



Oregon State Bar Legal Services Program

*Achievements and Results
2010*

Oregon State Bar

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Oregon State Bar Legal Services Program

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	Legal Aid Services of Oregon: lasoregon.org
	Oregon Law Center: oregonlawcenter.org

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Oregon State Bar Legal Services Program
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Preface

In 2009-10, the Oregon State Bar Legal Services Program (OSB LSP) updated the process by which the OSB LSP evaluates the Oregon legal services providers that receive annual OSB LSP grants.

The updated accountability process is designed to provide the OSB LSP with the information about the work of providers it needs in order to carry out its duties to the OSB Board of Governors as outlined in the *Oregon Legal Services Program Standards and Guidelines*.¹

The process focuses on the effectiveness of the providers in meeting the needs of individual clients and the larger client community, and in developing and using resources. The goals of the review are to ensure compliance with OSB LSP *Standards and Guidelines*; ensure accountability to clients, the public and funders; and to assist with each provider's self-assessment and improvement.

The process has three components:

1. **An annual Self Assessment Report (SAR)** submitted by providers, including a narrative portion and a statistical/financial portion;
2. **A periodic Accountability Report** to the OSB Board of Governors and other stakeholders, summarizing the information from the providers' Self Assessment Reports and other information, including ongoing contacts with providers by OSB LSP staff and annual program financial audits; and
3. **Ongoing Evaluation Activities by the OSB LSP**, including peer reviews, desk reviews, ongoing contacts and other evaluation activities consistent with the OSB LSP *Standards and Guidelines*.

This is the first Accountability Report prepared by the OSB LSP from the information provided by Oregon legal services providers using the Self Assessment Report instrument covering the services and accomplishments produced in calendar year 2010.

¹Please refer to *Oregon Legal Services Program Standards and Guidelines*, Revised August 19, 2005, section II.B, "Duties to the OSB Board of Governors."

**IT IS THE MISSION OF THE OREGON STATE BAR
LEGAL SERVICES PROGRAM...**

...To use the filing fee revenue to fund an integrated, statewide system of legal services centered on the needs of the client community as identified in the Mission Statement of the OSB Civil Legal Services Task Force Final Report, May 1996; and

To use its oversight authority to work with Providers to insure that the delivery of services is efficient and effective in providing a full spectrum of high quality legal services to low-income Oregonians.

To work to eliminate barriers to the efficient and effective delivery of legal services caused by maintaining legal and physical separation between providers of general legal services to low-income Oregonians in the same geographical area, while maintaining Providers' ability to offer the broadest range of legal services required to serve the needs of clients.

**Oregon Legal Services Program Standards and Guidelines,
Revised August 19, 2005, section I, "Mission Statement."**

Available at: http://www.osbar.org/_docs/rulesregs/LegServProgStandGuide.pdf

Introduction

The rich history of legal aid in Oregon started in 1936 during the Depression. It continued when a large number of Oregon lawyers, who had traveled to the South to help with voter registration in the 60's, returned home and provided leadership to build a statewide structure for legal aid. Leaders from the Oregon Supreme Court, the Legislature, law schools and private law firms formed several OSB task forces to establish the goals that guide legal aid in Oregon.

Oregon Law Center
OLC Self-Assessment Report for 2010, page 11

As part of its mission the Oregon State Bar has a long and strong connection to establishing and guiding legal aid in Oregon. “The mission of the OSB is to serve justice by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice.” Recognizing the longstanding and ongoing relationship with legal aid, the Oregon Legislature (ORS 9.572) directed the OSB to establish a Legal Services Program, hire a director, adopt written standards and guidelines, and provide oversight to use state revenue to provide ongoing funding for legal aid programs providing access to justice for low-income people across Oregon.

In 1998 when the Board of Governors of the OSB approved the *Legal Services Program Standards and Guidelines*, Oregon became one of the first states in the nation to form an integrated statewide network of legal aid providers. That document laid out the mission, values and core capacities that today guide the efforts of more than 200 full-time legal aid lawyers, paralegals and administrators who comprise the Oregon State Bar Legal Services Program. Thousands of private lawyers contribute their pro bono services on an annual basis to provide access to justice for low-income Oregonians living throughout the state.

In 2010, OSB-funded legal services programs provided legal advice and representation in 18,460 legal matters. Many times that number of people benefitted from the work of legal aid advocates, serving as leaders and members of community-wide task forces tackling issues such as domestic violence and homelessness alongside partners in the bar, bench, human services network, and local and state government agencies; and as zealous litigators who in 2010 set important precedents and addressed systemic problems that benefitted the low-income community as a whole.

Moreover, this work benefited every Oregonian regardless of income level by reducing the economic and social costs that community-wide problems such as domestic violence and homelessness inflict on everyone. Legal services advocates filled a crucial niche in Oregon’s civil justice system by providing information, advice and representation to those who otherwise would have to navigate the system on their own, thereby making the courts more accessible, fair, efficient and effective for everyone.

