

OHIO STATE LEGAL SERVICES ASSOCIATION

*861 North High Street
Columbus, Ohio 43215-1496
(614) 299-2114, 1-800-589-5888
Fax: (614) 299-6364
tomweeks@iwaynet.net*

*Thomas W. Weeks
Executive Director*

February 25, 1999

Mr. Bob Gross
Office of Program Operations
Legal Services Corporation
750 North First Street, N.E.
Washington, D.C. 20002

Dear Mr. Gross:

Please find enclosed three copies of **THE OHIO STATE PLAN: TOWARD ACHIEVING A COMPREHENSIVE, INTEGRATED LEGAL SERVICES DELIVERY SYSTEM.**

This is the report on the state planning process conducted by Ohio's statewide legal services community, along with other appropriate stakeholders. We believe that this plan can and will improve access to legal services in Ohio and move us toward the integrated statewide delivery system that is our goal. While some of the initiatives in this report are completely new, many of them result from planning that has been ongoing for many years in Ohio, particularly with regard to statewide funding, training, and state support.

We very much appreciate the contributions of the LSC Program Officer assigned to Ohio, Randi Youells, throughout this process. We also appreciate the extension that was granted to Ohio so that we could develop a thoughtful, comprehensive plan. We look forward to a continuing partnership with Randi Youells and with the rest of the LSC staff as we move forward into the next phase of this ongoing process.

We also want to acknowledge the importance of the draft report entitled "Comprehensive, Integrated Statewide System for the Provision of Civil Legal Assistance to Low Income Persons to Secure Equal Justice for All." That document embodied many of the long-term goals that Ohio has been working to achieve and proved to be a valuable guide for us in the planning process.

If you have any questions about this report or about the Ohio state planning process, please feel free to contact me.

Yours truly,

Thomas W. Weeks
Chair, Ohio State Planning Steering Committee

enclosures

P:\CENTRAL FILE OLAF, FINAL\STATE PLANNING\2004-2007 Plan\Planning\Background Materials\1999 Ohio State Plan.wpd

cc: Randi Youells, LSC Consultant
Members, Ohio State Planning Steering Committee
Directors, Ohio Legal Services Programs
Mary C. Viviano, planning consultant

THE OHIO STATE PLAN:

TOWARD ACHIEVING A COMPREHENSIVE,

INTEGRATED LEGAL SERVICES

DELIVERY SYSTEM

March 1, 1999

Submitted By:

Ohio State Planning Steering Committee
c/o Tom Weeks
Ohio State Legal Services Association
861 North High Street
Columbus, Ohio 43215
(614) 299-2114

TABLE OF CONTENTS

	Page No.
THE OHIO STATE PLAN: TOWARD ACHIEVING A COMPREHENSIVE, INTEGRATED LEGAL SERVICES DELIVERY SYSTEM	1
PART I: OVERVIEW OF CURRENT PLANNING PROCESS AND BRIEF HISTORY OF PLANNING ACCOMPLISHMENTS IN OHIO	2
Current Planning Activities	2
Examples of Planning Successes in Ohio	3
PART II: DESCRIPTION OF CURRENT PRIORITIES IN OHIO AND RESPONSE TO LSC QUESTIONS	5
1. Intake, Advice and Referral	5
● Intake and Referral	5
● Advice and Brief Service	6
2. Technology	
● History of Collaboration on Technology	7
● Current Technology Project: Technology Advisory Committee and Coordinator	8
● Technology Workplan	9
3. Access to the Courts, Self-Help, and Preventive Education	11
Effective <i>Pro Se</i> Assistance	11
● OLSA <i>Pro Se</i> Project	12
● Domestic Violence Computer Project	13
Effective Community Legal Education Materials	13
● OLSA's Community Legal Education Project	14
● Community Legal Education Seminar	15

4.	Coordination of Legal Work, Training, Information And Expert Assistance	15
●	Substantive Law and Expert Assistance Collaboration	15
●	Litigation Directors Task Force	16
●	Specific Collaborative Projects	17
●	Training	18
●	Task Force Coordination	20
●	Work Groups	20
●	Clearinghouse Function	20
5.	Increasing Private Attorney Involvement	21
●	Pro Bono Working Group	21
●	Short-Term Goals	23
●	Goals and Strategies	24
6.	Resource Development	25
●	Efforts to Preserve and Expand Resources	26
●	Overview of Additional Sources of State Funding	27
7.	System Configuration	29
●	Issues Affecting the Client-Eligible Population	30
●	Configuration for Other Ohio Entities	31
●	Recommendations on Configuration	31

ATTACHMENTS:

1.	Steering Committee Roster	34
2.	List of Stakeholder Invitees	35
3.	Map of Ohio	36
4.	Description of OSLSA <i>Pro Se</i> Project and Domestic Violence Computer Project	37

THE OHIO STATE PLAN: TOWARD ACHIEVING A COMPREHENSIVE, INTEGRATED LEGAL SERVICES DELIVERY SYSTEM

The Ohio legal services community is engaged in a serious and broad-ranging planning process, involving legal services programs, OLAF, the Ohio State Bar Association, and other appropriate stakeholders, to improve services to clients in every part of the state and to further coordinate legal services activities on a statewide basis. The results of this process will be a greatly reconfigured delivery system, coordinated through seven regions as of January 2000, and involving statewide coordination on all key aspects of the delivery system.

This planning process builds on several significant planning steps taken in the past, such as the Spangenberg Civil Legal Needs Study and the process that led to the creation of the Ohio Legal Assistance Foundation (OLAF). Current planning also builds on the many collaborative successes Ohio has experienced over the years, including establishing and maintaining capacities for training and State Support as well as obtaining more state funding than is provided by L.S.C.

Central to this planning is a common vision: a legal services delivery system in Ohio that provides comprehensive, integrated high quality legal services to the client community. This vision is best articulated in the document prepared by the Project for the Future of Equal Justice, that outlines the objectives and capacities of a comprehensive integrated statewide system for legal services. After careful study and thoughtful discussion, the Ohio Planning Steering Committee and the Ohio Project Directors unanimously adopted the principles outlined in this document, because these principles captured the essence of many of the goals they have worked toward in the past and want to achieve in the future. While many challenges lie ahead, Ohio has a solid base from which to proceed and the Equal Justice draft provides a valuable statement of goals and a statewide organizing principle for Ohio. The overarching statewide goal, adopted by the Steering Committee and the project directors, is 100% access to essential legal services for low income Ohioans, so as to secure equal justice, both substantive and procedural, for the client community.

PART I: OVERVIEW OF CURRENT PLANNING PROCESS IN OHIO AND BRIEF HISTORY OF PLANNING ACCOMPLISHMENTS

Current Planning Activities:

Current planning activities include some which were launched in response to LSC Program Letter 98-1 and others which were already underway. First and foremost, in response to 98-1, the **Ohio Planning Steering Committee** was formed to coordinate existing planning groups and to make sure planning was launched where it did not yet exist. The Steering Committee is composed of representatives of legal services programs, OLAF, law schools, pro bono programs, the client community, community-based organizations, and the organized bar. A core group of the Steering Committee was responsible for the solicitation, hiring, and oversight of a consultant facilitating the planning process. The Steering Committee is committed to overseeing implementation of the plan, evaluation of the progress made, and revision of the plans where necessary. The full roster of the Steering Committee is attached.

The Steering Committee will coordinate the planning efforts with the litigation directors, the State Support Center, and other entities taking responsibility for implementing parts of the plan, and make periodic reports to the project directors, OLAF, and other groups represented on the Steering Committee. Other planning entities or activities include:

- The Ohio Legal Assistance Foundation (OLAF) is finalizing its first series of **comprehensive evaluations of each of its recipients**, including all LSC-funded programs in the state. The evaluation process was launched in 1997 when the legal services community, including legal services programs and OLAF, agreed that these would be a valuable use of resources and the legal aid directors voted unanimously to recommend that OLAF conduct the evaluations. These in-depth evaluations are designed to assess the quality and effectiveness of each legal aid society with regard to legal work, client involvement, management, and administration functioning, and to make recommendations for improvement. The last assessment visit of this 18-month process is scheduled for August 1999.
- Since September of 1997, Ohio's **State Support Center has been engaged in a planning process** to fully review its priorities and determine how to strengthen its support functions. This planning effort is being done, in part, in response to OLAF's evaluation of OSLSA. Following the evaluation visit, a draft report was issued in November 1997, and the final report in April 1998. A preliminary State Support workplan was then developed and disseminated for comment in January 1999, with completion of the workplan scheduled for June 1999; the priorities will be revisited annually, particularly in light of the broader ongoing planning process.

- A **State Support Technology Advisory Committee** was established in 1998, in response to a request from the legal aid directors. [The history of earlier collaborative technology developments is described below.] The Committee has been working on development of the statewide workplan, central to which was the hiring of the **statewide technology coordinator**, who began work in October 1998.
- OLAF hired a **Statewide Pro Bono Coordinator** in 1996 who is responsible for coordinating pro bono outreach, working with both the organized bar and legal services programs. A **Pro Bono Working Group** provides input to the coordinator, and helps coordinate and replicate pro bono initiatives statewide.
- A **Litigation Director Task Force** has been formed by OSLSA to spearhead a number of substantive collaboration projects discussed below.
- On an ongoing basis, OLAF has **discretionary funds to use for pilot projects**, and will be able to support statewide priority projects to move the planning process forward. The OLAF Board is working on developing criteria for issuing such grants and has solicited the input of its legal aid directors' committee, which is an advisory committee to OLAF composed of all its recipient legal aid societies, to obtain their help on developing these criteria.

