

The Resource

for Great Programs Inc.

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Strategic Plan 2005-2010

Legal Services of Eastern Missouri

May 12, 2005

***The Resource** for Great Programs, Inc.*

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I. Introduction

This report summarizes the strategic plan of Legal Services of Eastern Missouri (“LSEM”) for 2005-10. LSEM is an independent, not-for-profit organization that provides high-quality civil legal assistance and equal access to justice for low-income people in Eastern Missouri.

In 2006, LSEM will celebrate the 50th anniversary of its incorporation as The Legal Aid Society for the City and County of St. Louis, a not-for-profit legal services program, which was the successor to a voluntary legal aid bureau established in 1935. Since its beginning, LSEM has provided legal services to low-income people in the eastern part of Missouri and has gained a reputation as a national-caliber law firm for low income persons.¹

As the first phase of preparing this Strategic Plan, LSEM conducted an in-depth assessment of current and future legal needs. Using the legal needs assessment, LSEM developed this Strategic Plan to address specific areas of unmet need and to improve the delivery of legal services throughout its service area. This Strategic Plan presents a “bold vision” of what “can be” in 2010, and outlines twelve (12) strategic initiatives for reaching that future. These initiatives cover five areas: service delivery, leadership and staff development, rural delivery, legal advocacy and resource development.

Our vision is based on our past history of success and our knowledge of best practices for delivering legal services. We invite our partners in the legal community, the courts, the human services agencies and community organizations with whom we work, local governments, clients, and other members of the community to join us in making the promise of *Equal Justice Under the Law* a reality for every low-income resident in Eastern Missouri.

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¹ “Analysis of Configuration Options for the Missouri State Justice Community,” by Ken Smith, Ph.D., K. David Smith, and Kathy Garwold, p. 35 (March 3, 2004).

II. Opportunities:

Our Strategic Approach Will Pay Rich Dividends for Clients in 2005-10.

Many opportunities arise from LSEM's leadership position in Missouri's legal aid community.

A benchmarking analysis by *The Resource for Great Programs, Inc.* in early 2004 highlighted six strengths that position LSEM as a leader in the state.² (A copy of The Resource's report is provided in Appendix A.)

1. **A powerhouse staff.** This includes lawyers, paralegals, social workers and administrators that are first-rate. Half of LSEM's lawyers have 19 years or more experience in the legal profession. Many are acknowledged as state leaders in their specialties.
2. **A good mix of services.** LSEM is able to produce a superior volume of "service cases" while at the same time leading the state in major litigation, public policy development and specialized projects addressing fundamental problems of the low-income community such as housing, income support, protection from domestic violence and special education.

In addition to these traditional legal aid services, LSEM also provides a good mix of "matters" services, including community legal education presentations, workshops, referrals to other service providers and informational materials.

This broad mix of services provides a "beachhead" from which LSEM can expand successful projects and models. Further, it shows that LSEM has the requisite skills for exploring and deploying new methods of service delivery in the immediate future.

3. **Outstanding pro bono participation.** The program offers a wide range of opportunities for pro bono service and gets a high level of participation in return.
4. **Good resource development performance.** The program was the first program in the state to employ a full-time resource developer. At \$22.88 per capita (per 2003 figures), it is the best-funded program in Missouri.³ It is also the most diversified, with only 37 percent coming from LSC.

² The original "Strategic Scorecard" analysis was performed as part of an evaluation of the Missouri statewide legal services system. It used 2002 data to assess and compare the four legal aid providers in Missouri. The Scorecard was updated by *The Resource* for the purposes of LSEM's strategic planning effort, using 2003 data. See Appendix A for a summary of that analysis. The report of the full 2004 evaluation is on file at LSEM – see, Ken Smith, David Smith and Kathy Garwold, "Analysis of Configuration Options for the Missouri State Justice Community," *The Resource for Great Programs, Inc.*, March 3, 2004.

³ For comparability with other programs in Missouri and nationally, we use total funding used for basic field services divided by the eligible population at 100 percent of the Federal poverty

5. **A holistic approach.** LSEM has several special projects in which lawyers and social workers team up with community organizations to provide a mix of services tailored to address each client family's unique situation.
6. **Private bar support.** LSEM is a fixture in the legal community in St. Louis and the state. It enjoys an extraordinary level of support from the private bar at all levels. This translates directly into fundraising success and support for legislative initiatives benefitting the low-income population. LSEM leaders have been instrumental in promoting continued funding for legal services at both the state and national levels.

LSEM has access to a national community offering expertise and best-practice models.

Successful resource development and service delivery strategies are available. In addition to its own past history of successful fundraising and service delivery, LSEM can consult leaders in other states for assistance in improving services and fundraising. In addition, recent collaborative efforts by the legal services programs in Missouri have already resulted in increased funding. In 2003, the legal services programs partnered with The Missouri Bar and others, and obtained passage of statewide filing fee legislation. Under this legislation, a portion of the filing fee in certain civil cases is distributed to the four Missouri legal services programs. Subsequent collaborative efforts include the development of a statewide website, review of a centralized record-keeping system, and pilot projects in specific areas.

Nationally, other legal services programs have adopted innovative, best practices methods. LSEM can benefit from their experience. By adopting best practices methods, the cost of providing legal services can be reduced significantly. And now that the statewide configuration dispute has been resolved, LSEM can redouble efforts to work with other legal aid providers, the state bar and the judiciary to establish new statewide funding streams for legal services.

level. In reality, most programs use at least 125 percent of the poverty level as their eligibility cutoff, and some programs use a much higher figure (e.g., 187 percent of poverty), so the actual funding per "eligible" person is substantially lower than our benchmark would imply. We use it only as a uniform benchmark for comparing the resource development success of programs, not to assess whether or not funding is adequate in relation to the number of people needing to be served.

Many of the breakthrough methods offering cost reductions focus on streamlining legal aid's "front end" services – outreach, intake, legal information, advice, brief services and self-help assistance. Not only can more people be served, but the lawyer time saved on those functions can be redirected to the hard-core legal problems that cannot be addressed without the attention of a lawyer. It also frees up staff resources for re-deployment to LSEM's broad-scope work, offering dramatically greater impact on the systemic problems affecting the poor.

