

Strategic Plan

2008-2012

Adopted 4.9.08

Legal Aid of Nebraska

Introduction ¹

For the next five years Legal Aid of Nebraska will be guided by this Plan. It represents a strategic approach to fulfilling our mission with limited resources.

This plan is client-centered, in that it responds to the Legal Aid of Nebraska Needs Assessment. It is dedicated to quality service in that it is grounded in the American Bar Association Standards for the Provision of Civil Legal Aid and the Legal Services Corporation's Performance Criteria. It recognizes that a strong and stable staff is required to accomplish the mission. It continues some of the unfinished but relevant strategies of the last plan.

The plan will require that our priorities and allocations of resources be shifted to some degree to align with the conclusions of the Needs Assessment. It will require a strategic and productive resource development effort. It will require the involvement and leadership of a strong Board of Directors. In the end, this strategic plan promises to take Legal Aid of Nebraska to a new level, one that will secure its role as a major player in the effort to reduce poverty and promote an open, just and democratic society.

The plan recognizes the need to continue, and when possible and appropriate to expand, current core services while at the same time adjusting levels of core services, reallocating resources, and gaining new resources so as to implement the plan as expeditiously as possible.

Several values expressed in the previous strategic plan were explicitly or implicitly addressed in the current planning process and will continue to guide how the firm operates. They include: Providing a full array of substantive legal services at each office based on priorities established by the Board of Directors; implementing a holistic approach with each client to foster self-sufficiency; further developing the capacity to communicate in the major languages used in Nebraska; developing the capacity to provide services for New American communities; promoting diversity within the firm and the Board of Directors; and continue allocating resources equitably and fairly across the State and among all communities.

¹ The excellent and thoroughly researched writings of the Work Groups, including recommendations not adopted, will be included as an appendix to the Administrative office copy and electronic copy of the final draft of this document. Given the voluminous writings, it would be impossible to summarize them all here.

Process

An exhaustive, soul-searching three-year planning process has been a transforming experience for those involved and an excellent method to develop a strategic plan for Legal Aid of Nebraska.

The first step, initiated in early 2006 and conducted by John A. Tull, Planning Consultant of Nederland, Colorado, was a review of Legal Aid's **management structure**. Completed in June, 2006, the review recommended a more strategic focus, the renaming and redefinition of several management positions, the creation of a grants manager/compliance officer position, more communication between local offices and members of the management team, and a strategic planning process to respond to the findings of a Needs Assessment.

The next step was the completion of a state-wide client **Needs Assessment** conducted by the firm of Leslie Kline Lucas of Omaha. The assessment was initiated in 2006 and a report was produced February 15, 2007. This Assessment informed the next step, the strategic planning process.

The last step, again conducted by John A. Tull, started with a meeting of the nineteen-member Legal Aid of Nebraska **Strategic Planning** Team, which included people from the firm and the Board of Directors.² Work Groups were organized around major themes identified in its inaugural meeting. The Work Groups were responsible for research and development of specific recommendations for consideration by the Strategic Planning Team and ultimately the Board of Directors. The five categories addressed by the Work Groups were: 1) Innovative delivery techniques, 2) New substantive areas, 3) Increased visibility and presence in low income communities, 4) Presence with other legal aid organizations, the bar and other organizations, and 5) Establishing Legal Aid as a firm where people will make their career. At the all-firm retreat held in May, 2007, the on-going work of the work groups was shared and input gained. During the rest of 2007, the Work Groups and the Strategic Planning Team continued to meet and produce strategic ideas. In late 2007 the Management Team gathered at a retreat to assimilate all the information and offer additional ideas from its perspective. The draft plan was presented to the Board of Directors at its January 2008 meeting for initial consideration. The final draft of the Plan will be adopted by the Board at either its April or July 2008 meeting.