Examples of Planning Successes in Ohio:

- **State Funding.** Ohio has been extremely successful in obtaining diversified state funding for legal services and has one of the highest levels of state funding in the country. OLAF is now a larger funder of legal services in Ohio than is L.S.C. Legal services programs and the private bar have collaborated on this goal for many years, including the joint effort in the early 1980's to obtain IOLTA funding, and more recently working with OLAF since its inception in 1994 to diversify and greatly expand the amount of state funding available. In 1993, the Ohio State Bar Association received the prestigious Harrison Tweed Award from the ABA in recognition of its efforts to help expand funding for legal services; the nomination was a joint effort of the Civil Legal Services Program of the Public Defender Office and other components of the legal services system.
- **State Support.** The establishment and continued existence of State Support is also a testament to collaboration within the legal services system. In 1966, OSLSA was one of the first state support centers established in the country, accomplished through the support of local programs. Local programs have collaborated over the years to ensure the continuation and expansion of State Support by actually contributing funding or agreeing to forego additional funding in 1979 and again in 1985 and 1995.
- **Training** of legal services staff, provided through State Support and CORT, and effective, functioning **substantive task forces** on family, housing, health and welfare

have been a priority in Ohio for decades. In several instances, where there was a need for statewide coordination in specific areas, **work groups** comprised of staff from different programs have formed on such topics as utilities, human services planning, social security, and new attorney trainings. These topics are discussed in more detail below.

- **Comprehensive Services.** Achieving the ability to provide comprehensive services to clients in the state has also been partially realized through coordinated efforts such as financial support for the Equal Justice Foundation (EJF) which is taking a lead role in the area of coordinating statewide litigation efforts.
- **Domestic Violence Protocols.** Legal services advocates collaborated with community organizations to establish a statutory requirement that law enforcement agencies have written domestic violence protocols, and then followed up by developing model protocols and helping replicate them. In addition, in a state where there has been a lack of any mandatory court forms, other than probate, the Supreme Court recently adopted a uniform civil protection form on the recommendation of the Supreme Court's Domestic Violence Task Force, which included representatives of legal services programs. The use of this uniform CPO form enables many more clients to receive needed protection, and court clerks are required to make the forms available. These are both examples where coordinated efforts on behalf of the client community, working with other community groups, the bar, and the judicial system, have achieved impressive results.
- **Coordinated Efforts for Special Need Clients:** Programs around the state have worked collaboratively on several major projects to coordinate legal assistance, including two recent efforts which entailed the use of statewide 800 numbers for coordinated intake on particular needs. For example, in response to the 1997 floods, local bars, pro bono programs, and legal aid programs orchestrated a coordinated response for families affected by the disaster. Similarly, legal services programs, pro bono programs, state agencies, and OLAF collaborated on a statewide system of intake and referral of families facing termination of children's SSI benefits. The effort involved extensive training and back-up by legal services advocates, and the recruitment and training of 600 volunteers. In addition, all welfare notices in the state carry OSLSA's 800 number, and OSLSA then refers callers to the appropriate legal services office.

PART II: DESCRIPTION OF CURRENT PRIORITIES IN OHIO AND RESPONSE TO LSC QUESTIONS

1. INTAKE, ADVICE AND REFERRAL

How are intake and delivery of advice and referral services structured within the state? What steps can be taken to ensure a delivery network that maximizes client access, efficient delivery, and high quality legal assistance?

Prior to the initiation of state planning, Ohio's legal services programs had a variety of telephone intake, hotline number, referral and advice components. The reliance on telephone intake within each program currently ranges from slight in some to a long-standing use of point-of-contact telephone intake, referral and information systems in others. Most LSC programs, including those in Northeast Ohio, Northwest Ohio, and Central West Ohio are now working on regional telephone intake and referral systems. The Northwest Ohio system has been designed to include an advice and brief service "hotline" component. LAS of Greater Cincinnati currently operates a five-county centralized telephone intake, referral and information system in Southwest Ohio, and SEOLS provides telephone intake and referral throughout its service area.

On a statewide basis, ProSeniors operates a hotline for elderly clients; clients can receive point-of-contact advice, and referral to the appropriate local legal services office. Ohio State Legal Services Association (OSLSA), the non-LSC-funded State Support Center, currently operates a statewide toll-free referral line. Its primary purpose is referral of clients who have received notices of adverse action from the Department of Human Services. OSLSA also publishes an up-to-date desk reference/communications guidebook filled with telephone, fax, e-mail, hotline and address information for legal services providers and other agencies and governmental contacts. This resource facilitates referrals throughout the state.

INTAKE AND REFERRAL:

The state planning process is resulting in significant progress toward establishing telephone access for clients in all parts of the state. Where that does not currently exist, developing telephone access is the highest priority for improvement of intake during the next year. The state plan includes a commitment to develop a coordinated system:

- that provides access from all parts of the state;
- that has the capacity to identify the need for and to coordinate access to specialized expertise in all major substantive areas affecting low-income persons;
- that provides legal information and assistance in English and Spanish;
- that includes in its design attention to the needs of all segments of low-income and vulnerable constituencies; and
- that supports point-of-contact case acceptance, appropriate referral, and some informational and advice components.

Intake, referral and advice services will be coordinated through centralized regional telephone intake systems for all LSC-funded programs in the seven proposed service delivery regions. (See Configuration Section, *infra.*) Access to other legal services providers, especially pro bono programs, will be incorporated as much as possible. This will be accomplished by December 31, 1999.

Ohio plans to coordinate referrals to the regional intake and referral systems through a single toll free number available throughout the state, building on the referral capacity already in place at OSLSA. The intake planning group will engage a consultant to see if it is financially feasible to set up a central toll free number so that calls are automatically routed to the regional intake systems. If so, it will be possible to use only one toll free number throughout the state

As regional systems are developed, they will use the same software and they will be supported by a small statewide technical support unit based at OSLSA. It is anticipated that intake and case management software will become standardized throughout the state, as programs develop or shift to more sophisticated time keeping, case management and program management systems.

ADVICE AND BRIEF SERVICE:

Regarding advice and brief service, the planning group will analyze the systems in use both in Ohio and in other locations around the country to see if they can standardize and replicate good advice services so that an appropriate mix of telephone advice, in-person advice and brief service components are developed in each region. At present, implementation of this component of the plan is a lower priority than establishing telephone access for intake and referral. It is also a lower

priority than implementation of access to full representation to essential civil legal services for low-income persons with significant legal problems. However, it is a high priority to identify those areas where an advice component can be incorporated into the intake and referral system, particularly for callers whose significant legal problems could be prevented by timely advice.

The analysis of ways to provide advice and brief service will be coordinated with the work being done at OSLSA on *pro se* assistance. In addition, the Technology Advisory Committee will support development of coordinated intake and advice system.

2. TECHNOLOGY

Is there a state legal services technology plan? How can technological capacities be developed statewide to assure compatibility, promote efficiency, improve quality, and expand services to clients?

History of Collaboration on Technology:

Over the past several years, Ohio's legal services programs have collaborated on several technology projects, leading up to the current statewide technology project housed at OSLSA, funded by OLAF from an Ohio Supreme Court Grant, and staffed by the statewide technology coordinator, working with the Technology Advisory Committee. Those projects included:

- **Statewide Technology Committee:** In December, 1995, a statewide technology committee was launched, including representatives from legal services programs across the state to discuss computerization issues and intake and delivery system issues and how the two interact. Half the state's programs sent representatives to a series of meetings, with three specific focus groups: statewide coordination, technology implementation, and intake and delivery systems.
- **TIIAP Grant Proposals:** Three separate joint grant proposals were developed in response to the announced availability of TIIAP (Telecommunications and Information Infrastructure Assistance Program) grants. [To date, however, only one TIIAP grant has been given to any legal service applicant in the country.]
- **Ohio E-MAIL Network Project:** In February 1996, seven Ohio programs developed a statewide e-mail network project that they believed would provide the most benefit to all the legal services programs in Ohio. Such a project would facilitate referrals and sharing of information between programs, as well as provide Internet access to programs that were not equipped for Internet access. Although the grant proposal proved to be unsuccessful, the foundation for future collaboration was established and this remains a statewide goal, as described below.

- **Midwest E–MAIL Network:** The programs met by conference call several times in 1997 to develop a new grant proposal. This time, they worked with Michigan and Indiana to develop a joint proposal to develop a Midwest e–mail network. Even with this collaboration, and input from the Commerce Department about why previous grants had failed, the grant proposal was unsuccessful.
- **Domestic Violence Collaboration:** In 1998, the Legal Aid Society of Columbus and OSLSA considered a new grant proposal, in collaboration with the statewide domestic violence coalition, to provide video conferencing between shelters and legal services offices. Unfortunately, we were unable to generate enough interest from domestic violence shelters, and abandoned the project.

Current Technology Project: Technology Advisory Committee and Coordinator

Early in 1998, the Ohio project directors met to discuss, among other issues, what new or different services they would like OSLSA State Support to provide. The project directors unanimously asked that State Support develop a capacity to provide assistance and coordination in the use of technology. They also decided that State Support should ask OLAF to use part of the Supreme Court bar registration add-on to fund this work.

As a result of those decisions, a technology advisory committee was formed, with representatives from eight legal services programs (representing rural and urban programs, and including MIS staff, attorneys and project directors), the State Support Center, and OLAF. Ultimately, the committee decided that the primary focus for technology should be centered in the State Support Center, with a statewide technology coordinator responsible for two initial tasks:

- 1) work with the State Support Center and the Technology Advisory Committee to develop a plan for using the Internet as a primary means of communication, dissemination of information and coordination of program activity; and
- 2) assess the technological capabilities of all the programs and make recommendations to achieve uniformity among programs regarding computerization and Internet issues.

