

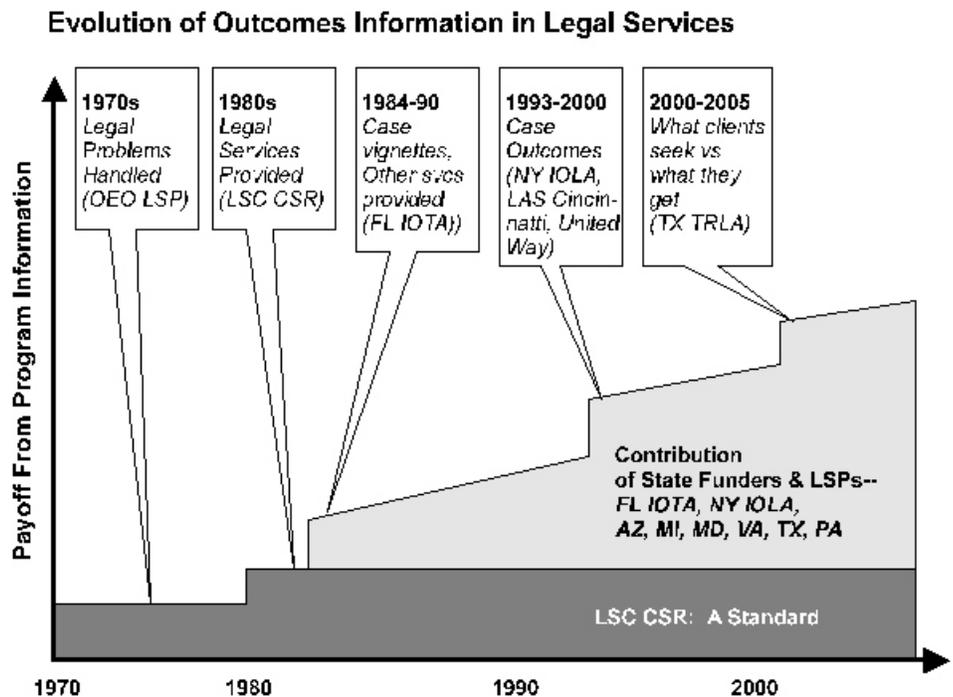
Program Assessment is a Strategic Capacity of a Full-Access Legal Services System.

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The Resource for Great Programs, Inc.

A. Introduction

Program assessment is a strategic tool for nurturing dynamic, growing, community-based legal services programs at all levels — local, state and national. It provides several key ingredients for building comprehensive, integrated legal services delivery systems that expand access and deliver more and better services for clients.

- It enables a state community to celebrate innovation and success.
- It fosters technology and innovation transfer.
- It supports effective technical assistance to under-performing programs.
- It supports statewide efforts to identify and replicate best-practice models developed across the state and around the country.



Program assessment is a powerful tool for maintaining an ongoing conversation among program leaders, funders and partners about opportunities for improving outcomes for clients. It is an essential capacity of a full-access legal services system.

B. What is program assessment?

Legal services program assessment activities address three types of questions:

- **Compliance and accountability.** Does a service provider meet all requirements of federal, state and local funders? If not, what improvements are needed to bring it into compliance? Is the program well run?
- **Quality/outcomes.** Do the services that are provided meet high professional standards for quality? Do they provide valuable outcomes for clients?
- **Program innovation and growth.** Is the provider providing access to a full range of legal services, and are these services available to clients everywhere in the service area? If not, what opportunities do we see for filling gaps, improving access, enrolling new partners — and developing funding to support these initiatives?

The “customers” of a program assessment system include funders, partners, legal services clients, program leaders and the legal services community.

- **Funders and partners.** These include the federal Legal Services Corporation and the Administration on Aging; *state* funders such as IOLTA, Title XX agencies and state agencies that administer filing fee or appropriated funds; and *local* funders and partners including county commissions, bar associations, United Ways and courts. A strong program assessment capacity assures people that they can invest in the legal services system knowing that it is well-managed, efficient and continually monitored for compliance with all applicable regulations and requirements. By giving people confidence, the program assessment capacity enhances resource development efforts at all levels – local, state and national.
- **Clients.** Low income people who place their faith and future in the hands of a lawyer can be confident that they will be treated with dignity and receive services meeting high professional standards.
- **Program leaders.** Assessment provides a program’s board, management team and client community with feedback from experts and peers regarding areas of high and low performance. It performs a sounding-board function and provides a scorecard for tracking progress on program goals and plans.
- **The legal services community.** State planners and task forces (resource development, technology, access to services, PAI, client involvement . . .) have access to information about gaps that need to be filled and about high-performing “best practice” models that can be replicated up and down the system. All stakeholders have access to information about the system’s status on a wide variety of measures, providing a solid foundation for productive conversations about improving system performance and outcomes.

