a “reasoned, thorough assessment of the most pressing legal needs in the communities it serves”
- Guide the program in setting out clearly how it is trying to address the identified needs.

Why conduct a legal needs assessment?

Some expectations and benefits to consider:

- As noted above, the ABA Standards and LSC Performance Criteria speak to the need for a needs assessment and provide some insight into how to conduct it, citing some best-practice elements involved.
- If LSC-funded, your program is required to conduct a needs assessment at least every five years, consistent with LSC’s administration of 45 CFR Part 1620—Priorities in Use of Resources, with the goal that the results will inform your program’s revision of your statement of priorities and case-acceptance guidelines and “limit its commitment of time and resources.”
- The likely benefits of a needs assessment to your clients and your program include:
 1. A clearer measure of existing and emerging client needs gained by taking a step back from the day-to-day avalanche of matters and cases
 2. Stronger internal relations and buy in among staff and board
 3. New partnerships with other groups or agencies serving low-income people
 4. A stronger, more comprehensive referral network
 5. The basis for designing new and improved initiatives to meet identified need
 6. The fuel for a marketing plan meant to attract new partners, supporters, and funds
 7. A foundation for revising your program’s case-acceptance priorities, delivery system, and ultimately its everyday success.

Resources

- **The ABA Standards for the Provision of Civil Legal Aid:** <http://www.abanet.org/legalservices/sclaid/downloads/civillegalaidstds2007.pdf>
- **Access-to-Justice Support Library:** www.atjsupport.org/
- **LSC Performance Criteria (April 2006):** <http://www.lsc.gov/pdfs/LSCPerformanceCriteriaReferencingABAStandards.pdf>
- **LSC Resource Library:** www.lri.lsc.gov/states/programassessments.asp
- **National Legal Aid & Defender Assoc.:** <http://www.nlada.org/>
- **U.S. Census:** www.census.gov & **American Factfinder:** http://factfinder.census.gov/home/saff/main.html?_lang=en
- **The Resource for Great Programs:** www.GreatPrograms.org

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