Needs Assessment

The Needs Assessment, conducted in 2006, informed the planning process and provides the findings and conclusions upon which the strategic plan is based. The major findings and conclusions are as follows:

- Low income respondents to the needs assessment's telephone survey said that the biggest challenges they face are issues related to health, insurance, finances,

² Members of the Strategic Planning Team: Firm members-Valentina Cisney-Martinez, Jeffrey Eastman, Annette Farnan, Rodrigo Gamboa, Jennifer Gaughan, Doug German, Muirne Heaney, Margaret Lageschulte, Dave Pantos, Lori Lee, Shelldon Skelcher, Michelle Soll, Christine, Stolarskyj, Kay Strong, Lori Wilson. Board members- Shelly Barnes, Julianna Jenkins, Mike Willet.

- unemployment, education and taxes. Low income participants in focus groups most often identified financial difficulties and related issues such as employment, education and access to proper medical care as the major challenges they face.
- Other issues are related to: racism, education, public assistance, homelessness, Indian Child Welfare Act, medical insurance, English as a second language, and life skills.
 - Members of the client community and social service providers often do not know when someone needs an attorney.
 - Many people, if not most, are not aware of Legal Aid of Nebraska.

Mission & Vision

“To promote justice, hope, dignity and self-sufficiency through quality civil legal aid for those who have nowhere else to turn.”

We have come to understand that it is not only the stranger, but the friends, neighbors and families of Nebraskans who number among the 270,000 people (one out of 6 persons, one-sixth of the State’s population) who seek justice, hope, dignity and self-sufficiency. And this realization has helped us to better understand and appreciate the needs of the stranger.

Legal Aid of Nebraska is moving to become a major player in Nebraska’s efforts to reduce poverty and provide access to the justice system. Legal Aid has gained the reputation of being a well-managed, highly organized law firm with outstanding advocates with much needed expertise and rare specialties. It is increasingly viewed as a primary leader in the State’s efforts to innovate and develop new approaches to reduce poverty and provide access to justice.

Legal Aid helps reduce poverty by moving people to self-sufficiency by helping them to resolve their legal issues. The important role civil legal aid plays in moving people to self-sufficiency is increasingly recognized by the bar, the bench, members of the Legislature, funding sources and other entities concerned with reducing poverty . Legal Aid seeks to provide access to the justice system through education of low income persons, representation of clients and advocacy that responds to underlying conditions and practices that adversely affect low income communities.

It is our vision to someday be viewed by the citizens of Nebraska as the organization doing more than any other to reduce poverty and ensure justice. “We are there to make things fair!”

Strategies

The strategies were developed along major themes identified by the Strategic Planning Team and developed by the Work Groups to address the conclusions of the Needs Assessment, the capacity-building needs of the firm, and the anticipated realities of the future. The plan recognizes the need to continue current core services and at the same time to implement the plan in the manner set forth above in the Introduction.

Innovative Delivery Techniques (Specific innovations are in bold)

Immediately redesign the website to reach more low income persons and to provide legal information to a larger audience. Upgrade its accessibility, particularly with regard to language and cultural access; increase language capability; and provide useful and easy-to-use documents and forms.

Use **automatic document assembly systems to increase efficiency**. HotDocs for Social Security forms should be made available firm-wide, immediately. A **case management system that would interface with document assembly programs** to create forms directly from the client database should be a priority. This type of system is not yet available in a tested form and should be made a priority as soon as it is.

Establish a pilot project using a **social worker on staff** to provide assistance to attorneys in juvenile, domestic violence, unemployment, and Social Security cases. This will free up attorneys' time and provide a holistic approach to clients' problems.

Continue the development of **substantive area task forces** develop expertise in key areas, and act on issues that cut across service area lines.

Expand current Native American representation and develop the capacity to serve urban Native American residents, recognizing that one-half of Nebraska's Native American population lives in Omaha and Lincoln.

Enhance the **Private Attorney Involvement (PAI) effort in rural areas**. Increase number of rural PAI attorneys through legal education, supplied by Legal Aid. Identify and recruit new attorneys. Mentor new PAI attorneys and help provide the forms and other litigation support tools that are necessary. Recognize the good work being done by the PAI attorneys.