The committee decided to use an “if you build it they will come” approach – begin to provide services for technology advancement and disseminate information using the Internet and programs will upgrade their systems and make them available to all staff who need to access the information. The ultimate goals of the technology workplan are significant improvement in the quality and

quantity of client services and a more integrated system for the delivery of legal services on a statewide basis.

The Statewide Technology Coordinator was hired by the committee in October 1998, and is based at the State Support Center. Guided by the Technology Advisory Committee, she will ensure that goals for the acquisition and use of technology for the state are being met, and will also act as a technology resource for programs. Previously, the coordinator developed a telecommunications information sharing system for two large corporations, including AT&T, and has had extensive experience in non-profit administration, particularly collaborating with different groups within an organization to meet immediate needs. In addition to the workplan described below, the coordinator has launched five initiatives:

1. **Technology Task Force.** To make sure the needs and concerns of all Ohio programs are being considered, the Statewide Technology Coordinator is launching a Technology Task Force which will begin meeting in March 1999. This Task Force will be made up of two representatives from each program: one who handles technology matters and one who can effectively communicate how their program provides services to the client community.
2. **Assessment Site Visits.** In the assessment process, the Statewide Technology Coordinator will also visit programs around the state to assist them in their efforts to become technologically compatible.
3. **Technology Alerts.** The first steps in technology resource sharing have been made in a publication from the State Support office called "Technology Alerts", which began publication in December 1998 and is sent to all programs as well as posted on the OSLSA website. It will be published monthly, providing general information, news, and tips on software applications used in Ohio legal services programs.
4. **Technology Conference.** A statewide technology conference for directors, technology specialists, and other program staff is being planned for August, 1999.
5. **Consultation.** The Statewide Technology Coordinator has been consulting with legal services programs in other states as well as with other community and legal organizations for ways to better use technology for Ohio legal services programs and their clients.

Technology Workplan:

Working with the Technology Advisory Committee, the coordinator will be responsible for implementing the following goals and workplan:

I. To establish appropriate standards for hardware and software, and establish related policies for legal service programs around the state so as to develop an integrated, statewide technology system and ensure effective statewide linkages.

One of the primary concerns Ohio legal services programs have with respect to technology is hardware and software compatibility. Currently, the types of software programs and hardware configurations used by different programs are very diverse. To answer this challenge, the technology project will establish standards for software and hardware used in the areas of word processing, intake, hotlines and case-management. A comprehensive support system that will include vendor resources, technical reports and technical experts will be developed to assist the programs with the move to standardization.

Preliminary standards will be recommended by April 1999, based on surveys of each program that are currently being conducted; these standards will be finalized by June 1999. The draft will be distributed one week prior to the April Project Directors meeting; time has been set aside at that meeting to address the many issues raised by the technology project and provide feedback to the coordinator and the Technology Advisory Committee.

Research on software programs and hardware equipment for the centralized intake, case-management and regional hotline projects will begin in July 1999. Also, other policies concerning telephone systems, Internet services and related policies will be discussed at the statewide technology conference tentatively scheduled for August 1999.

II. To establish a collaborative network of information sharing for the purpose of centralizing sources of legal information and expertise as well as technology updates.

A “communications web” will be created as another means to encourage information sharing among programs throughout the state. The technology tools primarily used in this effort will be the Internet and email, and the goal is to have every office and advocate equipped with access to the Internet and an individual email address. The State Support website will be used primarily as a clearinghouse for invaluable legal information and publications for use within Ohio legal services.

The Technology Advisory Committee will develop a statewide technology policy by September 1999, and field programs will be expected to comply by early 2000 so that information sharing projects may be established. Research is also being conducted on establishing a statewide email network, building on the TIIAP proposal of 1996.

III. To establish an in-house training program that will enable all advocates and support staff within Ohio Legal Services to obtain technology training.

In an effort to bridge the knowledge gap as it concerns computer technology and Ohio legal services, plans are underway to research and implement a training curriculum for advocates and support staff. The concern on all levels is that so much time, funding and

effort will be used in getting Ohio legal services to acquire and maintain technology that the importance of training and the cost factor behind it will be neglected. To address that issue, an evaluation of outside computer training programs and vendors is being conducted along with the technology assessment to determine what levels of training are needed for staff and whether an in-house training program, designed by the Statewide Technology Coordinator, can better meet those needs.

Once the evaluation is complete, work will begin to create an appropriate curriculum, if the in-house training program is adopted by the Technology Advisory Committee and OSLSA. Decisions on this approach to technology training are expected to be decided by December 1999. Technology training will be ongoing, expanding to meet the needs of both advocates and support staff as the “communications web” expands.

3. ACCESS TO THE COURTS, SELF-HELP AND PREVENTIVE EDUCATION

What are the major barriers low-income persons face in gaining access to justice in the state? What efforts can be taken on a statewide basis to expand client access to the courts, provide preventive legal education and advice, and enhance self-help opportunities for low-income persons?

The many legal issues facing Ohio’s poor across the state are described below in the Configuration Section. This section discusses initiatives in two areas to improve access to the system: increasing quality *pro se* assistance, and improving available community legal education materials.

● EFFECTIVE *PRO SE* ASSISTANCE:

Ohio’s Current System. Several *pro se* projects have been established in Ohio. For example, the Legal Aid Society of Columbus, in collaboration with the Columbus Bar Association, has established a divorce clinic. Wooster-Wayne Legal Aid Society has a project in conjunction with its local bar association, as does Toledo Legal Aid Society. In Athens County, Southeastern Ohio Legal Services has been instrumental in setting up the Athens County Bar Association Poverty Prevention Clinic to assist income-eligible women and children with *pro se* representation. Many legal services programs develop and provide *pro se* forms on various topics from rent escrow to visitation. OSLSA’s State Support Center receives materials from legal services programs who would like to share *pro se* materials statewide; these are summarized and made available through State Support’s publication *OSLSA Reports*.

The Ohio Supreme Court Task Force on Domestic Violence, which included members from OSLSA's State Support Center and other legal aid advocates, developed standardized *pro se* materials for victims of domestic violence seeking protection orders. OLAF has provided individual assistance to local bar associations and legal services providers in developing *pro se* divorce and dissolution clinics within their communities.

As a part of the planning process, a Work Group addressed the need for collective projects on both *pro se* and on community education materials. With regard to *pro se* assistance, the group took into account the concerns expressed by participants at the stakeholder meeting: a lack of uniformity and collaboration around the state, a need for more training and understanding among the legal community, a lack of resources in the legal services community, a concern over who should be eligible to receive *pro se* materials/assistance, and whether *pro se* representation is an effective method of representation for our clients. The Work Group determined that the following two specific projects would best address the need. Work will involve the following allies: state and local legal community (bar, judges, clerks, etc.), law schools, national and other legal services groups, local social services agencies, welfare rights and women's groups, and other professional associations.

1. OSLSA *Pro Se* Project

In November 1998, NAPIL approved a proposal submitted by OSLSA's State Support Center to hire an Equal Justice Fellow to staff a two-year *Pro Se* Project. OLAF and the Ohio State Bar Foundation are collaborating with OSLSA through the provision of local matching funds. The *Pro Se* Project is a statewide project that will build upon work that has already been done in the state concerning *pro se* materials and *pro se* clinics in individual counties. A steering committee, with representatives from OLAF, the Ohio Judicial Conference, the Ohio State Bar Association, and the Ohio Supreme Court, will help provide guidance and promote the concepts developed within the communities.

Under the terms of the NAPIL grant, OSLSA must hire the Fellow by spring 1999. The Fellow will start in September 1999 and work for two years on the project, which involves surveying existing materials, developing standardized materials with instructions, establishing two rural pilot projects, and developing training materials for *pro se* clinics.

The Fellow will also work with the Steering Committee to evaluate the project. Attachment 4 contains a more complete description of the plans for this project.

2. Domestic Violence Computer Project

Making *pro se* assistance simple and effective for domestic violence victims is the goal of this second *pro se* project. The *Pro Se* and Community Education Work Group proposes that OSLSA and Action Ohio, a statewide domestic violence advocacy group, collaborate on a project to select a few shelters in Ohio that would most benefit from the provision of computer equipment and/or software for primary use by domestic violence victims coming to the shelter for assistance. The equipment and software would serve two primary purposes:

- 1) to provide domestic violence victims with the *pro se* forms and the information needed so that they can obtain civil protection orders; and
- 2) to provide shelter lay advocates and staff with tutorials on the law and on legal services so that they will be equipped to assist victims with *pro se* representation.

If adopted by OSLSA and Action Ohio, this project could be implemented within one year. Publicity and evaluation will begin once the project is up and running.

● EFFECTIVE COMMUNITY LEGAL EDUCATION MATERIALS

Ohio's Current System. Many legal services programs develop their own community legal education material or conduct informal legal education outreach in their communities. No formal survey has been completed to determine the extent of the materials developed. OSLSA's State Support Center receives various community legal education materials from direct service programs and makes them available via its publication *OSLSA Reports* and a frequently updated *Materials Index*, which has been published since 1979. Information is also shared among task force members at the quarterly task force meetings held by the State Support Center (currently welfare, housing, health and family law). The State Support Center has not yet institutionalized the collection, organization and dissemination of community legal education materials.