This report provides the highlights of these achievements and results in 2010. It is based on the information and data supplied by the legal aid providers in the first round of Self Assessment Reports that the providers submitted in early 2011 through an updated system of accountability set in place by the OSB Legal Services Program in 2010-2011.

The first sections of this report provide an overview of the OSB Legal Services Program and describe the outcomes that were produced by OSB-funded programs in 2010. The final five sections provide highlights of programs’ efforts in 2010 to ensure that services and activities funded by OSB are aligned with the mission, values and core capacities outlined in the OSB LSP *Standards and Guidelines*.

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Overview of the OSB Legal Services Program

The integrated, statewide system of civil legal aid organizations funded by the OSB Legal Services Program enabled low-income Oregonians to address critical legal issues directly affecting their families, homes, income, jobs and access to vital services such as education and health care.

As the map on the facing page indicates, the network consists of five non-profit organizations that work together on a statewide basis to provide access to a full range of civil legal assistance for residents of every county in Oregon.

- **Legal Aid Services of Oregon (LASO)** is a statewide program that receives federal funding from the Legal Services Corporation (LSC), in addition to the OSB LSP, to provide general civil legal assistance to low-income residents of every Oregon county.
- **Oregon Law Center (OLC)** coordinates closely with other Oregon legal services providers to ensure that residents throughout the state have access to a full range of civil legal assistance. This includes legislative/administrative advocacy, class actions, and matters related to serving undocumented clients.
- **Lane County Legal Aid and Advocacy Center (LCLAC)** provides general legal assistance in Lane County. It takes referrals from the LASO office in Lane County to provide LSC-restricted services, and also operates the Senior Law Service, offering a broader range of assistance to persons age 60 and over, including help with wills, advance directives, guardianships, nursing home cases, and Medicaid issues.
- **Center for NonProfit Legal Services (CNPLS)** provides general legal assistance in Jackson County. As a non-LSC recipient, it is free of federal restrictions and is thus able to provide a full range of services in Jackson County, in close coordination with LASO and OLC.
- **Columbia County Legal Aid** is a nonprofit organization that provides pro bono assistance, information and referrals on civil matters to low-income clients who live in Columbia County.¹

The Oregon State Bar Legal Services Program

A network of non-profit organizations that...

- Provides free civil (not criminal) legal assistance to low-income people.
- Is comprised of five legal aid organizations with offices in 19 communities that collaborate closely with each other to provide access to a full range of legal services to residents of every county in the state.
- Employs 106 full-time Lawyers, 25 Paralegals, and 71 Others, including administrators, non-legal professionals, and support personnel.
- In 2010 completed 18,460 legal cases to members of low-income households with direct benefits such as protection from domestic violence, prevention of evictions and foreclosures, and access to public benefits for which they were eligible.
- According to the Oregon Legal Needs Study completed in 2000, more than 80% of low to moderate income Oregonians in need of legal assistance are going unserved each year. A recent survey completed by Legal Aid Services of Oregon shows that this unmet need has only increased in the last five years.

¹ In 2011 the Oregon Law Center accepted the assignment of authority and responsibility to operate and maintain an office in St. Helens Oregon to serve low-income residents of Columbia County. The Columbia County Office became fully integrated into OLC's operating system.