III. The Need:

Only One in Five Eligible People With a Legal Problem is Able to Get Direct Legal Help From LSEM.

According to a recent national poll, close to nine in ten Americans (89 percent) agree that legal help for civil matters should be provided for low-income people. Yet a huge gap prevents that vision from being realized. The American Bar Association has estimated that despite serving 1.9 million clients annually, the collective civil legal aid effort is meeting only 20 percent of the legal needs of the poor.

LSEM's case output of 7,868 addressed just seven percent of the total number of legal problems experienced by eligible Eastern Missourians in 2003. "Matters" services – legal education, materials or referrals – may have provided some level of relief for up to an additional 19 percent.⁴

In 2000, one in seven residents of Eastern Missouri were eligible for LSEM services. More than 283,000 people were surviving on marginal incomes below 125 percent of the Federal poverty threshold. They make up 14 percent of the more than two million people that live in the 20 counties and City of St. Louis served by LSEM.

Those who qualify for legal services are among society's most vulnerable persons. 93,000 children, representing 45 percent of St. Louis City's children under the age of 18, are living in or near poverty. 13,000 children in the St. Louis metropolitan area have no permanent address. Within St. Louis City and County, 125,000 African American people live in or near poverty. In addition, as the society has "grayed" and as immigrant populations have moved into Missouri, the need for legal services has increased commensurately.

⁴ A quick calculation indicates the size of the "access gap." By applying the ABA Legal Needs Survey's measure of 48 legal problems per 100 low-income households, we estimate that the poor in LSEM's service area experienced more than 116,000 legal problems in 2003. That year, LSEM advocates and volunteer attorneys completed 7,868 cases – addressing seven percent of the problems. An additional 22,467 people were provided with legal education, materials and referrals to other sources of help. The total, 30,335, touched at most 26 percent of the legal problems of the people eligible for LSEM's services.

**Exhibit 1:
Fact Sheet:
The Need for Legal Aid**

Missouri's residents have not fared as well as people in other states during the relatively prosperous years of 1995-2005. More than 283,000 people in Eastern Missouri are still living on incomes that are less than 125 percent of the federal poverty level. As a result, roughly one in seven Eastern Missourians are eligible for free civil legal services.

- 45 percent of children in the City of St. Louis live at or near poverty.
- The need for legal services for the poor is overwhelming. According to a study by the American Bar Association, 48 percent of low- and moderate-income households experience a legal problem each year. In Eastern Missouri, this translates to more than 116,000 legal problems annually, just among households living at or below 125 percent of the Federal poverty level.
- Civil legal aid ensures justice for all Americans regardless of their income. Many people who would otherwise not be able to afford access to the courts to resolve their legal troubles are able to obtain critical legal assistance at no or low cost.
- People feel disenfranchised. The ABA study showed that most low- and moderate-income people feel shut out from the legal system. They do not turn to the courts for solutions because they believe the system will not help them.

Rural service delivery must be improved.

Despite LSEM’s commitment to providing services throughout its service area, the poor in LSEM’s rural counties get fewer direct case services, on a per-capita basis, than in the St. Louis metropolitan area. As Exhibit 2 below indicates, LSEM completes just 50 percent of the number of cases overall, and 59 percent as many “extended representation” cases,⁵ for residents of rural counties as it does for those residing in its urban counties, per 1,000 eligible people.

**Exhibit 2:
Disparity in Cases – Urban versus Rural Counties Served by LSEM**

	Cases per 1,000 Eligible Population*			
	<i>LSEM Overall</i>	<i>Urban Counties</i>	<i>Rural Counties</i>	<i>Rural as % of Urban</i>
All Cases	32	30	15	50%
Extended Representation** Cases	7	22	13	59%

** 2002 Case Service Reports data. The table shows the median figure -- that is, the middle value -- for the service area indicated. For example, half the counties served by LSEM overall are above the median value of 32 cases per 1,000 eligible persons while half are below this figure.*

*** "Extended Representation" cases are those closed by negotiated settlement, court decision or administrative agency decision.*

This disparity is largely a function of distance; it is harder for rural residents to get together with a lawyer and more costly for LSEM to serve the outlying counties. This has always been a problem, but funding cutbacks in the 1980s and 90s have made it worse.

Opportunities for doing more will be pursued.

LSEM is the leading program in Missouri doing broad-scope work. This work includes major litigation, specialized projects, legislative/administrative advocacy and collaboration with community organizations and agencies. Since the mid 1990’s LSC has restricted the type of cases that can be performed by its grantees. Simultaneously, LSC has recognized the need for a non-LSC funded organization to provide the full range of services required by the low-income community. LSEM has not fully analyzed or considered ways of providing these LSC-restricted services to the low-income population in its service area.

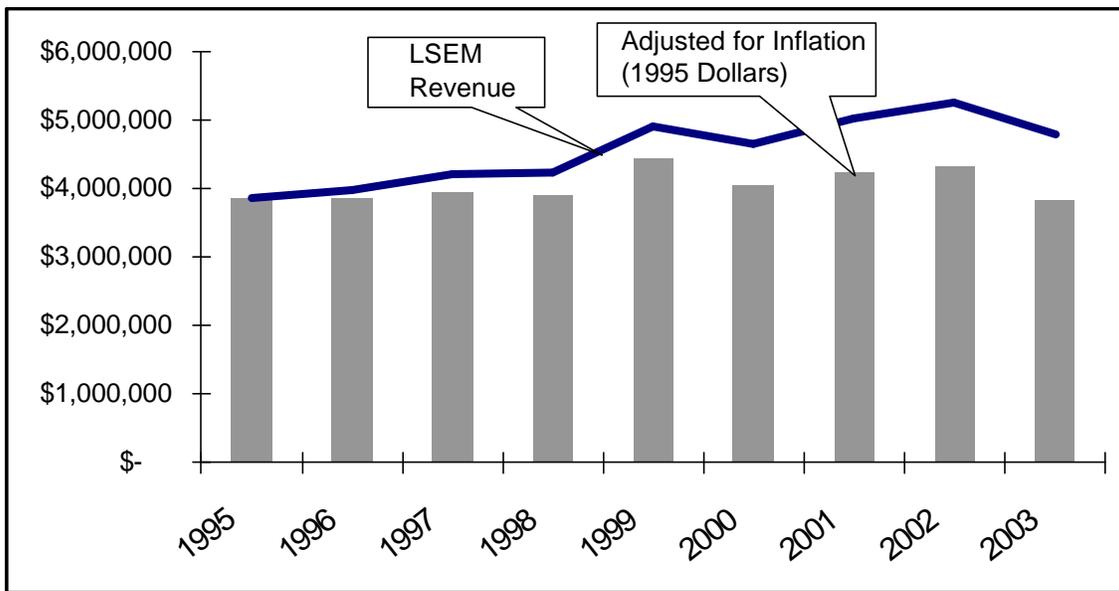
In addition, although LSEM has implemented new service delivery methods, other methods need to be explored. For example, pro se legal assistance and centralized telephone intake and advice systems are methods that have not been fully utilized in the past but which are a part of the strategic initiatives contained in this Strategic Plan.