Increase the capacity of service delivery to the hearing impaired. Legal Aid does this successfully and needs to enhance this service. Provide **self-help assistance** to consumer debtors in **debtor examinations**. Coordinate with the existing Self-Help Center in Lancaster County. Create a **North Omaha Project**, similar to the current South Omaha Project, to provide intakes and services in a North Omaha satellite office, when funding becomes available. Omaha's current re-entry project is beginning to address some of this need.

New Substantive Areas (New areas and ideas are in bold)

Until new resources are made available, Legal Aid will need to **redirect resources** to handle new and different kinds of cases in response to the Needs Assessment.

A new direction will be **consumer litigation**. Legal Aid has already begun handling cases beyond bankruptcies and notices of exemption. The planning team endorsed

increased involvement in representing consumers in defense of debt collection practices. For example, Legal Aid could begin to handle cases under the Fair Debt Collection Practices Act. Utilizing the task force structure, particularly abusive practices would be identified and strategies, including litigation, would be pursued. Staff would need to be trained in these areas and redirected as necessary. Resource development may be needed in hiring new staff in order to increase expertise.

A significant need indicated by the Needs Assessment was for **education law representation**. The Scottsbluff office has begun the Panhandle Education Resource Center (PERC) to address these needs in the Panhandle area. The firm will begin to represent more children and parents in education cases. The PERC model can be replicated elsewhere throughout the firm. This will involve some in-house training as well as resource development. Legal Aid will pursue resources where available, especially in Omaha, where there is currently a lot of attention being placed on early childhood development.

The **tax program** will be expanded as well as the **farm/ranch** project. Taxes were identified as a significant unmet need in the Needs Assessment. Legal Aid is already adding “cases and controversies” to the Earned Income Tax Clinic (EITC) roster, but more resources may be needed to make this a significant priority. Farm/ranch expansion would involve developing resources to hire an attorney in Western Nebraska to provide a full range of services similar to the current program.

Do systemic advocacy and direct representation, to assist people in **cases where the ability to get a job is threatened** such as the loss of a driver’s license or criminal record. This effort may involve redirecting staff, developing funding proposals, and collaborating with policy advocacy groups. The Omaha re-entry project can be used as a model for this endeavor.

Collaborate with health care providers and advocacy groups on **health care access** issues. Sometimes, legal issues create a barrier to health care access. Moreover, health care problems lead to legal problems. Legal Aid has already applied for funding to partner with a major health care provider in Omaha to address these kinds of issues. Legal Aid can also collaborate with advocacy groups to improve Medicaid eligibility in the state. Increased Medicaid eligibility leads to greater health care access, which can help prevent legal difficulties in the future.

Start a **rural economic development program** to assist entrepreneurs to start small and micro businesses and to assist in capacity building for community organizations. This will result in greater self-sufficiency in smaller Nebraska towns and provide greater opportunities for low-income Nebraskans. It should be pursued when funds are available.

Increased visibility and presence in low income communities

The key to increasing visibility and presence is **increasing collaboration with partners**. This is a way to leverage presence in areas where there are not enough resources in Legal Aid to establish and maintain a highly visible presence.

Use small town newspapers to provide legal information and information about Legal Aid when resources become available. This would involve, for example, providing legal tips through legal advice columns, and general information about Legal Aid.

Renew efforts to reach out in rural areas in order to have a greater presence in them and to partner with others to deal with legal problems facing people living in rural communities.³ The Planning Committee noted the potential value of making an inventory of current cooperative connections with various organizations in our rural service areas; identify potential partners, and determining how they might support effective strategies. The Strategic Planning Team recognized the importance of building relationships with major rural institutions, such as the local volunteer fire departments, churches and schools.

Presence with other legal aid organizations, the bar and other organizations (New initiatives in bold)

Nationally Legal Aid of Nebraska is involved with umbrella organizations, such as National Legal Aid & Defender Association (NLADA), Management Information Exchange (MIE) and the Legal Services Corporation (LSC), which keeps it connected to other legal aid groups. In Nebraska, Legal Aid stays connected to the Nebraska State Bar Association, and local bar associations through memberships and event or committee participation, and with other providers through collaborations, such as through its Violence Against Women Act (VAWA) grant. In the past Legal Aid has been too insular and consequently lost opportunities to leverage its resources. The Strategic Planning Team strongly advocates **continued and increased involvement with these organizations** and others, including local community organizations as necessary.