OSB Legal Services Program 2010

Colored dots indicate office locations

Center for Nonprofit Legal Services

- Medford

Columbia County Legal Aid*

- St. Helens

Lane County Legal Aid and Advocacy Center

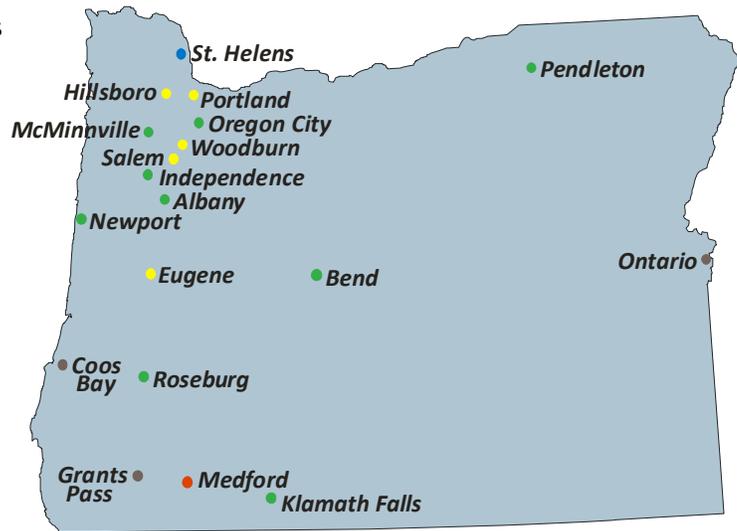
- Eugene

Oregon Law Center

- Coos Bay
- Grants Pass
- Hillsboro
- Ontario
- Portland
- Salem
- Woodburn

Legal Aid Services of Oregon

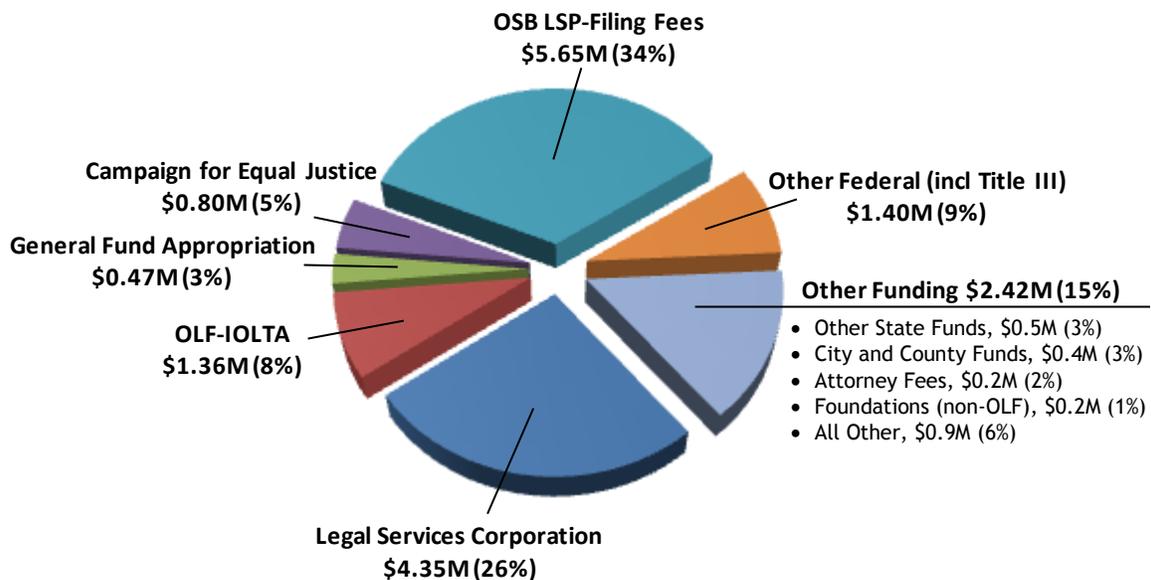
- Albany
- Bend
- Eugene
- Hillsboro
- Independence
- Klamath Falls
- McMinnville
- Newport
- Oregon City
- Pendleton
- Portland
- Roseburg
- Salem
- Woodburn



● Indicates instances where two programs operate offices located adjacent to each other.

*Beginning January 1, 2011, Oregon Law Center is operating a St. Helens office under an agreement with Columbia County Legal Aid.

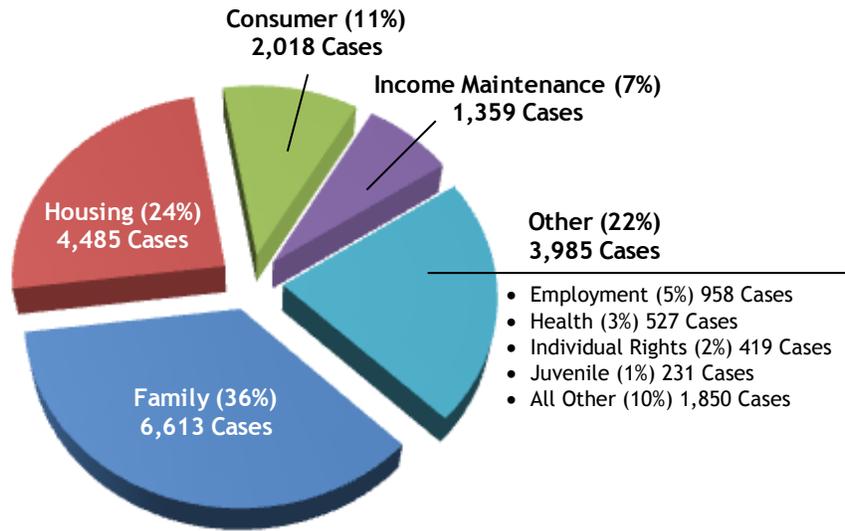
Total Funding Received by OSB Legal Services Programs, 2010



Direct Legal Assistance: *Direct legal assistance is the core service of OSB-funded legal services programs.*

Oregon legal services programs provide free legal help to people who live at or near the poverty level. They perform intake and provide advice and brief legal assistance with the help of sophisticated phone systems and database technology. Clients needing more in-depth assistance are referred to legal aid attorneys and paralegals working out of program offices located in communities throughout the state, or to private attorneys who serve these clients on a pro bono basis. The pie chart below reflecting number of cases closed does not capture time spent and people impacted by staff providing other direct services such as community legal education, pro se help and website information.

18,460 Cases Closed in 2010



The following is a representative sampling of actual cases handled in 2010 by OSB Legal Services Program advocates.

Family Law 6,613 Cases

- Domestic Abuse
- Adoption
- Custody/Visitation
- Dissolution of Marriage
- Guardianship/Conservatorship
- Name Change
- Parental Rights Termination
- Paternity
- Support

Virtually all Family Law cases involve domestic violence.