⁵ “Extended representation cases are those closed by negotiated settlement, court decision or administrative agency decision.

Funding remains an issue.

LSEM has done better with resource development than any other program in Missouri.⁶ However, like many other legal services programs, we still have not been able to make up ground lost through the federal funding cuts of the early 1990s. As a result, we have fewer advocates in the field today than we had in the early 1990s. As indicated in Exhibit 3 below, in spite of significant revenue gains achieved through successful resource development efforts, LSEM’s “real” income (i.e., purchasing power, with inflation taken into account) in 2003 was essentially what it was in 1995.

**Exhibit 3:
LSEM Funding, 1995-2003**

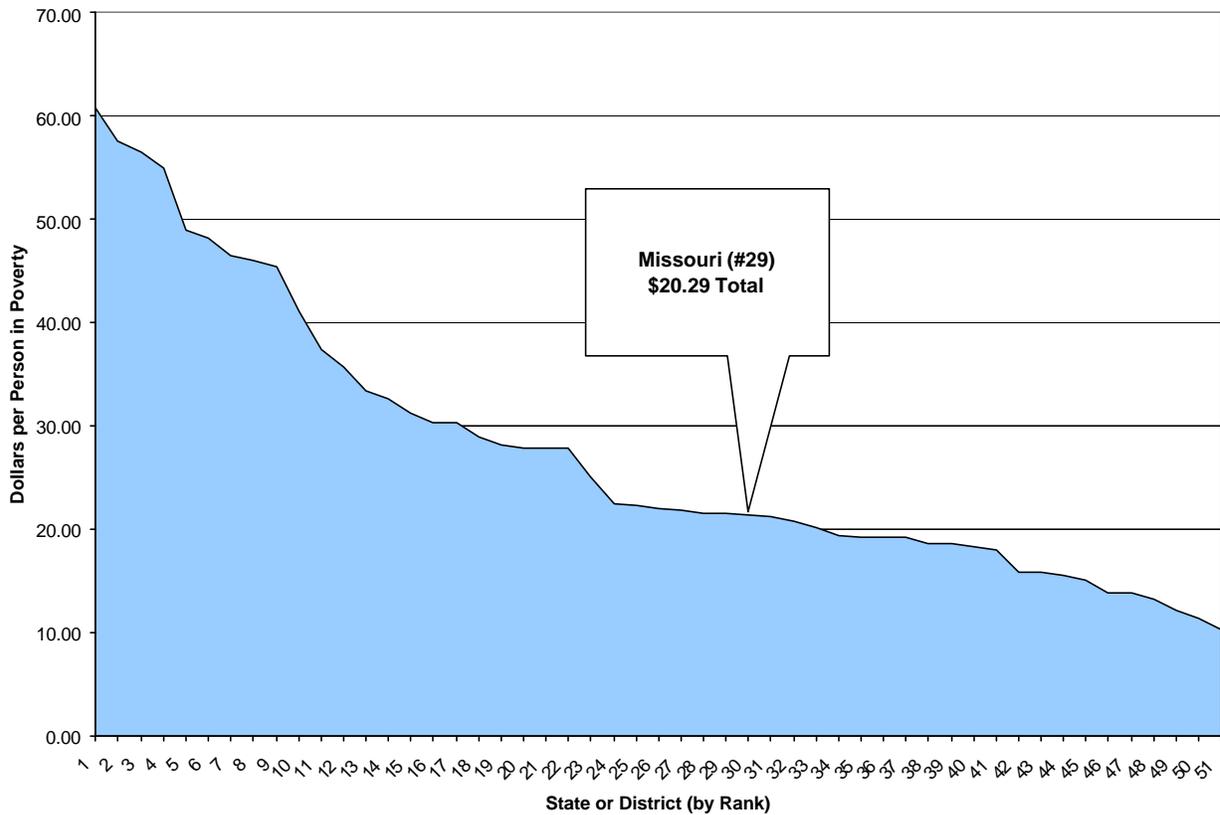


Considering the intense competition for funding facing non-profits in general, and legal services programs in particular, LSEM’s ability to maintain stable funding during this period has been no small accomplishment. We have worked aggressively and with great success at increasing non-LSC funding. In 1995, non-LSC funding was only 36 percent of our total; in 2003 it was 76 percent. So we became much more diversified in our funding base. In addition, we completed a successful capital campaign in 1998 which provided funds for LSEM’s purchase of the building in which its offices are located. LSEM remains one of the few legal services programs which owns its own building, enabling us to apply more of our dollars to delivering services to clients rather than paying rent.

⁶ See the Missouri configuration analysis: Ken Smith, David Smith and Kathy Garwold, *op cit*, page 21. LSEM had the highest per-capita funding of the four programs in Missouri.

Funding is a statewide problem: in terms of total legal aid funding, Missouri is 29th in the nation (see Exhibit 4 below).⁷ The success of other states, including the nearby states of Nebraska, Illinois, Kansas and Minnesota, provides evidence that more funding can be obtained and models and methods that potentially can be adapted for use in Missouri.