C. Why is it important?

- **Program leaders are taking responsibility for the integrity of the system.** They are declaring to clients, funders and partners, “We are ensuring quality, efficiency and access. We have systems in place for ensuring that we are delivering on these core values that define our performance.”
- **Programs and models have proliferated.** New methods for delivering legal services have emerged from the efforts of the legal services community to maintain services in the face of the funding cuts and service restrictions of the 1980s and 1990s. These include private attorney involvement (PAI) models, clinics, hotlines, pro se assistance models, training of lay advocates and specialty programs.
- **Accountability pressure in the non-profit world has grown.** This parallels the increased competition for dollars from foundations, local and state governments and donors.
- **It is the right thing to do.** It is appropriate for those spending public and charitable dollars to continually evaluate what they are doing and take actions that will improve program quality, effectiveness and impact.

D. A “smart” assessment system has four characteristics:

1. **It is based on a solid foundation of models and experience.** The technology of program assessment has grown steadily over a 30-year period, starting with the OEO Legal Services Program and LSC in the 1970s and continuing with significant contributions by state IOLTA programs in the 1980s and 1990s. Today there are established standards, benchmarks and assessment techniques that together constitute a program assessment discipline.
2. **It uses a “smart” logic.** Like a good medical diagnostic system it quickly scans for problems using low-cost tests and indicators, then focuses its attention on those areas where special problems or opportunities are indicated. It uses an approach that gets the most information for the least cost. Like any good diagnostic system it avoids imposing unnecessary “tests” (surveys, site visits, ad hoc data requests . . .) on local programs.
3. **It turns information around quickly.** It doesn’t just collect information and sit on it; it builds in sufficient staffing and computing capacity to process the information quickly and turn results around promptly so action can be taken while the opportunity is greatest.
4. **It supports serious conversations between program leaders, staff, funders and partners.** By highlighting strengths as well as identifying gaps and weaknesses it avoids putting people on the defensive. It surfaces opportunities for improving the

outcomes that the program staff and board have committed their efforts to producing. A “smart” assessment system creates opportunities for program leaders and funders to work collaboratively on solving problems and promoting their common mission of creating more and better services for clients.

E. How is it done?

Program assessment systems have any or all of the following parts.

- 1. Program reporting systems.** These include (a) the grant application, which collects basic information about the organization and what it plans to do during the grant period; (b) an end-of-the-period report about the activities, services and accomplishments actually delivered; and (c) a financial audit of funding and expenditures.
- 2. Outcomes measures.** These are a special part of program reporting systems. Advocates are asked to track and to report on *benefits* their services are producing for clients such as dollars generated, rights preserved and problems resolved.
- 3. On-site monitoring.** In some instances, a team of experts may be dispatched to visit a program. A site visit may involve a team of two to eight persons and last between one and five days, covering such areas as program systems, staff-management relations, management/board relations, fundraising, private attorney involvement and quality of legal work.
- 4. Desk Reviews.** These are detailed analyses of the information provided by the program in its grant application, reports, correspondence and financial audit. The Desk Review methodology, which we pioneered in 1997, excels as a low-cost methodology for scanning a wide range of program systems and operations to determine exactly where a further investment in program assessment and technical assistance work is likely to deliver the greatest payoffs. Statistical and financial indicators are calculated from the program’s data on case services, expenditures, funding, staffing and outcomes. These are compared with performance benchmarks derived from comparable data collected from programs in the state and the nation. In addition, the program’s description of its basic systems are reviewed against benchmarks provided by *The ABA Standards for Providers of Civil Legal Services for the Poor*, the Legal Services Corporation’s *Capacities and Coordinated Activities [of Effective Statewide Systems]* issued in Program Letter 98-6 (July 6, 1998), and standards produced as a result of state planning and program development efforts. Areas of outstanding performance and areas of potential gaps and weaknesses are flagged for further review and discussion.

F. Program assessment is a key to building a comprehensive, integrated delivery system that produces more and better services for clients.

- It supports effective technical assistance to under-performing programs.
- It fosters technology and innovation transfer.
- It supports “pacing events” like state trainings on “best practice” models developed around the state.
- It enables a state community to celebrate innovation and success.

Program assessment can be a powerful tool for maintaining an ongoing conversation in the legal services community about improving outcomes for clients. It is an essential capacity of a full-access legal services system.

G. Our capacity for designing and supporting program assessment systems.

Our principals’ experience in supporting legal services program assessment began with our national work in the 1970s helping the OEO Legal Services Program develop the first peer review evaluation system for application to legal services for the poor. Later we assisted OEO’s successor, the Legal Services Corporation (LSC), in designing the precursor to the Case Service Reports (CSR) system). We went on to apply this experience in helping the Florida IOTA program set up the first IOLTA grant evaluation system in 1984 and similar systems in Arizona (1987), New York (1993), Massachusetts (1993), Michigan (1984), Virginia (1997), Maryland (1997), Pennsylvania (2000) and Texas (2000). We have continued our work in legal services program assessment to the present.

We have pioneered the development of program assessment systems for use by funders of legal services for the poor throughout the United States. (See the figure on page 1, which shows systems we have been involved in developing since the 1970s.) Our clients include IOLTA, filing fee and state-funded grants agencies in Florida, New York, Michigan, Pennsylvania, Arizona, Massachusetts, Texas, Maryland and Virginia. We serve as an “outsourcing” provider of evaluation services to legal services funders in several states in support of their program assessment activities.