OSLSA's State Support Center also creates community education materials on an "as needed" basis. For example, *A Recipient Handbook: What You Need to Know about the New Welfare Law, Work Assignments and PRC* was published by OSLSA and distributed to legal services programs, client groups, social service agencies, nonprofit organizations, legislators, administrators and others; over 5,000 booklets have been distributed.

The *Pro Se* and Community Education Work Group considered input from the stakeholder meeting and agreed that the following two projects best address the need to develop materials which are up-to-date, accurate, understandable, locally relevant, culturally relevant, and overcome language barriers. The projects also help avoid duplication, and ensure the materials get into the right hands.

1. OSLSA's Community Legal Education Project

In December 1998, NAPIL approved a proposal submitted by OSLSA's State Support Center to hire a VISTA Summer Legal Corps Fellow to staff a summer project improving community legal education materials.

The Fellow will gather community education materials, organize the materials and inform legal services programs of their existence and availability. The materials will include pamphlets/brochures, packets, posters, envelope stuffers, videos and other materials used by legal services offices and other agencies and organizations. The Fellow will assist in analyzing the materials collected to be sure they are accurate and up-to-date, revising them where necessary, and organizing them for access by legal services programs. Where there are duplicate materials on similar topics, the Fellow will recommend which should be reproduced and disseminated.

The Fellow will work with the Center's Statewide Technology Coordinator to devise the most efficient and effective dissemination of the materials to legal services programs, including working with libraries, schools and churches. Additionally, with assistance from the center's attorneys, other legal services programs, and other advocacy groups and allies, the Fellow will identify and develop materials that are still needed, looking for assistance from Travelers' Aid, literacy councils, and college and high school communication programs. The State Support Center is currently receiving applications for the position and

will hire a Fellow by March 1999. The Fellow will work on this project during the summer of 1999. Because of the importance of this project, the State Support Center will continue the Fellow's work upon completion of his/her term.

2. Community Legal Education Seminar

State Support has proposed in its work plan to include public speaking as a seminar topic for 1999, to help legal services advocates use media and public speaking as a form of community legal education. With the devolution of federal programs to the states and, in Ohio, the counties, more focus is being placed on what is happening in individual communities. Now, more than ever, legal services advocates need to be prepared to respond to questions and to inform their communities about changes in benefit laws and their impact on the community and low-income individuals. They must also reach clients that might otherwise not walk through their doors.

Proposed components for the seminar would include public speaking, working with the media, developing community legal education materials, community outreach, and working with groups. Panelists could highlight successful legal services community legal education events and offer suggestions for others.

The seminar should take place in 1999, and recur at least every two years, or more often as needed. OSLSA's State Support Center handles statewide and regional training for legal services programs, and therefore is the most appropriate entity to coordinate the community legal education seminar. OLAF has assisted legal services programs with media outreach in the past and would be an important ally for this project. The details for this proposed seminar will be submitted to OSLSA for consideration as part of the completion of the State Support workplan this spring.

4. COORDINATION OF LEGAL WORK, TRAINING, INFORMATION AND EXPERT ASSISTANCE

Do program staff and pro bono attorneys throughout the state receive the training and have access to information and expert assistance necessary for

the delivery of high quality legal services? How can statewide capacities be developed and strengthened to meet these needs?

● **SUBSTANTIVE LAW AND EXPERT ASSISTANCE COLLABORATION**

There are two primary ways in which substantive law is coordinated in Ohio - the emerging Litigation Directors Task Force and the State Support Center at OSLSA. Both State Support and the Litigation Directors group will work closely on ongoing substantive collaboration as well as on special projects, with the goal of providing comprehensive services throughout the state. State support, funded by OLAF, provides training, clearinghouse functions, task force coordination, technology planning, litigation support and administrative and legislative monitoring and advocacy statewide.

Other statewide collaborative efforts include:

- The Equal Justice Foundation (EJF) is being supported by pooled funds in 1999 and 2000 so that EJF can play a lead role in providing a full range of services to clients in the state.
- Ohio programs contribute to support the Committee on Regional Training (CORT), a unique three-state training consortium including Ohio, Michigan, and West Virginia.
- OSLSA and other programs also provide experienced staff who design and produce approximately 22 trainings per year, primarily through CORT and the State Support Center.
- Legal Aid Society of Cleveland attorneys write and edit commercially marketed substantive law manuals in consumer, domestic violence, and landlord-tenant law; most of these materials are provided free of charge to other legal services programs either by Cleveland Legal Aid or by OLAF, which funds distribution of the materials to advocates across the state.
- Finally, experienced staff in most programs informally provide consultation and support to other advocates throughout the state.

● **LITIGATION DIRECTORS TASK FORCE.**

Ohio has established a Litigation Directors Task Force to ensure that high quality, sophisticated strategies are developed to address statewide, regional, and local legal issues of significance to the client community. The Task Force will prioritize, integrate and coordinate the work of advocacy groups throughout the state into the state-wide system, particularly the work of

the Equal Justice Foundation (EJF), which is a statewide, non-LSC advocacy organization dedicated to ensuring that a comprehensive range of services are available for Ohio's client community.

The Litigation Directors group is linked with the substantive law task forces coordinated by OSLSA in the areas of housing, family law, health, and welfare. Participants in the substantive task forces are in turn linked to the broader client and advocacy community by their task force participation. The Litigation Director Task Force was launched in June of 1998. Its initial goals are to:

- 1) Prioritize, coordinate and develop a work plan for legal work on a state-wide and regional level, and
- 2) Develop resources to support this legal work through pooled resources of programs and law schools and additional substantive law task forces, as necessary, as well as discretionary funds available through OLAF, and from foundations supporting low-income advocacy. The Litigation Director Task Force is supported by the staff of OSLSA and individual members.

● **SPECIFIC COLLABORATIVE PROJECTS:**

State Support and the Litigation Directors Task Force are in the process of determining the highest priority areas for collaboration, and the two will work closely together on whatever projects are finally agreed upon. In addition, within six months, funding for projects is expected to be available as a result of on-going discussions between OLAF and the Ohio Project Directors' group to establish criteria for making discretionary grants. At that time, State Support and the Litigation Directors will consider seeking any funding that is necessary for such projects. Three initial projects have been identified through the state planning process:

- 1) **Statewide practice standards** will be developed in conjunction with OLAF, which will complete a review of all Ohio programs in the summer of 1999. A committee appointed by the Project Directors will work with selected members of the OLAF review teams to develop these standards, and the work will be staffed by OSLSA and OLAF. These standards will be comprehensive and will draw on materials developed for managing attorney training events and on other existing models around the country. The OLAF reviews will be completed in August, and the standards committee will be set up and begin its work in the fall of 1999. The timetable calls for a draft completed by March 2000, in time to be discussed at a project director meeting that spring as well as at the next quarterly meeting of the litigation directors; the final standards will be done in the fall of 2000.
- 2) **Mechanisms for consultation and support by substantive law experts throughout the state.** Ohio has a long tradition of providing expert assistance between offices and programs within the state. OSLSA responded to over 1400 requests for assistance in

1998. OSLSA maintains a toll-free number to encourage statewide staff to call with requests.

In addition, the Legal Aid Society of Cleveland formerly received State Support funds and has continued to provide significant consultation and assistance to staff throughout the state. Other programs, such as the Legal Aid Society of Greater Cincinnati, have never received funds for these services, but have welcomed requests and questions from staff in other programs.

Despite Ohio's strength in this area, participants in the planning process determined that the process could be improved so that consultation with substantive experts is more readily available on a state-wide basis. The task forces play a significant role in the provision of expert assistance because, as people participate in task forces, they meet experienced staff from other programs and identify the topics in which those staff are knowledgeable. The task force minutes contain summaries of discussions and publicize activities and expertise generating calls from non-task force participants.

The Litigation Directors Task Force will enhance consultation services by making sure that experts from LSC and non-LSC staff programs, private attorneys, and law school resources are identified, and that all advocates know how to access the system.

- 3) **Technology to support advocates in their individual representation and other advocacy projects.** The state-wide technology plan includes the means of supporting advocates with individual representation and other advocacy projects. The plan will include, at least, an electronic brief bank and a secure chat room allowing for confidential consultations on cases and matters. The timing for this project will be coordinated with the Technology Advisory Committee.

● TRAINING

Ohio has a long history of providing a wide range of high-quality CLE-certified trainings to legal services staff. Trainings are available to staff from three primary sources: OSLSA, CORT (The Committee on Regional Training), and the Ohio CLE Institute. Each addresses different training needs of legal services staff and pro bono attorneys. All appropriate trainings are approved for continuing legal education (CLE) credits by the Supreme Court of Ohio Commission on CLE. Legal services staff can obtain the majority, if not all, of their CLE requirements via OSLSA and CORT events, and pro bono attorneys can attend for free, on a space-available basis, if sponsored by a program.

- **OSLSA** has, from its inception, devoted significant resources to training. OSLSA trainings include substantive and skills seminars, special training programs for individual programs or regions, and NAST-Y (New Advocates Substantive Training).

Most OSLSA-sponsored training events are one-day trainings, usually presented in Columbus because of its central location, which address substantive or skills needs of staff. Trainers for these sessions are usually experienced program staff. Private attorneys and law school professors are also involved. Trainings are aimed at newer and more experienced staff, and cover topics such as housing, consumer, family, health, utilities, or public benefits. The topics are identified through surveys, task force feedback, special requests, and the litigation directors group. OSLSA usually presents between eight and ten seminars per year.