**Exhibit 4:
Total Per-Capita Funding 2002, By State**



⁷ Data on total funding for legal aid in the 50 states comes from the national data base on legal aid benchmarks maintained by *The Resource*.

We can do better.

The “Justice Gap” has been with us for so long that many have come to accept it as an immutable feature of the legal aid landscape. Yet LSEM’s strategic planning team is challenging the premise that this situation must continue. By deploying best practices, LSEM can raise more money, work more effectively, provide better services and help far more people in 2010 than we are doing in 2005. LSEM has the expertise, the commitment and the leadership capacity needed to bring about a dramatic change in the status quo over the next five years. The method is straightforward: set bold goals, apply the best practices we can find, be persistent in execution, evaluate progress and stay open to opportunities for improving results.

Five challenges...and the strategic initiatives we propose for addressing them

The next five chapters outline challenges and opportunities in five areas:

- Service Delivery
- Rural Delivery
- Leadership and Staff Development
- Legal Advocacy
- Resource Development

IV. Service Delivery:

We Will Provide More And Better Services, Better Customer Satisfaction.

One of the strongest themes coming out of LSEM's 2004-05 strategic planning efforts is a broad consensus that the access gap *must* be narrowed. At a planning workshop in St. Louis on November 19, 2004, attended by 32 LSEM staff and board members, the following goals were articulated⁸:

- *Double our services*
- *Not turn anyone away...*
- *Get increased services in things clients really need...Housing...Utilities...*
- *Increased right to an attorney in domestic abuse cases...*
- *We help more people...Three out of five rather than one out of five...*

Another theme was that numbers alone are not enough; services must focus on improving customer satisfaction and outcomes:

- *Improved client satisfaction...*
- *Streamlined services...time savings...*
- *Holistic services with comprehensive intake of all legal needs and social service needs...*
- *Improved life conditions for clients...increased income, stable housing...*

The Service Delivery work group took the goals and ideas coming out of the November 19 meeting and developed them into a bold vision and two strategic initiatives. Exhibit 7 on the next page summarizes their vision for increasing the quantity, quality and scope of services that are offered.

⁸ The full notes from the November 19, 2004 planning session are provided in Appendix D.

**Exhibit 7:
LSEM's 2010 Vision
for Service Delivery**

Over the next five years...

- **Clients will receive more timely and comprehensive services.**
 - Within one year, from the date of this Plan, all potential client calls to our program will be returned within 48 hours;
 - Over the next year, routine Counsel and Advice cases will be closed within 72 hours of the initial intake, and
 - Over the next two years, all other cases will be placed for extended services or given the appropriate Counsel and Advice within seven working days.

- **We will see an improvement in the customer service we offer our clients.**
 - Within the next one and a half years, we will achieve an 80 percent level of satisfaction in our client surveys. By the end of five years, there will be a 98 percent satisfaction rate.
 - Over the next five years, we will ensure that all of our eligible potential clients have equal access to all of the services we can offer.
 - Within five years, all clients will receive a comprehensive intake that addresses all of their legal and human services needs.

- **We will see an increase in the number of cases that we handle.**
 - Over the next five years, the number of cases we handle will increase by 25 percent, and
 - Over the next five years, we will serve two out of five eligible clients, rather than the one out of five we currently serve.

- **We will see an increase in the number of other services we provide.**
 - Over the next five years, we will increase our other services by 50 percent. These services include community education, outreach and distribution of pamphlets and brochures.

- **All the people we accept as clients will receive the full range of assistance they need and are eligible for under the program's priorities.**
 - Within the next five years, we will help any client needing social services assistance to get the broader help they need, and
 - Over the next five years, LSEM will develop a social work unit to act as service brokers for information and referrals to community agencies for appropriate social services closely coordinated with the legal assistance our clients are receiving from us.

- **LSEM will be pursuing impact litigation throughout our service area.**
 - We will have a systematic process in place for identifying and pursuing impact cases ensuring each of the jurisdictions we serve is affording our clients the same levels of access and protection.
 - Our process will integrate impact work with intake and individual representation to maximize the total impact of our services on the lives of our clients with available resources.

One strategic initiative is presented for moving forward on the Delivery Systems Group’s vision.

Many of the opportunities for breakthroughs in the numbers of people LSEM can help arise at the “front end” of the delivery system – the methods for doing outreach, intake, legal problem diagnosis and initial assistance. One strategic initiative is being proposed, as summarized below in Exhibit 8.

**Exhibit 8:
Summary: Best-Practice Design for Intake and Advice System**

LSEM will accelerate its efforts to identify and apply best practices developed by legal services programs across the country using telephone intake and advice systems to increase the effectiveness and efficiency of such "front end" services as outreach, intake, information, advice and brief services. LSEM will also conduct holistic assessments and provide clients with access to comprehensive services, external referrals for social services, and information for self-advocacy, where appropriate.

- **Anticipated results:** LSEM will have a plan and timetable for implementing a state-of-the-art intake, advice and brief services system that maximizes access for clients, optimizes use of staff and referral partner resources, delivers excellent services and significantly reduces the "Justice Gap" faced by our clients. Clients will receive appropriate referrals to other social services providers.
- **Champions:**
- **Potential Participants:** LSEM intake staff, LSEM advocates from all units.
- **Potential Partners:** Private bar, agencies in service area to whom LSEM refers applicants.
- **Likely funding sources:**
 - Funders interested in improved use of technology
 - United Way venture grants
 - Foundations that generally support efforts to improve health and welfare of low-income families and individuals
 - In-kind from schools of social work
 - Foundations interested in holistic service delivery or social services model
- **Models that Work:** Numerous successful centralized phone intake and advice systems are in place throughout the country; prominent programs in circumstances similar to LSEM's include Advocates for Basic Legal Equality (NW Ohio); Northwestern Pennsylvania Legal Services, Nebraska Legal Services and Blue Ridge Legal Services (VA). Models for comprehensive/holistic intake include Legal Services of Middle Tennessee and the Cumberlands and Southwestern Pennsylvania Legal Services.