“Rachel” was married with seven children. Her husband controlled every aspect of her life through intimidation and abuse, including threatening her with a loaded weapon, choking, and beatings. When she was finally able to leave, Rachel obtained a restraining order and sought assistance from Legal Aid Services of Oregon in representing her at the contested hearing. The restraining order was upheld and Rachel’s husband is currently in jail, facing a variety of charges related to abuse of their children. Rachel recently reported that her life has significantly improved and that her children are in counseling. (*Legal Aid Services of Oregon*)

**Housing Law
4,485 Cases**

- Federally Subsidized Housing Rights
- Homeownership/Real Property
- Landlord/Tenant (Other than Public Housing)
- Public Housing
- Housing Discrimination

“Marcie” was a single working mother living with her two young children in a small apartment that had been converted from a stand-alone garage. Late on a Friday afternoon, a city building inspector showed up unannounced asking to inspect the premises. Marcie told the inspector she wanted to invite the landlord to join them for the inspection because he owned the place. Instead of calling the landlord, the inspector immediately posted the apartment as unlawful to occupy, forcing Marcie and her children out of their home with no notice. With legal help from Oregon Law Center, she was permitted to return home. The City agreed to change the way it does inspections. **(Oregon Law Center)**

**Consumer Law
2,018 Cases**

- Bankruptcy/Debtor Relief
- Collection
- Contracts/Warranties
- Loans/Installment Purchase
- Public Utilities
- Unfair Sales Practice

“Roger,” a senior citizen with limited mobility, lives alone on a limited income without contact or support of family and friends. A door-to-door salesman persuaded him to buy a new scooter, taking several hundred dollars in cash as a down payment and taking a promissory note for the balance of the \$4,000 purchase price. Upon delivery of the scooter, Roger discovered he could not use it in the manner the salesman promised. After many efforts to cancel the order, Roger was informed he was outside the three-day cancellation period and therefore obligated to keep the scooter and continue to make the monthly payments. Roger contacted Center for NonProfit Legal Services, whose research revealed several deficiencies in the company’s handling of the case, and whose negotiations with the company resulted in Roger’s getting a refund of all the money he had paid and cancellation of the promissory note. **(Center for NonProfit Legal Services)**

**Income Maintenance
Law 1,359 Cases**

- Welfare
- Food Stamps
- Social Security
- SSI
- Unemployment Compensation
- Veterans Benefits

Lane County Legal Aid and Advocacy Center represented “Rebecca,” a mother of two young children, whose \$3,600 state tax refund was garnished by a judgment creditor. The judgment was for a large debt incurred by an abusive ex-husband who stole her credit card. She had planned to use the tax refund for medical expenses of one of her children who has a serious health condition requiring several surgeries at the children’s hospital in Portland. Negotiations by her LCLAC lawyer persuaded the creditor to return Rebecca’s entire refund. **(Lane County Legal Aid and Advocacy Center)**

Scope of Services: OSB legal services programs provide low-income Oregonians with access to a full range of legal services.

Providing low-income Oregonians with access to the types and levels of legal assistance they need in order to receive fair treatment within our complex legal system is a core value expressed in the OSB LSP *Standards and Guidelines*.

For a simple matter, fairness might mean being able to consult a lawyer for advice in how to proceed. For more complex legal situations, it might require extended representation in court or administrative proceedings.

A high proportion of cases are resolved without litigation. As the chart below indicates, 67 percent of the problems handled in 2010 were by advising the client about steps he or she could take, or by providing non-litigation services such as drafting a letter or making phone calls on the client's behalf.

Pro bono efforts of the private bar leverage the investment of dollars in OSB-funded programs. Private lawyers affiliated with OSB-funded legal aid programs completed 2,725 cases on a pro bono basis in 2010. This represents nearly 15 percent of the total cases completed for low-income Oregonians in 2010 by OSB legal services programs.

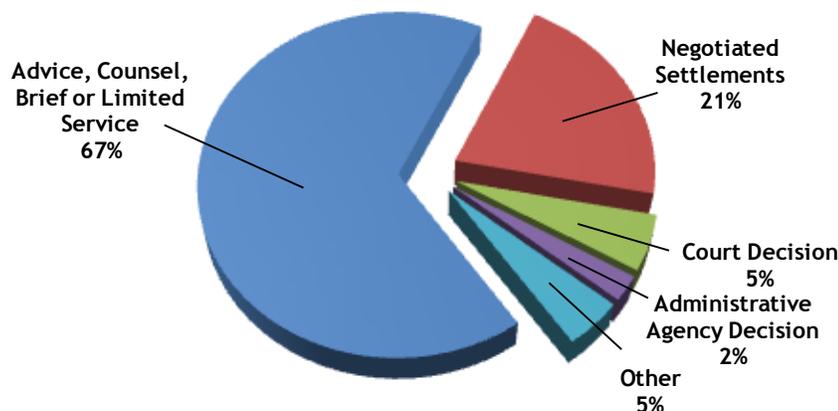
A Full Range of Services

Intake and consultation—Low-income people faced with a legal problem can apply for legal assistance by telephone or at a legal aid office. Depending on availability of resources and the nature of their legal situation, they will be provided with one or more of the following services:

- **Brief representation:** Legal advice or other brief services (for example, drafting a letter) provided by an attorney or paralegal.
- **Pro se assistance:** Information or coaching for people willing and able to proceed on their own in court with a simple matter.
- **Referral to other sources of help:** Assistance in finding a pro bono attorney or other source of aid.
- **Extended representation:** Full legal representation by attorneys and paralegals in court or administrative proceedings, leading to a formal decision and/or negotiated settlement.