OSLSA provides customized trainings for local legal services programs or regions, to address the specific needs of the service areas. Recent topics for some of these special trainings include public benefits changes and new attorney training.

OSLSA has developed an annual training, New Advocates Substantive Training (NAST-Y). NAST-Y is a three-day substantive law introduction for new advocates and experienced advocates who desire a refresher course or update on particular subject areas. Participants at NAST-Y receive a two-volume looseleaf manual of resources and outlines on subject areas.

- **The Committee on Regional Training (CORT)** is a three-state membership training coalition. Legal services programs in Ohio, Michigan and West Virginia can join CORT, which allows them to send staff to CORT trainings without a registration fee. The current dues for CORT are 0.175 percent of a program's total annual funding (e.g. for OSLSA the annual cost is over \$7,000 per year). Together, Ohio programs contribute a total of nearly \$40,000 annually. CORT covers the cost of presenting the training, including planning, trainer travel and room and board, materials, and site costs. Member programs do not pay a registration fee for the trainings, but are billed for the hotel and meal costs.

CORT has a multi-year training plan which includes basic and advanced skills trainings for lawyers and other staff, and substantive trainings. CORT conducts periodic surveys of training needs and its 15-member Board meets semi-annually to evaluate trainings and schedule events. Recent CORT trainings include Basic Lawyering Skills, Discovery, Advanced Consumer, Public Housing Law Changes, Trial Advocacy Skills, Legal Work Supervision, and Support Staff training.

- **The Ohio CLE Institute** is the component of the Ohio State Bar Association responsible for producing trainings. OCLEI produces scores of trainings every year, primarily of interest to the private bar. These trainings address issues of interest to some legal services staff. OSLSA has negotiated a 45 percent discount of the registration fees for legal services staff. This expands the training capacity for legal services because it allows staff to attend trainings for which there would not be sufficient interest for legal services to present itself. Many local programs have negotiated agreements for discounted or free trainings from local bar associations as well.

OSLSA recently reinstated a **statewide training advisory group**, as a result of the State Support planning process. Ohio had a training advisory group (OTAC) in the late 70's and early 80's which was superseded by CORT. The new group has begun to meet to assess Ohio's training needs and resources, and to look at assignments and scheduling of training events.

● **TASK FORCE COORDINATION.**

OSLSA coordinates substantive task forces on housing, welfare, family and health. (The addition of a new education task force is being considered at this time.) They meet quarterly and provide legal updates, strategy discussions, issue identification, and roundtable discussions. The task forces are aimed at advocates with all levels of expertise; participation is good and includes private attorneys and other advocates as well as legal service program staff.

● **WORK GROUPS.**

Task forces provide a forum for discussion of issues and development of strategies to address them. This leads to collaboration on substantive issues and, in some cases, to the development of specific work groups across program lines. Such work groups include:

- **The Human Services Planning Committee Work Group** — a group of legal services staff and other advocates analyzing the implementation of recent welfare changes;
- **The CRIS-E Project** — a group of staff monitoring the public benefits notice system and working with ODHS to improve the quality of notices to clients; and
- **The Medicaid Redetermination Project** — a group of staff working with ODHS to implement changes in federal law to consider all available Medicaid categories before terminating benefits.

● **CLEARINGHOUSE FUNCTION**

OSLSA is the statewide information clearinghouse. *OSLSA Reports* is a monthly publication, first published in May 1979. It includes case summaries, information for legal services staff and advocates on changes in laws and procedures, materials available, requests for coordination, news, and notes. OSLSA maintains a briefbank of documents submitted and will send copies of documents to legal services staff and clients (at no charge) and private attorneys. The *OSLSA Desk Reference* is a legal services phone book, including reference material of use to legal services and other advocates.

OSLSA has also begun developing listservs to distribute information to legal services and other advocates electronically. This has proven to be valuable for many, though of limited effectiveness because of the relatively small number of legal services staff with individual e-mail addresses. As programs expand their technology and increase the use of e-mail for individual staff, these listservs will become more efficient and comprehensive, and State Support and other programs will be able to make better use of them. Most of the information that used to be provided by OSLSA's weekly newsletter is now being disseminated via the listservs.

5. INCREASING PRIVATE ATTORNEY INVOLVEMENT

What is the current status of private attorney involvement in the state? What statewide efforts can be undertaken to increase the involvement of private attorneys in the delivery of legal services?

PRO BONO WORKING GROUP

OLAF established a Pro Bono Coordinator position in 1995 to launch a renewed pro bono effort in the state. The coordinator has a background working with the bench and bar in Ohio on indigent defense delivery systems at the county level. PAI plans across Ohio include a combination of pro bono, reduced fee panels and, particularly in rural areas, contract attorneys. The planning process focused on increasing pro bono as the area with the most need and the most promise of improving services to clients. As a result of the planning effort, OLAF's Pro Bono Coordinator established a Pro Bono Working Group to develop and implement a state pro bono plan. The Working Group, chaired by Helenka Marculewicz of the Greater Dayton Volunteer Lawyers Project, includes two local pro bono coordinators, the statewide pro bono coordinator, a legal aid society director, a litigation director, and a law school clinic director. Its goal is to expand, enhance, and coordinate pro bono initiatives, and integrate pro bono with the staff-based delivery system.

ANALYSIS OF CURRENT SITUATION:

STRENGTHS:

- Several very strong pro bono programs and delivery models exist in Ohio.

- OLAF has been able to focus attention on pro bono on a statewide level by attending OSBA district meetings and developing statewide pro bono initiatives.
- OLAF and the Ohio State Bar Association have several communication vehicles that are used to spread the news of pro bono development, e.g. Short's Briefs, Just Dealings, and OSBA publications.
- The legal services community is committed to expanding pro bono in Ohio.
- A 1997 visit by the ABA Center for Pro Bono, coordinated by OLAF to aid in the pro bono effort, brought in a fresh perspective and new ideas to help in Ohio's planning effort.
- A law school component has already been established. The Pro Bono Research Group (PBRG) is a student organization at the Ohio State University College of Law that has forty to fifty students who will do research for legal services staff and pro bono attorneys for free. Staff can call, fax, e-mail, or mail search requests to PBRG with a request for a memo, copies of cases, law review articles, etc. State support staff have provided PBRG with trainings, resources, and help with analysis. Lexis and Westlaw has granted permission for students to use their student privileges for this work. It is a unique program, and a great resource for offices, especially rural offices without access to libraries; it is also a good recruiting tool. Nancy Rogers, then Assistant Dean, was instrumental in clearing administrative obstacles so PBRG could proceed. Also, the University of Cincinnati has a VLP chapter that coordinates with Cincinnati's pro bono program.

CHALLENGES:

- According to the Spangenberg Report, only 17 percent of the legal needs of Ohio's poor are being met.
- There are about 20 pro bono programs in Ohio - covering approximately 30 out of Ohio's 88 counties; most rural counties have no organized pro bono.

- Pro bono is underdeveloped in many of Ohio's urban areas.
- According to a recent ABA report, only 9.6 percent of Ohio attorneys participate in organized pro bono projects, compared to a national average of 17.2 percent.

SHORT-TERM GOALS:

- **Analyze OSBA/OLAF survey results:** OSBA and OLAF have done a survey of the private bar on perceptions and barriers to participation in pro bono. OLAF has been distributing copies of the survey over the past nine months at the OSBA district meetings. The last district meeting is in April 1999, and the statewide meeting is in May. The results of the statewide survey will then be analyzed and reported by August 1999.
- **Evaluate and identify existing gaps in service and opportunities for expanding pro bono participation.** This information will be gathered through OLAF's annual reports and site assessments. OLAF will complete the first round of site assessments in August 1999. This pro bono evaluation will be prepared by November 1999.
- **Gather additional data from legal aid societies and bar associations on existing pro bono programs.** Some of this information is currently being collected through annual reports to OLAF. OLAF will act as a clearinghouse for the information and as a bridge between legal aid societies and the bar. OLAF will also make this information available on their Web Page which is now under construction. This information will be available by December 1999.
- **Create awareness within the private bar and the legal services community about the various types of pro bono contributions that could be useful.** OLAF will continue to launch new pro bono pilot projects. OLAF has created a pro bono brochure listing various types of pro bono projects and models. OLAF will continue to distribute the brochures to the private bar. The Pro Bono Working Group is currently developing a detailed workplan which will be completed by May, 1999 and circulated widely for

comment. The group will also involve the ABA Center for Pro Bono in developing the work plan.

GOALS AND STRATEGIES:

- **GOAL:** OLAF and the Pro Bono Working Group will provide coordination and primary leadership among the statewide groups in the legal community to make more efficient use of the available resources to reach a 17% participation rate statewide, and assist in the development of additional resources.

- **STRATEGIES:**
 - A primary strategy will be to **bring together experts in the pro bono community** to develop new initiatives in communities without any organized pro bono.

 - **Pro Bono Awareness Campaign.** OLAF and the Pro Bono Working Group will enhance and update its plan to work with the OSBA in generating positive public relations within the legal community about pro bono. Every lawyer should get the message that pro bono is something that they should be doing. We need to create a pro bono culture and work to break down the barriers which cause reluctance.

 - **Establish a mechanism to increase the involvement and commitment** of the Bar, Judiciary and other leaders in the legal community in the expansion of pro bono efforts. OLAF and the Pro Bono Working Group will ensure that pro bono efforts around the state are communicated to all of these potential pro bono leaders. Specific initiatives will also be considered by the Pro Bono Working Group and recommended to the appropriate individuals or organizations.