V. Leadership and Staff Development:

We Will Attract and Keep the Best and Most Capable Staff to Serve Our Clients.

LSEM has an excellent staff; the challenge for LSEM is to insure that a high quality staff is in place five and ten years from now. Many of the key people have been with the program for 20 years or more. There is a “staff experience hole” in the experience range between three and ten years. Succession planning, leadership development and staff development should be high priorities for LSEM in 2005-2010.

“There is a solid consensus in LSEM that attracting and retaining highly qualified staff should be among the program’s most important strategic goals.”

There is a solid consensus in LSEM that attracting and retaining highly qualified staff should be among the program’s most important strategic goals. This theme ran through the discussions of the Leadership and Staff Development work group in October and November of 2004.⁹

We need to hire lawyers who are the best and most capable advocates for our clients...We need to hire attorneys who have the capacity to become leaders in their field and the organization. It’s not practical to hire established leaders; we don’t have the money, so we have to be very good at hiring excellent new people.

We need new ideas. It’s not enough to assume that the management style that’s been in place for a long time is the best we can have.

Moreover, just hiring good people is not enough, the group felt; keeping the successful ones well beyond the two-year break-in period is also critical.

We need to focus on why people leave, not just on recruiting....Individuals are different with respect to what motivates them...commitment to their family versus money versus recognition versus enjoyment of the work. We should explore this dimension of retention.

Challenging and rewarding work, acknowledgment of contributions, channels for bringing ideas and concerns to management and engagement in the decision-making process of the program are more than just expedients for retaining talented people in today’s competitive environment; they are strategic factors necessary for attaining the level of excellence LSEM seeks to achieve across the whole spectrum of program activities by 2010.

⁹ See Appendix B for a summary of the problems and opportunities identified by the group leading up to the November 19, 2004 strategic planning meeting.

Our vision for leadership and staff development

One definition of a “vision” is an expression of what we want to see in place at a specific point in the future. The Leadership and Staff Development work group is proposing that by 2010, LSEM will achieve the goals outlined in Exhibit 9 below.

Exhibit 9: LSEM’s 2010 Vision for Leadership and Staff Development

- **Our approach to leadership and staff development will promote excellence at both a micro and macro scale.** It will foster quality services to individual clients and capacity to spot and address broad issues affecting the client community.
- **LSEM will promote excellence by hiring, retaining, and training the best and best most capable new lawyers, paraprofessionals, and support staff in the state and the nation.** We will develop standards for recruitment and performance that maximize our ability to hire and develop people with the qualities most important for achievement of our overall mission.
- **LSEM staff will have high morale.** We will promote the goal of maintaining high staff morale as a core value of the organization. We will identify and maximize the factors that underlie the success of our most capable and committed staff.
- **LSEM will have a formal training and mentoring program in place.** Each new attorney will be able to have a mentor other than his or her immediate supervisor.
- **LSEM will have good vertical and horizontal communications.** Features include the ability of staff to raise concerns freely, the means to keep the board apprised of current work initiatives, the means to keep staff apprised of current board concerns and the means to share information on work of different staff and units among the whole group.
- **LSEM will have established relationships with outside organizations.** Incentives will be provided to promote high performance by attorneys and non-attorney staff at engaging and actively participating in community organizations addressing the needs of our client community.
- **LSEM will have a policy in place that provides incentives for excellent performance.** These will not necessarily require promotion to management.
- **LSEM will have a student loan reduction program in place for both attorney and non-attorney staff. It will be funded adequately to enable new hires to retire loans over the first ten years of employment.**
- **LSEM will have a clear statement of goals in place.** It will articulate the agency's values and provide the basis for leadership and staff performance appraisals.
- **LSEM will have an organizational structure in place that maximizes the use of resources.** This includes the use of identified staff resources, achievement of LSEM's identified staff work goals, an effective performance evaluation component, and incentives for staff contributions and excellence.

Two strategic initiatives will give LSEM a good start on our vision for leadership and staff development.

A Staff Development Initiative. (See Exhibit 10.) LSEM would carry out a multi-part initiative to improve staff effectiveness and capacity, including a staff resources inventory, career development measures, and manager evaluation based on performance in developing the capacity of staff.

An Internal Communications Initiative. (See Exhibit 11.) LSEM would design and implement a system that facilitates new opportunities for vertical communication between the Board and staff members and horizontal communication among different staff units and groups.

Exhibit 10: Summary: An LSEM Staff Development Initiative

LSEM will develop and implement a program to recruit, hire and retain attorneys of high caliber with a commitment to public interest law and to LSEM's client community. LSEM will also assure that its existing attorney staff develops the skills and expertise that will be needed by LSEM in the future. One aspect of the program will be a legal services fellowship program to recruit law students.

- **Anticipated results:** LSEM will recruit, hire and retain attorneys of the highest caliber. The fellowship program will attract funding and create more awareness of LSEM among law students and law faculties. By focusing on the enhancement of skills in the attorney staff, LSEM will achieve a re-energized work force with the ability to move among different roles with improved advocacy skills for low-income people.
- **Champions:**
- **Potential Participants and Partners:** Dan Glazier, Beth Roper, Board and Staff members interested in career development; law schools, public interest organizations and foundations.
- **Likely funding sources:** Private law firms or individual donors, foundations, corporations.
- **Models that Work:** The national Skadden Arps fellowship program; Equal Justice Works (formerly NAPIL) fellowship program; LSEM and other legal services programs' use of Americorps and VISTA lawyers; Pine Tree Legal Assistance (Maine) fellowship program.

Exhibit 11:
Summary: An Internal Communications Initiative

Since accepting the position, the Executive Director has begun the design and implementation of a new communications system. LSEM will continue to design and implement an approach that improves vertical staff/board communications and horizontal communications across the units of the agency.