Community legal education—Legal services attorneys and paralegals make presentations and distribute written materials describing legal rights and responsibilities across a wide array of areas, such as domestic violence, eviction, foreclosure and public benefits.

Systemic advocacy—Legal services advocates seek to make courts and administrative agencies work more effectively and efficiently, while offering a level playing field for low-income people through activities ranging from serving on agency task forces to conducting complex litigation.



Empowerment: In 2010, legal services advocates helped thousands of people to help themselves.

In addition to providing direct legal assistance legal aid advocates helped thousands of additional people understand and act upon their legal rights and responsibilities as tenants, parents, employees, spouses and consumers.

Examples of their achievements in 2010 include the following.

Pro Se (Self Help) Assistance

- An experienced *Oregon Law Center* family law attorney serves on the State Family Law Advisory Committee of the Chief Justice of the Oregon Supreme Court, which has recommended consumer-friendly, electronically interactive forms standardized across the state; education programs for judges and staff to address self-representation; judicial support to encourage pro bono work; reduced fee and unbundled legal services; and case management strategies to help self-represented litigants.
- Oregon legal services advocates helped thousands of low-income people to prepare for self representation in simple legal matters. For example, *Legal Aid Services of Oregon* helped 900 people to represent themselves in divorce, eviction and small claims. LASO's Bend office taught monthly classes to assist petitioners in handling their cases pro se, as well as screening and referring individuals to either pro se classes or to staff or pro bono attorneys for full representation. Clients with domestic violence issues were referred to the local domestic violence program for assistance.

Community Legal Education

- The *OregonLawHelp.org* website operated by OSB LSP members received 447,308 page visits in 2010.
- Forty thousand people received brochures or attended presentations at community centers, schools, shelters and legal services offices.
- *Lane County Legal Aid and Advocacy Center* provided sessions at local senior centers and nursing homes on governmental benefit programs and laws that affect senior citizens.
- *Center for NonProfit Legal Services* taught housing rights and responsibilities to homeless residents in Medford to help them qualify for second chance programs at Disability Advocacy for Social & Independent Living (DASIL).

Legal Services Other Than Direct Legal Representation

- **Pro se (self help) assistance.** With a struggling economy, many Oregonians are joining a growing flood of litigants in Oregon courts seeking to navigate complex legal proceedings on their own. In family law matters, for example, over 65 percent of the cases filed in Oregon courts involve pro se (self represented) litigants. Legal aid programs work with the courts to deal with this issue and assist thousands of pro se litigants each year to navigate the court system more effectively.
- **Community legal education.** Many legal situations can be prevented and/or resolved more easily when people have access to timely, accurate information about their legal rights and responsibilities. The OSB Legal Services Program members collaborate to make this information increasingly more accessible.
- **Statewide and organization-specific websites.** Studies show an increasing percentage of low-income households - as well as staff of human services agencies, shelters, and faith organizations who work in the low-income community - rely on the Internet for access to information they need. OSB-funded legal services programs operate statewide and individual program websites providing 24/7 access to their community legal information, pro se materials and legal services. These include:
 - **All OSB LSP programs:** OregonLawHelp.org
 - **Center for NonProfit Legal Services:** CNPLS.org
 - **Lane County Legal Aid and Advocacy Center:** LCLAC.org
 - **Legal Aid Services of Oregon:** lasoregon.org
 - **Oregon Law Center:** oregonlawcenter.org

Partnerships

In 2010, Oregon legal services programs collaborated with a wide array of organizations to solve community-wide problems all across Oregon.

- **Dealing with the flood of self represented litigants in Oregon courts.** *Oregon Law Center* has worked with the Legislature and with administrative and judicial bodies to create structures that permit self-represented individuals to seek an administrative hearing after denial or termination of government benefits, to seek restraining orders in domestic violence cases, to have a court require a landlord to return property and to allow tenants to file self-help answers in evictions. OLC has supported funding for family court facilitators who can guide self-represented individuals.
- **Helping low-income people avoid legal problems.** *Lane County Legal Aid and Advocacy Center* is a partner in the LifeLine project along with Lane County Housing and Community Services Agency, ShelterCare, and O.U.R. Federal Credit Union for low-income people. LifeLine was developed to teach people how to set priorities and make decisions that can help them avoid legal problems in the future. Clients using this program have avoided non-payment evictions and other difficulties by making wise financial decisions.
- **Increasing and leveraging pro bono private attorney resources.** Like all OSB LSP members, *Legal Aid Services of Oregon* operates pro bono projects in collaboration with local bar associations, judges and business leaders. For example, corporate counsel from Intel Corporation participated in a pro bono clinic in the LASO Hillsboro Regional office, and continued to do so as this office transitioned into being a branch of the *Oregon Law Center*. The LASO Marion-Polk office utilizes retired attorneys through their ELVIS program to provide legal representation to seniors. LASO offices also place cases through a statewide e-mail listserv that allows pro bono attorneys to take the case of their choice at the time of their choice. Pro bono attorneys and judges partner with LASO to recruit and train volunteers, create training materials, write community education materials, mentor and provide legal training to staff, and teach community education classes to clients.
- **Addressing the community-wide problem of homelessness.** *Center for NonProfit Legal Services* worked with business owners and private and public agencies in Jackson County for nearly a year to develop the *10 Year Plan to End Homelessness*. Action plans are now being implemented by the community with the focus of preventing homelessness for teens, veterans and families facing foreclosures. Among many efforts launched as part of this project, CNPLS recruited judges and volunteer lawyers to hold court at a day-long event at the Project Homeless Connect location at the Medford Armory to discharge old fines in exchange for community services completed by attendees.