 - **Set up formal partnership projects** with law firms, corporations, government attorneys and law schools. OLAF and the working group will also assist in developing pro bono policies. OLAF will work to expand on successful pro bono projects and/or replicate projects where appropriate, such as the American Corporate Counsel Association

Project, in which ACCA is involved in locating representation for Ohio non profit organizations.

- **Continue to assess data and evaluate strategies** to develop approaches to pro bono enhancement. Participants will include OLAF, OSBA, the Ohio Supreme Court, the Ohio Judicial Conference, local bar associations, legal aid societies, and law schools.

6. RESOURCE DEVELOPMENT

What statewide financial resources are available for legal services to low-income persons within the state? How can these resources be preserved and expanded?

One of the areas where Ohio has been extremely successful on a statewide basis is in obtaining financial resources for the statewide delivery system. Ohio now has more funding from state sources than from the Legal Services Corporation, and its state funds are diversified and not totally dependent on one source. Several remarkable successes have been achieved in this area.

In 1992, a committee appointed by the Supreme Court to implement the policy recommendations in the Spangenberg Report, established a visionary goal for Ohio of doubling the funds devoted to civil legal services from \$22.5 million to \$45 million annually. (Among other recommendations, the Court's committee also recommended and coordinated the creation of OLAF in 1993.) At the time the \$45 million goal was set, the \$22.5 million available consisted of \$11.6 million in LSC funds, \$5.5 in IOLTA funds, and \$5.4 in other resources. To date, OLAF has been successful in increasing state funding for legal services from \$5.5 million to \$15.5 million annually, an increase of 182%. While still short of the \$45 million annual goal that was set, Ohio has made impressive progress, as is reflected in the following chart.

Projected 1999 funding for Ohio's civil legal services system:

Ohio Legal Assistance Foundation (including IOLTA, filing fee surcharges, attorney registration fees, OSBA & other grants, and private fund-raising)	\$ 15,500,000
Legal Services Corporation	11,300,000
Other government grants	2,900,000

United Way	1,400,000
Interest, and other Miscellaneous	1,000,000
Total Funding Available:	\$32,100,000

EFFORTS TO PRESERVE AND EXPAND RESOURCES:

IOLTA and the formation of OLAF: In 1984, the Ohio General Assembly enacted Senate Bill 219, which established the IOLTA program together with a filing fee surcharge on most civil cases as a means to supplement funding for the provision of civil legal services to the poor. Revenue from those sources has provided an important base upon which to build in seeking the full funding actually needed in Ohio. Some of these funds are set aside for State Support and special population work, and a small amount reserved for a senior citizen program, and the remainder distributed through the poverty population formula. The campaign for the passage of S.B. 219 was coordinated by several Ohio legal aid directors. Most legal aid societies contributed unrestricted funds to hire a lobbyist to advocate for this funding.

After much study, in 1994 the Ohio Legal Assistance Foundation was created by statute to administer funds for legal aid societies and study additional avenues of bridging the gap on the unmet civil legal needs of the poor. The thirty-member OLAF Board has been constituted as Ohio’s most important vehicle for preserving and expanding resources. Appointments are made by the Chief Justice of the Supreme Court, the Governor, the Attorney General, the House Speaker, the Senate President, the State Treasurer, and the State Public Defender. Other members are appointed by the board and include bar leaders, law firm representatives, law school deans, advocates for low-income constituencies, and corporate leaders. Legal aid society directors serve as important partners in the work of the Foundation through a committee chaired by OSLSA’s Director, who is also an ex-officio member of the board.

Recent OLAF efforts to increase the IOLTA yield through higher interest rates or lower bank charges have been successful; the IOLTA revenue projected for 1999 is \$8.8 million. Projected filing fee revenues are \$6.2 million. OLAF continues to pursue many other avenues of increasing funding and resources, which are described below.

Civil Legal Needs Study. An early commitment to the infrastructure and the research necessary to build support for state based funding was critical to Ohio's success. More than ten years ago, leaders in Ohio's legal services community, along with leaders of the Ohio bar, decided to invest in a thorough study of the civil legal needs of Ohio's poor and explore possible improvements. The Ohio State Bar Association, the Metropolitan Bar Leaders and the Ohio General Assembly were all involved in the effort and provided the \$160,000 needed to take on the project. This solidified broad-based support which remains strong.

OVERVIEW OF ADDITIONAL SOURCES OF STATE FUNDING:

In addition to the IOLTA source described above, Ohio has been successful in the following areas of resource development:

Filing Fees. The income is currently derived from a \$15 filing fee surcharge in civil cases other than domestic relations, \$4 of which is permanent and the additional \$11 is included in a provision which sunsets in 2002. Since 1984, Ohio has been faced repeatedly with the possible sunseting of the filing fee surcharge; each time, the legal services community has worked with OLAF, and its predecessor entities, to eliminate the sunset which would have ended this important source of funding. The community is faced with another sunset provision in the year 2002, and plans are underway to ensure that they are once again successful so that this critical funding source continues.

Real Property Escrow Accounts. One of the greatest successes in Ohio's efforts to increase legal services funding was the legislative expansion of IOLTA in 1996 to include the escrow accounts held by title agents handling real estate closings. This legislative victory took more than two years of effort, but the results have been well worth it. Revenues from lawyers and title agents accounts combined now total \$8.8 million compared to \$2.7 million prior to the addition of the title agents' accounts.

Attorney Registration Fees. In 1997, the Ohio Supreme Court decided to raise attorney registration fees and devote a portion of the increase to OLAF. The OLAF board, in partnership with the legal services community statewide, decided to commit the \$375,000 to three prime areas of focus: pro bono enhancement, technology development and assessments of legal services providers. The addition of these funds has been critical in OLAF's ability to undertake new program areas since there is otherwise a lack of available discretionary funds due to the statutory formula to distribute IOLTA and filing fee revenues.

IOLTA Registration Rule. OLAF realized that it could keep significantly better track of the revenues from IOLTA accounts if it had more information. The Ohio Supreme Court agreed to adopt a rule that requires lawyers to list their IOLTA account numbers on their biennial registration forms. OLAF then uses this information to reconcile with the information provided by banks.

Because of this additional information, OLAF has been able to identify a significant number of accounts not properly maintained as IOLTA accounts. Hundreds of thousands of dollars have been recovered by correcting what are often mistakes by the bank in how specific accounts are being treated.

IOLTA Yield Campaign. There has been a continuing campaign to work with financial institutions to increase the yields paid on IOLTA accounts, with a resulting increase in IOLTA grants of between \$1 and \$2 million dollars each year. Local bar associations have been instrumental in educating bar members about the most IOLTA-friendly banks. Large firm representatives have also held meetings with their banking officials to urge higher rates. A past president of the Ohio Bankers Association who is a current OLAF board member wrote personal letters to bank presidents urging improved yields and the State Treasurer's general counsel also asked banks to increase yields.

There has been substantial improvement in the yields paid by two major institutions, in particular, and over twenty banks have responded to the campaign. One major bank changed its policy in large part as a response to a Community Reinvestment Act challenge filed by a statewide housing advocate group that objected to the low yields on IOLTA. Other approaches to raise the effective yield rate continue to be considered.

General Revenue Funding. OLAF has followed the tradition started by the Implementation Committee of urging legislators to include civil legal services in the state's budget by committing general revenue funding to legal services. There has been, and will continue to be, an on-going effort in the biennial budget process to convince lawmakers that there is a societal interest in providing access to justice. Plans and strategies are already under development for the upcoming state budget process that will conclude July 1999.

Private Fund Development. Legal aid societies and OLAF have had success in raising funds, primarily for specific projects, through grant writing efforts to private foundations, and fee for service contracts. These funds support innovative approaches to meeting legal needs and also serve to involve major community foundations in the effort to improve access to justice. For example, OLAF has been able to raise \$150,000 from community foundations to support a statewide pro bono program aimed at providing services to families of disabled children who are at risk of losing federal Supplemental Security Income benefits. Legal Aid Society of Greater Cincinnati has \$500,000 in contracts, primarily from county and local government, for welfare to work, family law, and landlord-tenant representation. Advocates for Basic Legal Equality, Inc. (ABLE) was awarded a three-year AmeriCorps grant that supports four attorneys and two outreach workers who are helping low-income families stay in their homes, and help increase the supply of affordable housing. ABLE is also the recipient of a new \$243,576 Domestic Violence Civil Legal Assistance Grant from the U. S. Department of Justice. The grant will allow ABLE to significantly expand assistance to domestic violence victims through staff and office expansion, increased collaboration with victim assistance agencies, and training of pro bono attorneys.

In addition to the success they have already had, programs can take advantage of training and resources available through the Fundraising Project of MIE and local fundraising consultants to further expand their fundraising capacity. Because of these resources, the institutional changes that will result from reconfiguration and the many other projects that have been launched, as well as the

success of resource development at the state level, the planning group has decided that state-based support for local resource development should emphasize creating opportunities for sharing information about local successful fundraising initiatives. OSLSA will incorporate this topic into its monthly report.

Preservation of Federal Funds. OLAF's Executive Director is Ohio's coordinator of the LSC preservation effort, working with local legal services advocates, the OLAF Board, and bar leaders as appropriate. OLAF's strategy has included outreach to corporate leaders, the media and other outlets seeking support for preserving federal funding for legal services. OLAF has arranged visits with key legislators to solidify support. OLAF has been an effective state coordinator and will continue in this role.

Future Fund Development Efforts. OLAF, in cooperation with the state's legal aid societies, is committed to pursuing on an on-going basis the highest level of commitment to exploring new funds and resources for providing access to justice for the poor. It is through partnerships and creative energies that additional resources can be developed in order to serve more clients in need.