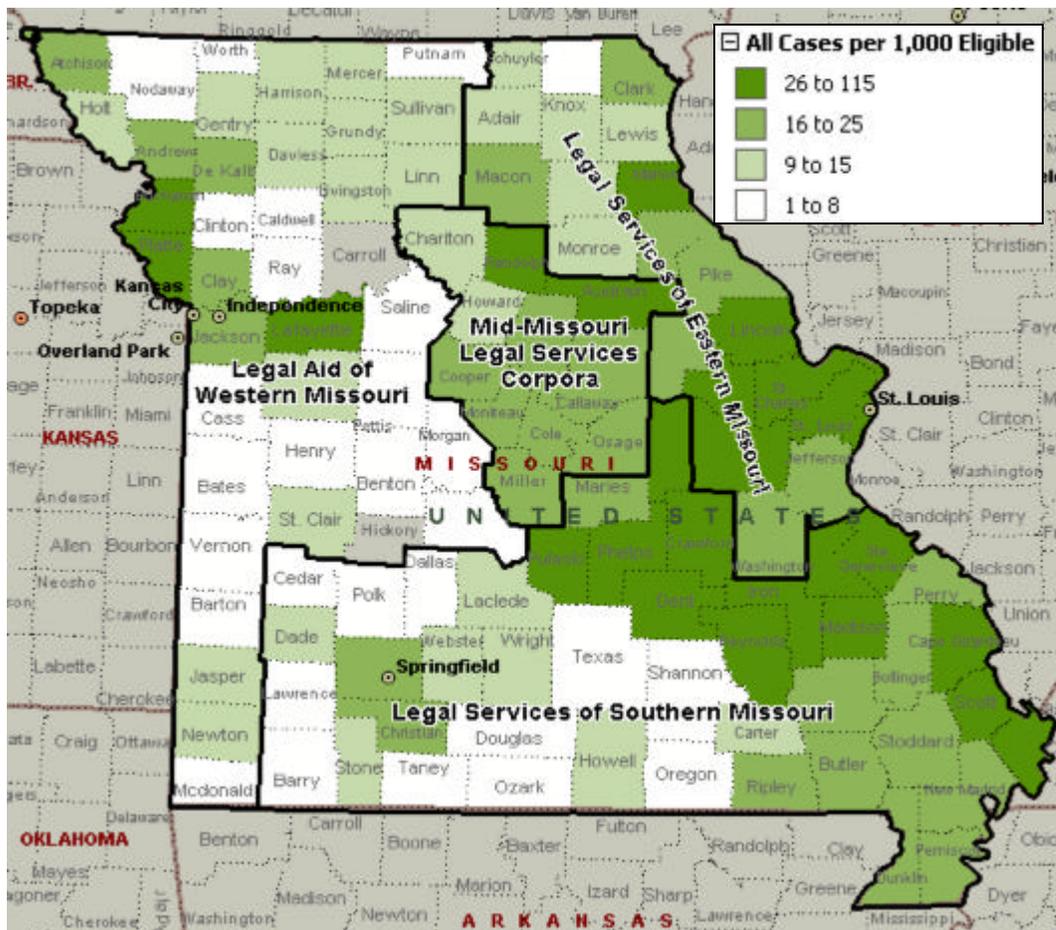
- **Anticipated results:** Enhanced vertical and horizontal communications, including the ability to: raise concerns freely; keep the Board apprised of current work initiatives; keep staff apprised of current board concerns; and share information on work across staff and units of the program.
- **Champions:**
- **Potential Participants:** Dan Glazier; Beth Roper; Board and staff members interested in broader focus.
- **Models that Work:** Under development.

VI. Rural Delivery:

We Will Bring More Services to Our Outlying Clients.

As indicated in Exhibit 12 below, there is a wide disparity in access to the level of case services enjoyed by low-income residents in the urbanized counties of greater St. Louis and those of LSEM's rural counties.¹⁰ This same disparity can be found with non-case services like community legal education and collaboration with community organizations serving the poor. The obstacles of distance and short staffing make it much less likely that these services will be available in rural counties than closer to program offices.

Exhibit 12:
Cases Closed per 1,000 Eligible People, by County
2002 Case Service Report Statistics -- All Cases¹¹



¹⁰ It must be acknowledged that in neither area do people have adequate access to services. But residents in outlying counties have even less access than do those living close to a program office.

¹¹ See Smith, Smith and Garwold, *op. cit.*, page 30.

In discussing this situation in October and November, 2004, the Rural Delivery work group identified the following as important problems to be addressed:¹²

- ***Lack of awareness of legal aid in the rural areas.*** *People don't know that help is available...The funding cuts have reduced our presence and visibility. People have given up and quit calling...We have received criticism from the bar and legislators for not being visible and accessible in rural areas...Our brochures are outdated and need to be improved...Many low-income people -- and the agencies that serve them -- aren't aware that their problems might have legal implications or solutions.*
- ***Lack of attorney resources.*** *We have a hard time attracting, keeping and funding staff attorneys...Few Judicare attorneys...Some counties don't even HAVE attorneys.*
- ***No public transportation.*** *Some clients have trouble getting to us.*

Our vision for rural delivery

By 2010, LSEM will have achieved a great increase in access to justice for the rural population in Northeastern Missouri. Exhibit 13 below summarizes what we want to see in place specifically addressing the challenges of rural delivery.

Exhibit 13: LSEM's 2010 Vision for Rural Delivery

- **LSEM will eliminate the disparity in access between our rural and urban areas.** We will apply a full range of service delivery models, including full representation, impact litigation, community legal education, judicare and other models in our rural areas as well as in our urban areas. We will be addressing the same proportion of the total legal needs of our client population in rural areas as we are in urban areas.
- **LSEM will fully explore the opportunities offered by self-help assistance models.** We will review best-practice models in place elsewhere in the country and take aggressive steps to apply them in our service area as a supplement to our other legal advocacy.
- **LSEM will have pro se (self-help) kits in all legal problem areas.** Assuming that we find pro se assistance to be an effective model, we will have a delivery system for pro se kits including electronic (Internet) and paper formats through the courts, libraries or faith organizations. LSEM will have additional staff and volunteers to develop, implement and conduct the self-help program.
- **LSEM will bring our office to the people in rural service areas.** We will apply a mobile service delivery model such as the use of vehicles or remote outreach sites outfitted with information, packets, resources and technology to establish our presence and deliver more services in our outlying counties.
- **LSEM will be pursuing impact litigation throughout our service area.** We will have a systematic process in place for identifying and pursuing impact cases ensuring each of the jurisdictions we serve is affording our clients the same levels of access and protection.