Major Partners of the OSB Legal Services Program

- The Oregon State Bar
- The Oregon Law Foundation
- County bar associations
- Community-based organizations - for example:
 - Shelters
 - Community foundations
 - Housing coalitions
- Members of the judiciary
- State and local government agencies
- Legislators
- United Way and other funders

Accountability: Providers aligned their services in 2010 with the OSB LSP Standards and Guidelines.

The Oregon State Bar Legal Services Program is charged with distributing dedicated filing fee revenues to the network of programs that deliver these legal services, and providing ongoing oversight and evaluation of providers based on a set of *Standards and Guidelines*.

In the 2010-11 update of the oversight and evaluation approach, OSB LSP staff collaborated with legal services providers to produce and implement a Self Assessment Report instrument that annually elicits information from the providers regarding the alignment of their services, systems and activities with five “Performance Areas” based on the Mission, Values and Core Capacities set forth in the OSB Civil Legal Services Task Force Final Report.

The following examples from the providers’ 2010 reports provide highlights of their responses that illustrate their alignment with in each of the five Performance Areas.

Performance Area One:

Achieving an Integrated, Statewide System of Legal Services

Between 2000 and 2007, two rounds of on-site, peer review assessments of each legal services provider by the OSB Legal Services Program affirmed that the programs were on track with the vision, summarized as Performance Area One (see the box at right), of an integrated statewide system for providing legal aid to low-income Oregonians. An important milestone was achieved in 2007 when the providers, with input from OSB LSP staff, joined to complete a statewide strategic plan as a road map for their collaborative efforts going forward.

In 2010, the providers reported several important steps that addressed Performance Area One:

- *Legal Aid Services of Oregon and Oregon Law Center* prepared for the transfer of the Hillsboro Regional Office from LASO to OLC, thereby achieving several goals of the integrated statewide system, including providing a broader range of services to the surrounding five-county region; increasing efficiency; and responding to changing client demographics and client needs identified through the periodic legal needs assessment process.
- *Columbia County Legal Aid* assigned the authority and responsibility to operate and maintain an office in St. Helens Oregon to serve low-income residents of Columbia County to the Oregon Law Center. This happened after numerous meetings with county leaders and staff of both organizations. Leaders anticipate that services in Columbia County will be more fully integrated with the statewide service delivery system, resulting in access for county residents to advocacy resources, including staff attorneys, and greater support from other legal aid offices across the state.
- Led by *Lane County Legal Aid and Advocacy Center*, statewide legal services advocates culminated five years’ of effort with the appointment of the first-ever client ombudsman for the Oregon Health Plan and other publicly subsidized health coverage programs. Persisting through three legislative attempts, the Lane County-anchored coalition finally secured permanent funding for an office that will provide critical protections for thousands of low-income Oregonians whose public health care coverage is subject to management by private for-profit health plans.

Performance Area One

“It is the goal of the OSB LSP that all Providers shall be an integral part of an integrated delivery system for civil legal services which incorporates the Mission, Values and Core Capacities set forth in the OSB Civil Legal Services Task Force Final Report, May 1996...”

Mission statement of the OSB Legal Services Program (Emphasis added)

Equal Justice Values Related to This Theme:

- *Ensure equality of access*
- *Strategic targeting of limited resources*
- *Balancing individual representation and advocacy enforcing broader rights of low-income communities*
- *Commitment to interdisciplinary advocacy*
- *Commitment to multi-forum advocacy*
- *Strategic utilization of all components in service of mission*
- *Maximize efficiency*
- *Minimize geographic and institutional parochialism*

Performance Area Two:

Identifying and Addressing the Priority Needs of the Client Community

Performance Area Two gauges the success of providers at targeting their services on the most compelling needs of the client community. They do this by periodically conducting needs assessments in the communities they serve and setting program priorities to address the needs thus identified. The maintenance of local offices with staff who are members of the local communities is also a very important mechanism for ensuring that offices remain knowledgeable and responsive to the needs of the client community, particularly in the more rural parts of Oregon.