7. SYSTEM CONFIGURATION

How should the legal services programs be configured within the state to maximize the effective and economical delivery of high quality legal services to eligible clients within a comprehensive, integrated delivery system?

The current analysis of configuration builds on a history of mergers and consolidations which occurred as a result of the arrival of federal funding in the 1960's and early 70's, as well as the availability of expansion funding in the late 1970's. Before that, there were many bar association or charitable legal aid societies in Ohio, some dating back to the last century. The major cities all had programs, as did many of the smaller communities, such as Portsmouth and New Philadelphia. Following this extensive merger process in the 60's and 70's, program configuration remained stable in the 1980's. The system then underwent another series of mergers and consolidations, beginning with the expansion of OSLSA and Southeast Ohio Legal Services to incorporate Central Ohio Legal Aid Society in 1997. Today, there are 15 LSC service areas and 14 LSC recipients (including one program which covers two service areas); Ohio's planning process has resulted in a recommendation that these 15 service areas be consolidated into 7 regional service areas by January, 2000.

As the seventh largest state, Ohio is very diverse, with 11 million residents and 1.3 million poor people in 88 counties. Ohio is a state of great heterogeneity. It has more urban areas than most,

with seven urban centers and many smaller cities. It also includes large areas of farmland, and isolated rural areas typical of Appalachia.

Northeast Ohio has large industrial cities (like Cleveland, Akron, and Youngstown) which suffered as part of the Rustbelt, losing jobs and populations during the 1970s and 1980s. Northwest Ohio is tied closely to the deep Midwest with large farms and seasonal migrant workers. It has small towns and one medium-sized city (Toledo) whose economy is closely tied to the auto industry.

Southwest Ohio is the historic gateway to the west. Its economy, which centers on metropolitan Cincinnati, includes Ohio, Kentucky and Indiana, and is a mix of service and industry. This area of the state has been largely recession-proof. Southeast Ohio is part of Appalachia with very small towns, abandoned coal fields, and a paucity of jobs, both skilled and unskilled. Poverty is high in Appalachia, and the remoteness and terrain of the area make travel difficult.

Central Ohio is dominated by the state capital, Columbus, one of the few large cities outside of the Sunbelt to increase its population during the 1980's. Columbus has a strong service economy which includes insurance, banking, Ohio State University, health care, and state government.

ISSUES AFFECTING THE CLIENT-ELIGIBLE POPULATION:

Public Benefits and Employment Opportunity. Ohio's public benefits system is state-run and county-administered. This means that the Ohio Department of Human Services (ODHS) is the single state agency for federally funded programs, but delegates substantial responsibilities to the counties to administer these programs. This delegation to the counties results in substantial discrepancies of service and policy among counties. Also, unemployment rates differ widely in the state, ranging from 2.2 per cent and 2.4 percent in Madison and Franklin Counties, respectively, to 13.2 percent and 12.5 percent in Mercer and Morgan Counties. (See attached November 1998 map.) These differences call for a variety of strategies to assist clients who are part of the workforce.

Medicaid. As Ohio has implemented Medicaid managed care, it has done so in different ways, with some counties remaining fee-for-service, some counties having voluntary managed care, and some counties having mandatory enrollment in Medicaid managed care. This means that each county may be at a different stage of implementation in Medicaid managed care, and faces different issues for access, quality, and covered services.

Health Care. Ohio is a leader in the provision of health care, with world-class hospitals in Columbus, Cleveland, and Cincinnati. Patients travel to Ohio from around the world to receive care. Despite this status as a health care magnet, Ohio does not meet the health needs of its Medicaid recipients and uninsured residents. There are medically underserved areas in both urban and rural areas throughout the state.

Housing. Our older cities and towns have low-income and rental housing which is over 100 years old. These housing units often have significant structural or environmental flaws which put tenants at risk. Segregated housing also keeps minorities and low-income people from certain communities and school systems which may be able to provide better services for their children. In rural areas, many low-income people live in mobile homes, which are lightly regulated. Park owners have tremendous power over owner/residents and legal services lawyers have had a big impact in redressing this power imbalance.

Fair Housing. Fair housing issues abound in our state, though they take on different complexions depending on the location. Urban areas, such as Cleveland, Columbus and Cincinnati, have significant areas with minority housing, but minorities may be discouraged from moving into traditionally white neighborhoods or suburbs. Conversely, in rural areas and small towns, minorities may have a difficult time finding any housing at all. Discrimination against families with children is a major problem.

Utilities. Utility issues are a common problem for Ohio clients. They differ substantially among communities. Rural residents have propane delivery and cost concerns; urban dwellers may have more concerns about the cost of utilities and lifeline rights.

CONFIGURATION FOR OTHER OHIO ENTITIES.

Because of its varied historical, geographic, economic, and political structure, public agencies and private and business organizations in Ohio divide the state differently into districts and services areas. There are seven major metropolitan areas — Cleveland, Cincinnati, Columbus, Dayton, Toledo, Akron-Canton and Youngstown-Warren. There are 88 counties, each with a county court system and often several municipal court systems. There are 12 state court of appeals districts. The federal court is divided into the northern and southern districts, each with an eastern and western division. Ohio has 99 districts for its House of Representatives and 33 State Senate seats.

The Ohio State Bar Association has nine districts. The Ohio Department of Human Services has 12 regions which report to 5 District Offices. The Ohio Commission on Aging has 11 regions. Housing Authorities are organized by county, and there are 661 local school districts.

RECOMMENDATIONS ON CONFIGURATION:

As a result of careful analysis of these and many other factors, Ohio's plan is to establish seven LSC service delivery areas, effective January 1, 2000, complemented by statewide entities such as OSLSA and EJF, as the backbone for effective service delivery throughout the state. This regional approach to service delivery offers the optimal balance between achieving economies of scale, marshaling resources to provide a wide ranges of services along with appropriate levels of management, administrative and technical support, efficiently coordinating intake, referral and advice, and emphasizing delivery of direct legal services to clients at the local level. The seven proposed regions are:

- **Southwest Ohio**, through consolidation of OH-3 and OH-9. As a result of competitive bidding, the two service areas are now covered by the Legal Aid Society of Greater Cincinnati, which completed a merger with Butler-Warren Legal Assistance Association January 1, 1999. This region includes the Ohio counties of the Greater Cincinnati/Northern Kentucky area. (Hamilton, Clermont, Brown, Butler, Warren)
- Consolidation of the **Northeast Ohio lakeside counties**, including Cleveland, into one LSC service area (Lorain, Cuyahoga, Lake, Geauga and Ashtabula Counties). This includes parts of the current Legal Aid Society of Cleveland and Legal Aid Society of Lorain County, and Northeast Ohio Legal Services.)
- Combination of 10 **Central Northeast counties** into one LSC service area, including two of the states major metropolitan areas, Youngstown-Warren and Akron-Canton. (Richland, Ashland, Medina, Summit, Portage, Trumbull, Mahoning, Columbiana, Wayne, Stark Counties.) This region includes parts of the current Legal Aid Society of Cleveland and Northeast Ohio Legal Services, along with Western Reserve Legal Services, Wooster-Wayne Legal Aid Society, and Stark County Legal Aid Society.
- Combination of the Allen County-Blackhoof Area Legal Services, Rural Legal Aid , and Montgomery County service areas, creating a 18-county service area in **West Central Ohio**. (Allen, Auglaize, Hardin, Logan,

Mercer, Putnam, Shelby, Van Wert, Champaign, Clark, Clinton, Darke, Fayette, Greene, Highland, Miami, Montgomery, Preble.)

- Maintaining the six-county **Central Ohio service area**, currently served by the Legal Aid Society of Columbus. (Delaware, Franklin, Madison, Marion, Morrow, Union.)
- Maintaining the 29-county **Southeast Ohio region** currently served by SEOLS.
- Creating one service area in the 15-county **Northwest Ohio area** (Williams, Defiance, Paulding, Fulton, Henry, Lucas, Wood, Hancock, Ottawa, Sandusky, Seneca, Wyandot, Erie, Huron, Crawford). This includes one county currently served both by Legal Services of Northwest Ohio and Toledo Legal Aid Society, and one county currently part of the Legal Aid Society of Cleveland. This region would also be the base for the statewide migrant farmworker legal services.

This configuration, or any other, is only as strong as its component parts. For this reason, Ohio is committed to improving the quality and capacity in each of the regional staff-based programs, and OSLSA. For example, OLAF is directing significant resources to thorough evaluations of each of its recipient programs, including all LSC providers in the state and the OSLSA State Support Center. The first comprehensive set of evaluations will be completed by summer 1999, with the final reports due out later in the year.

In setting up the process, OLAF conferred with experts in other states about on-site visits and evaluation criteria were developed based on the ABA standards on effective delivery. OLAF assessment teams include expert consultants from all over the country who have a variety of legal services and other experience. The assessments are designed to provide specific recommendations for staff and management. Legal aid directors were intimately involved in developing the process, agreed that evaluations should be a high priority for OLAF, and agreed with the use of statewide discretionary funds to conduct the evaluations.

Many of the directors whose programs have been evaluated thus far have found the experience to be positive and have begun implementing suggestions made by the consultants. OLAF is considering ways to provide resources, if necessary, for follow-up technical assistance to implement improvements. While some programs will merge with others as a result of reconfiguration, the assessments and recommendations provide valuable guidance for improvement

of delivery in Ohio. With configuration ensuring that programs are strong structurally, and through sustained commitment to an ongoing process of assessment and improvement of each regional program, the result will be the achievement of the strong, integrated delivery system that is the ultimate goal of this plan.