¹² See Appendix C for a summary of information produced by the group as of November 17, 2004.

Two strategic initiatives for increasing services in rural counties.

The Rural Delivery work group is proposing the following:

Pilot project using best practices for rural service delivery. (See Exhibit 14.) LSEM will review and evaluate best practices models for the delivery of rural legal services and will implement a pilot project in one rural county or area using the optimal method(s). Models to be evaluated include pro se kits, a mobile office and videoconferencing. The pilot project will be expanded into other rural counties.

Exhibit 14: Summary: Best practice Model for Rural Service Delivery

LSEM will review and evaluate best practice models for the delivery of legal services in rural areas. LSEM can benefit from the experience of other legal services programs, nationwide and in Missouri, who have successfully developed innovative rural legal services delivery systems. LSEM will implement a pilot program in one rural county or jurisdiction implementing one or more best practice models. Thereafter, the project will be expanded to other areas in the rural service area.

- **Anticipated results:** Clients in LSEM's rural areas will receive legal services that they currently do not receive. Visibility of LSEM will increase in the rural areas.
- **Champions:**
- **Potential Participants:** LSEM advocates in rural offices and St. Louis interested in pro se assistance and client empowerment.
- **Potential Major Partners:** Judge John Moon in Clark County, Justice Richard B. Teitelman, other local judges, court clerks, bar leaders in rural counties not presently being fully served by LSEM, client organizations.
- **Likely funding sources:** Foundations that generally support efforts to improve health and welfare of low-income families and individuals; family-oriented funders; governmental entities.
- **Models that Work:** Legal Services of Eastern Michigan; Northwest Justice Project (Washington State); Neighborhood Legal Services (Lynn, MA); numerous other legal services programs.

Impact litigation. (See Exhibit 15.) LSEM would develop and launch a systematic process engaging each office annually in identifying issues worthy of impact litigation, monitoring intake to identify test cases and pursuing litigation that ensures residents in all areas we serve have equal access to the benefits of impact work.

**Exhibit 15:
Summary: An Impact Litigation Initiative**

LSEM will develop and launch a systematic process engaging each office annually in identifying issues worthy of impact litigation, monitoring intake to identify test cases and pursuing litigation that ensures residents in all areas we serve have equal access to the benefits of impact work.

- **Anticipated results:** Annually, specific areas of litigation would be chosen and driven by the needs of the clients. Each jurisdiction, urban or rural, would afford equal access and treatment to our clients regardless of where they live.
- **Champions:**
- **Potential Participants:** Director of Litigation and advocates in rural and St. Louis offices interested in increasing the amount and impact of LSEM's broad-scope work; LSEM Development office.
- **Potential Partners:** Major law firms; other legal aid programs in Missouri.
- **Likely funding sources:** Under development.
- **Models that Work:** Legal Services of Middle Tennessee and the Cumberland; Virginia Poverty Law Center.

VII. Legal Advocacy:

We Will Expand the Range of Services We Offer.

At the November 19, 2004 strategic planning session, 32 LSEM staff and board members reviewed Ann Lever's summary¹³ of potential initiatives for responding to LSEM's 2002-03 Legal Needs Assessment.¹⁴ They rated the 13 initiatives on two criteria: (1) *importance* in terms of potential impact on the low-income community and (2) *feasibility* in terms of applying the existing institutional skills and capacity of LSEM. That exercise revealed four initiatives that people agreed were both high in importance and high in feasibility. These were subsequently developed by the Legal Advocacy work group into a vision statement for 2010, summarized in Exhibit 16 below.

Exhibit 16: LSEM's 2010 Vision for Legal Advocacy

- **LSEM will dramatically expand capacity to address the needs of clients with Consumer Law problems.** We will see more clients served and successful outcomes achieved in bankruptcy, collections, contract disputes, predatory lending and identity theft cases. Increased community education programs will provide consumers with greater knowledge that would help them avoid and/or deal with consumer problems.
- **LSEM will tackle habitability and property condemnation issues.** We will have in place a legal program to target habitability and property condemnation cases.
- **LSEM will target welfare and health.** We will bring affirmative litigation around state administered welfare and health programs.
- **LSEM will expand impact litigation.** We will provide the full range of impact litigation advocacy in areas where our clients have the greatest need for assistance.

¹³ See memorandum, "Specific Needs Identified in Strategic Planning Needs Assessment" by Ann Lever, October 9, 2003.

¹⁴ See Appendix B, page 4 for a summary of the results of the exercise.

We are proposing to begin by launching a Consumer Law Unit.

The Legal Advocacy work group is proposing that LSEM launch a Consumer Law Unit that mirrors the current model for most LSEM substantive law units. The unit would have one or more intake workers, support staff, a managing attorney and staff attorneys. (*See Exhibit 17 below.*) In addition to applying LSEM's internal expertise in developing that unit, we would also review best practices applied by other leading legal aid programs, identified through contact with other entities such as National Consumer Law Center, NLADA, Community Legal Services of Philadelphia, Legal Aid Foundation of Los Angeles, and Greater Boston Legal Services.

Exhibit 17: Summary: Consumer Law Unit

LSEM will launch a Consumer Law Unit that mirrors the current model for most LSEM substantive law units, with one or more intake workers, support staff, a managing attorney and staff attorneys.

- **Anticipated results:** More clients served and successful outcomes achieved in bankruptcy, collections, contract disputes, predatory lending and identity theft cases. Increased community education programs would provide consumers with greater knowledge that would help them avoid and/or deal with consumer problems. The VLP would be more able to concentrate their efforts on cases that would maximize the use of this valuable resource.
- **Champions:**
- **Potential Participants:** VLP Managing Attorney; LSEM Litigation Director; the Special Projects attorney and the Housing Unit attorney currently working on consumer law issues; LSEM Development Office; LSEM IT Manager.
- **Potential Partners:** Under development.
- **Likely funding sources:** Local casinos, foundations, local law firms and corporations.
- **Models that Work:** Other LSEM specialized law units; other legal aid programs identified through contact with entities such as the National Consumer Law Center, ABA, NLADA and LSC.