In their 2010 Self Assessment Reports, providers reported taking the following actions in response to the needs identified through these studies:

- The *Center for NonProfit Legal Services* published a 10 Year Plan to End Homelessness in 2009, created the Protecting our Veteran Project to reduce homelessness by reducing legal barriers, and developed outreach and community education to immigrant youth and their families.
- The *Multnomah County Office* of LASO developed a multi-step plan to address several issues identified in its priority setting processes. In collaboration with the *Oregon Law Center*, the office will explore the feasibility of developing an employment law pro bono clinic as a referral source for wage collection, unemployment insurance, and employment discrimination cases. The office will also develop an outreach plan so that it can better serve minority populations in its service area. In addition, the office will seek grant funding for attorneys to handle more consumer law and foreclosure defense cases.
- The *Portland Office* of OLC has taken specific steps to increase culturally competent outreach to minority communities and build relationships with additional community partners serving the diverse client communities. The same office has focused more resources on unemployment insurance and employment issues in response to changing client needs as Oregon's unemployment rate remained at over 10 percent, well above the national average. OLC's work has refocused from fighting predatory lending practices to defending foreclosures and encouraging lenders to renegotiate mortgages in compliance with federal and state requirements, as Oregon remains one of the states most severely impacted by foreclosure.

Performance Area Two

"It is the mission of the Oregon State Bar Legal Services Program... to fund an integrated, statewide system of legal services centered on the needs of the client community as identified in the Mission Statement of the OSB Civil Legal Services Task Force Final Report, May 1996..."

(Emphasis added)

Equal Justice Values Related to This Theme:

- Responsive to the most pressing client needs
- Flexible and responsive to changing environmental circumstances
- Strategic targeting of limited resources
- Focus on client empowerment

Performance Area Three:
Achieving Efficiency and Effective Delivery of Services

Efficiency and effectiveness assumed center stage in 2010 as a poor economy drove demand for legal assistance through the roof while creating stiff competition from other non-profits for scarce resources from foundations and other charitable funders. Striving to improve efficiency, Oregon legal services providers reported the following significant efforts in their 2010 Self Assessment Reports:

- *Lane County Legal Aid and Advocacy Center* tracked its own efficiency through surveys, statistics on case closures, and numbers of applicants. It sought to improve efficiency through involvement with other agencies, volunteerism, and training.
- *Columbia County Legal Aid* researched existing self-help clinics in Minnesota and New York as models that potentially could be adopted in Oregon to increase efficiency and effectiveness in service delivery. OLC actively engaged volunteers, freeing hired staff to do more technical work. It increased collaboration among community organizations to strengthen relationships and work toward clear, established outcomes.
- *Center for NonProfit Legal Services* reported it organizes its efforts into six specialized units and two discrete projects to focus expertise and delivery of efficient and effective legal services to targeted populations.

Performance Area Three

“It is the mission of the Oregon State Bar Legal Services Program...[to] use its oversight authority to work with Providers to insure that the delivery of legal services is efficient and effective in providing a full spectrum of high quality legal services to low-income Oregonians.”

(Emphasis added)

Equal Justice Values Related to This Theme:

- Measure effectiveness in terms of results achieved for clients
- Strategic targeting of limited resources
- Strategic utilization of all components in service of mission
- Maximize efficiency
- Assure accountability

Performance Area Four:

Achieving a Full Spectrum of Legal Services

Performance Area Four reflects the principle expressed in the OSB LSP *Standards and Guidelines* that providing a wide range of legal services for the poor promotes fairness as well as efficiency. Enforcing broader rights of low-income communities is a function of legal services advocates, as well as providing individuals with representation in day-to-day matters. Providing community legal education and helping people represent themselves are also important functions.

The following examples were reported by providers in their 2010 Self Assessment Reports to illustrate their alignment with this theme in the *Standards and Guidelines*:

- **Information, brief legal services, self-help assistance and individual legal representation.** Pages 4 through 7 of this report provide examples that illustrate how OSB-funded programs delivered a “full spectrum of legal services” to individuals throughout the state in 2010.
- **Direct legal service provided by a pro bono attorney.** A *Columbia County Legal Aid* pro bono attorney assisted a client leaving a long-term abusive marriage. The client had seven children, including five who were still minors. With assistance from the pro bono attorney the client filed for dissolution, obtained a temporary support order and appeared pro se in all court hearings. She now has full custody and a supervised parenting plan for the other party.
- **Complex litigation addressing the mortgage foreclosure crisis facing large numbers of Oregon families.** A California mortgage broker tricked the “Roberts” family into a refinancing that cost them about \$40,000 in up-front fees and left them with new loan payments that they could not pay with their income. This drove them into foreclosure very quickly. By the time they got to the local legal aid office to ask for help, the broker was defunct, the original lender had become a failed subprime giant, and the loan was held by an international financial conglomerate. *Oregon Law Center* sued all three in federal court alleging breach of contract against the lender for improperly underwriting the loans, and vicarious liability on the part of the lender for the broker’s fraud on grounds that it was aiding and abetting, that the broker had apparent agency and that the banks ratified another’s fraud. The federal judge ruled in favor of OLC’s client on a summary judgment motion. This is the first time that an Oregon judge has recognized any of these theories in a mortgage context and may be the first nationwide to recognize a contract claim for bad underwriting. This ruling is important for low-income clients who are facing foreclosure after experiencing fraud because mortgages are often sold, and the bank foreclosing on the mortgage may not be the broker or bank that engaged in fraud when the mortgage was created.