Establishing Legal Aid as more of a firm where people will make their career.

Nationwide, legal aid programs struggle with retaining and recruiting quality attorneys. Financial considerations often force attorneys to leave Legal Aid practice in order to pay for student loans and other major life costs. This causes very costly turnover and loss of expertise. In spite of an excellent health insurance package and a **salary plan which is attempting to reach salary parity with the public defenders office**, many attorneys in the firm, surveyed by the Work Group, indicated that they may be forced to leave Legal Aid to address financial needs.

Two reforms would help make Legal Aid a place that attorneys would want to make their career. First priority is an **employer match to employee's 403(b) retirement accounts**.

³ The last planning process noted in particular the importance of addressing homelessness in rural areas.

The plan is for Legal Aid to contribute to employees' 403(b) plans as a match, dollar-for-dollar, up to 3% of the employee's salary, and 50 cents on the dollar for contributions between 3% and 6% of salary. This benefit would vest after an employee had been with the firm for two years.

Continue to work to establish a **Loan Repayment Assistance Program (LRAP)** through the Legislature. The LRAP recently established by Legal Aid will not be able to realize usable earnings for about two years and may not be sufficient to meet all needs.

Values and strategies to continue from the previous plan include: Develop the next generation of firm leaders; ensure appropriate caseloads for firm members; provide an adequate training budget; maintain an appropriate case-handler to support ratio; and continue a competitive benefits package.

Other endeavors/recommendations (Specific ideas in bold)

Continue **Board development**, including enhanced board orientation of new members and training all members regarding the American Bar Association Standards for the Provision of Civil Legal Aid. Legal Aid should establish a **resource development plan with appropriate Board participation**.

Conduct **peer project evaluations**. This would involve inviting a similar organization to come to Legal Aid of Nebraska to observe and evaluate a particular project. The inviting a similar organization to come to Legal Aid of Nebraska to observe and evaluate a particular project of a **state-wide migrant program** could be addressed.

Increase collaboration and mutual support among the Legal Aid offices across the State. Methods to accomplish this strategic include the continuation and enhancement of subject matter Task Forces and the hiring or development of experts for identified areas of the law consistent with the Needs Assessment. Maintaining a commitment to an adequate training budget for staff—which was identified in the last planning process—will also be important to accomplishing this objective.

The Strategic Planning Team recognized the need to have a **greater presence in rural communities** by building relationships with major rural institutions, such as the local volunteer fire departments, churches and schools.

Develop a strategic resource development plan designed to compliment and ensure implementation of the strategic plan.

Goals & Objectives
(To be developed.)

Implementation: Action Steps & Timeline
(To be developed.)

Anticipated Major Outcomes

For many reasons established over the past seven years, but also as a result of the strategic planning process, Legal Aid of Nebraska is poised to be an outstanding law firm and social entrepreneurial organization. It is currently considered one of the more outstanding legal aid firms in the nation. In five years, as a result of implementing this Plan and continuing to innovate, evolve and strengthen, Legal Aid of Nebraska will have greatly improved its ability to serve its clients, positioned itself to continue its improvement, and play a major role in improving our Nebraska community, our justice system, and the lives of many individuals.

Anticipated major outcomes include:

Individual Clients & Client Communities

- Issues identified in the Needs Assessment addressed.
- More low-income persons provided legal aid and moved to self-sufficiency.
- Higher quality of service.

Members of the Firm

- Greater longevity as a firm member.
- A higher level of leadership, expertise and experience.
- Recognized as playing a major role in reducing poverty.

The Community at Large

- A greater number of the low-income population employable and participating in the community.

The Legal Profession

- More attorneys from other firms involved in delivering legal aid.
- The profession more involved in meeting its ethical obligation to assist those who can not afford an attorney.

Associated Organizations

- Able to better serve their clients by providing needed legal aid through partnerships with Legal Aid of Nebraska.

Funders

- A greater return on their investment.
- Reach their goals by providing efficient and effective legal aid through Legal Aid of Nebraska.

END