VIII. Resource Development:

We Will Find the Dollars to Meet the Promise of “Justice for All.”

Resource development is defined as the staff and board involved in helping the organization grow in terms of finances, programming and recognition among constituents and the general public. To reach the goal of full access for all clients, LSEM will combine our ability to raise funds with new ways of using them that multiply their impact. Our belief is that fundraising and strategic marketing are critical to the future of LSEM.

Exhibit 18 below summarizes the vision of the Resource Development work group.

**Exhibit 18:
LSEM's 2010 Vision
for Resource Development**

- Our unrestricted funding will rise to 50 percent of total revenues within the next 5 years.
- We will have a \$10 million endowment fund in place within the next decade.
- We will review opportunities to develop a separate entity for delivery of services that LSEM cannot provide.
- We will increase the donor base in the legal and non-legal community by 20%.

Three strategic initiatives will move us forward on our Resource Development vision.

Strategic marketing plan. *(See Exhibit 19.)* LSEM will create a strategic marketing plan and update the current development plan to be approved by Administration and the Board of Directors in first quarter of 2005.

Endowment fund. *(See Exhibit 20.)* LSEM will launch a campaign to raise a \$10 Million endowment in the next ten years. Part of the effort will include a planned giving effort. In addition, we will focus the last part of the Major Gifts Campaign on raising an endowment, rather than for program services.

Feasibility study of options for providing restricted services. *(See Exhibit 21.)* A work group will assess options for making restricted services available to low-income people in St. Louis or throughout Missouri, including establishing a non-LSC legal entity or making LSEM financially independent of LSC.

Exhibit 19
Summary: Strategic Marketing Plan

LSEM will create a strategic marketing plan and update the current development plan to be approved by Administration and the Board of Directors in first quarter of 2005.

- **Anticipated results:** LSEM will have a blueprint for increasing its total funding by 50 percent over the next five years.
- **Champions:**
- **Potential Participants:** Executive Director, Director of Development and Board members

**Exhibit 20:
Summary: Endowment Fund**

Over the next ten years, LSEM will raise a \$10 Million endowment. Part of the effort will include a planned giving effort. In addition, we will focus the last part of the Major Gifts Campaign on raising an endowment, rather than for program services.

- **Anticipated results:** Greater financial stability for LSEM as a result of the income stream from interest on the endowment principal; a broader range of opportunities for potential donors to express their support for LSEM and the cause of Equal Justice; a place to invest serendipitous funds such as cy pres awards.
- **Champions:**
- **Potential Participants:** LSEM alumni, individuals concerned about the impact of AIDS/HIV and the plaintiff's personal injury bar.
- **Models that Work:** LSEM's success in raising \$2.4+ million in its Major Gifts campaign; Virginia Poverty Law Center; other legal services programs (to be identified).

**Exhibit 21:
Summary: Feasibility Study of Options
for Providing Restricted Services**

A work group will assess options for making restricted services available to low-income people in St. Louis or throughout Missouri, including establishing a non-LSC legal entity or making LSEM financially independent of LSC.

- **Anticipated results:** Studies that LSEM can use for planning purposes.
- **Champions:**
- **Potential Participants:** LSEM staff and attorneys in the community with a business background.
- **Likely funding sources:** Private law firms who would provide pro bono services.
- **Models that Work:** Legal services programs in Virginia, Ohio, Pennsylvania and Florida that have created non-LSC entities within the past five years.

IX. Next: The “Corps of Discovery” Moves Out: *Action on This Plan is Everyone’s Job.*

Great achievements spring more from vision and chutzpah than hard-nosed realism. In 1803, Lewis and Clark set out from St. Louis armed with little more than Jefferson’s enthusiasm and a set of vague maps. 158 years later, John F. Kennedy challenged the U.S. to put men on the moon within a decade – a goal derided as lunacy by those familiar with the nation’s position in the space race. Those efforts succeeded because they had some key ingredients: someone with the guts to propose something bold; the persistence to overcome obstacles; a conviction the results would be worth the effort; a powerful champion; marvelous leadership.

The vision outlined by the Board and staff of Legal Services of Eastern Missouri can be achieved. It is not pie in the sky. Every strategic initiative outlined in this plan has already been put into effect by at least one other legal aid program around the country...a program in the same boat as LSEM: overworked, underfunded and worn down by years of struggle against overwhelming odds.

An initiative will succeed only if someone steps forward as a champion with the determination to carry it forward. That role can be played by anyone; it doesn’t have to be the Executive Director or Board President.

An initiative will succeed only if someone steps forward as a champion with the determination to carry it forward. That role can be played by anyone; it doesn’t have to be the Executive Director or Board President. It takes someone who will take it on as part of his or her job to keep the vision of what should be, to stand up and be the champion when necessary to carry the initiative forward when obstacles arise.

The planning teams who created this plan are the “Corps of Discovery.” They own the plan. People on the sidelines can jump in and get involved. The teams should welcome anyone who wants to make LSEM better, more effective, more rewarding to work for. The Board and top leadership of the program should cheer this work on.

A plan is a work-in-progress; it is never “done.” It should be more like a looseleaf notebook or an evolving section of the LSEM website than a static publication. A report is out of date the instant it is printed; LSEM’s plan, on the other hand, should be a living document. A year down the road, it should be reviewed, accomplished goals checked off, progress celebrated, new initiatives added and to-do lists updated.

Until LSEM and its partners have narrowed the gap between the need for legal assistance and the capacity to provide it, "Equal Justice" will remain an empty promise for the most vulnerable people in Eastern Missouri. Working to fulfill the promise of the initiatives outlined in this plan is a high calling, worthy of the best efforts of everyone at Legal Services of Eastern Missouri. It is an investment that will pay the highest possible dividend for the future: *Equal Justice Under the Law!*

The Resource

for Great Programs Inc.

Appendices

to the Strategic Plan 2005-2010

Legal Services of Eastern Missouri

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