Performance Area Four

“It is the mission of the Oregon State Bar Legal Services Program... to work with Providers to insure that the delivery of legal services is efficient and effective in providing a full spectrum of high quality legal services to low-income Oregonians.”

(Emphasis added)

Equal Justice Values Related to This Theme:

- Balancing individual representation and advocacy enforcing broader rights of low income communities
- Commitment to interdisciplinary advocacy
- Commitment to multi-forum advocacy
- Focus on client empowerment
- Strategic utilization of all components in service of mission

Performance Area Five:
Achieving High Quality of Legal Services

Delivering high quality legal services has been a fundamental requirement of the Oregon State Bar Legal Services Program since its inception. Indeed, the *Oregon Legal Services Program Standards and Guidelines* incorporate by reference such national standards as the *ABA Standards for Providers for Civil Legal Services for the Poor* and the *Performance Criteria* of the federal Legal Services Corporation.

The 2010 Self Assessment Reports submitted by OSB-funded legal services programs provide detailed descriptions of the systems and procedures for quality assurance that were applied in various forms by every OSB-funded legal services organization. These include:

- Aggressive recruitment of highly qualified young graduates of law schools in Oregon and around the country for openings in legal aid.
- Training, mentoring and oversight of newly hired lawyers by senior legal aid attorneys.
- Highly experienced and dedicated staff who have become recognized both locally and statewide as the experts in the areas of law for which they specialize.
- Student loan repayment programs and other incentives that promote retention of the most promising young lawyers beyond the training period and professional growth into experienced and effective legal aid lawyers.
- Systematic procedures for ensuring that all legal work is evaluated on an ongoing basis.
- Provisions for backup and technical support for paralegals, volunteers, law students and other non-attorneys involved in legal service delivery.
- Computerized systems for case statistical reporting, conflict checking and case management that are standardized on a statewide basis across all OSB-funded programs.
- Litigation support, substantive law task forces, and statewide-coordinated advocacy by the State Support Unit of the Oregon Law Center.

The following are examples of specific quality assurance activities reported in the 2010 Self Assessment Reports.

- *Legal Aid Services of Oregon* staff attorneys from several offices attended the New Lawyer Training that is provided for all recently hired staff attorneys in Oregon’s legal services programs by the State Support Unit of *Oregon Law Center*. In the most recent edition of the training, subject matter included basic orientation to the programs and mission, overview of all of the major substantive poverty law issues, basic advocacy and negotiation skills focused on the needs of low-income communities, and team building. A major goal of the training is to build an understanding that all attorneys and offices are part of a coordinated statewide network of offices working together to make services available to all low-income Oregonians.
- *Center for NonProfit Legal Services* instigated community participation in its weekly Case Review meetings on Thursdays at noon. CNPLS board members invited members of the community, such as elected officials, judges, lawyers, donors, local foundation staff and board members, to sit in. This allowed community members to fully understand the professionalism and compassion CNPLS staff apply in working through the applications for assistance and the review of ongoing cases on a weekly basis.

Performance Area Five

“‘High quality legal representation’ of low income persons in this state should be defined and driven by the Lawyer’s Code of Professional Responsibility, the ABA SCLAIID Standards and by the LSC Performance Criteria.”

Mission statement of the OSB Legal Services Program (Emphasis added)

Equal Justice Values Related to This Theme:

- Maintain standards of advocacy and program performance
- Assure accountability

Conclusion: *Striving for excellence is a key tenet of the OSB LSP Standards and Guidelines.*

The OSB Legal Services Program implemented a new reporting system in 2010-11 for use by legal services providers. This “Achievements and Results” report has highlighted some of the key outcomes communicated by providers in their submissions for 2010 using the new system. It has given many examples illustrating how legal services providers continue to align their services, systems and activities with the vision set forth in the OSB LSP *Standards and Guidelines*.

The vision includes the quest for constant improvement. With a struggling state economy that has swelled the numbers of people seeking legal assistance while shrinking the resources available to serve them, efficiency and effectiveness are critical values that figure prominently in every report submitted by Oregon legal services programs. Setting priorities and targeting resources to maximize their impact on the legal problems of low-income Oregonians continue to be both a challenge and an opportunity.

The support of the Oregon State Bar is crucial. As one of the providers summarized in its 2010 report:

Legal aid’s ability to provide efficient and effective services is dependent upon the ability of OSB, and its members, to educate current and future generations of lawyers about the importance of this work – to make them excited about supporting it... OSB should promote a culture that supports legal aid, where members believe that volunteering for pro bono work, making contributions to Campaign for Equal Justice and standing up to defend legal aid when appropriate, are badges of honor that come with being a lawyer.