Another example of Ohio's commitment to improving the quality and capacity of the statewide delivery system is OSLSA's recent strategic planning initiative, designed in part to guide OSLSA in developing additional capacities to support the delivery of legal services. The state planning process has provided additional guidance, and will form the basis for allocating additional resources at the state level.

ATTACHMENT NO. 1

The Ohio State Planning Process Steering Committee

Mary Asbury
Legal Aid Society of Greater Cincinnati

Frank Avellone
Wooster-Wayne Legal Aid Society

Bob Clyde
Ohio Legal Assistance Foundation

Angela Cooper
Western Reserve Legal Services

Bill Faith
Coalition on Homelessness and Housing in Ohio (COHHIO)

Jonathan Marshall
Supreme Court Commission on Grievances and Discipline

Shirley Peoples
Legal Aid Society of Columbus Board

Joe Tafelski
Advocates for Basic Legal Equality

Tom Weeks
Ohio State Legal Services Association

Bill Weisenberg
Ohio State Bar Association

ATTACHMENT NO. 2

**Ohio State Planning Meeting
January 11, 1999
Invitees**

State Planning Steering Committee

Law Schools and Universities, including deans and clinics

Domestic Violence Advocacy Organizations

Housing Advocacy Organizations

Welfare Advocacy Organizations, including the Ohio Department of Human Services
and low-income groups

Community Action Agencies

Mental Health Organizations

Unions, including the National Organization of Legal Services Workers

Organized Religion

Bar Associations and *Pro Bono* Projects, including the Ohio State Bar Association
and metropolitan bar associations

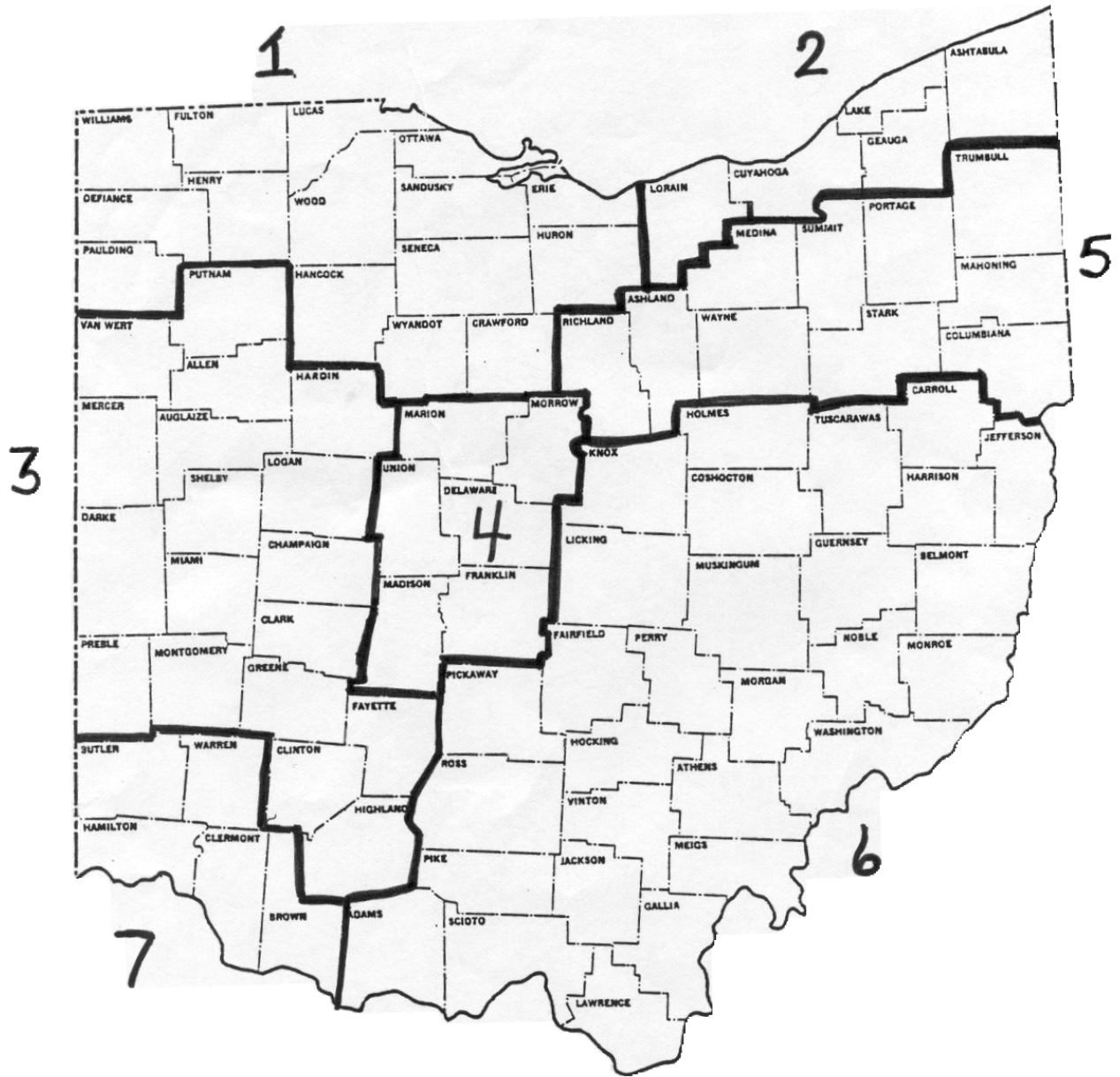
Funders, including the Ohio Legal Assistance Foundation

Senior Citizen Organizations

Legal Services Project Directors

OSLSA State Support Staff

ATTACHMENT NO. 3



2/26/99

ATTACHMENT NO. 4

OSLSA *PRO SE* PROJECT AND DOMESTIC VIOLENCE COMPUTER PROJECT

OSLSA *PRO SE* PROJECT GOALS AND TIMETABLES

The *Pro Se* Project is a statewide project that will build upon work that has already been done in the state concerning *pro se* materials and *pro se* clinics in individual counties. A steering committee, with representatives from OLAF, the Ohio Judicial Conference, the Ohio State Bar Association, and the Ohio Supreme Court, will help provide guidance and promote the concepts developed within the communities. NAPIL provided funding to OSLSA's State Support Center to hire an Equal Justice Fellow to staff the two-year *Pro Se* Project. OLAF and the Ohio State Bar Foundation are collaborating with OSLSA through the provision of local matching funds. Under the terms of the NAPIL grant, OSLSA must hire the Fellow by spring 1999. The Fellow will start in September 1999 and work for two years on the project.

The Project Fellow will:

- conduct a statewide survey of materials currently available, including materials developed by OSLSA, local legal services programs, the Ohio Supreme Court and the Ohio State Bar Association.
- develop standardized statewide *pro se* materials, with instructions, that are understandable and simple to use, where appropriate for *pro se* representation (perhaps including uncontested custody arrangements, expungement of criminal records, child support enforcement, visitation rights, and other matters related to family self-sufficiency.)
- develop two pilot projects in rural communities to integrate the materials into the court system, including clinics where low-income litigants can receive assistance completing the *pro se* materials.
- collaborate with the steering committee and key partners to identify and recruit communities interested in using the standardized *pro se* materials, and work directly with local legal services programs, judges, administrators, clerks and local bar associations to develop a local plan for implementation, education and training relating to *pro se* representation and the use of the standardized *pro se* materials.
- develop the curriculum and training materials for the clinics, and
- work with the Steering Committee to develop a process to evaluate the project, identify problems and make improvements where needed.

DOMESTIC VIOLENCE COMPUTER PROJECT

The proposed Domestic Violence Computer Project is designed to make *pro se* assistance simple and effective for domestic violence victims, and will be considered by the Ohio State Legal Services Association (OSLSA) and Action Ohio, a statewide domestic violence advocacy group. The proposed project involves collaborating on a project to select a few shelters in Ohio that would most benefit from the provision of computer equipment and/or software for primary use by domestic violence victims coming to the shelter for assistance. The equipment and software would serve two primary purposes:

- 1) to provide domestic violence victims with the *pro se* forms and the information needed so that they can obtain civil protection orders; and
- 2) to provide shelter lay advocates and staff with tutorials on the law and on legal services so that they will be equipped to assist victims with *pro se* representation.

Implementation would involve the following steps:

- a) Identifying the people who should be involved and establishing a committee, including representatives from legal services and domestic advocacy groups, and technology experts.
- b) The committee will then draft a concept paper and submit it for approval by the appropriate authority at OSLSA and Action Ohio.
- c) Once the committee is established and the concept approved, the committee must further develop the project components, including how many and which shelters should take part in the project, what resources (e.g., equipment) are currently available to victims in shelters and what is needed, what information should be made available on the computers and whether a staff person is needed to run the project, train participants and troubleshoot computer problems. The committee will also have to determine what evaluation methods can be used. The committee should identify similar projects that have been established and are successful in other states to use as models, such as the Georgia project.
- d) The committee must determine how the project can be funded, and identify potential funding sources as needed.
- e) If private or government grants are sought to help fund the project, a grant proposal must be developed and submitted. The committee must gather all information necessary to write the proposal, including equipment needs, possible vendors, and costs. OLAF has received funding from the Ohio Supreme Court which has been earmarked for *pro bono* or *pro se* efforts, and which could be used for this project.

If adopted by OSLSA and Action Ohio, this project could be implemented within one year. Publicity and evaluation will begin once the project is up and running.