

INTRODUCTION
State Justice Communities Planning Initiative Evaluation Instrument
Sixth Draft August 9, 2002

Since 1998 the Legal Services Corporation (LSC) has required its grantees to engage in client-centered, statewide strategic planning. The State Justice Communities Planning Initiative Evaluation Instrument is designed for use by LSC staff in assessing the quality of a state's planning process, the implementation of its plan, and the outcomes of the planning process. LSC's requirements and expectations for state-level legal services planning efforts are set forth in Program Letters 98-1, 98-6, 00-7, and 02-3.

LSC is circulating this draft questionnaire within the legal services community for comment. It is the result of a five month development process conducted for LSC by Greacen Associates, LLC, a consulting company with significant experience in performance measurement in the public sector. LSC and the consultants have been assisted by a Design Team of fourteen persons from legal services programs, organizations representing legal services, the courts, legal services clients, and the public:

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LSC is indebted to the members of the Design Team for the time and effort devoted to this project and to

their insights and suggestions for the Evaluation Instrument.

The instrument, with changes made as a result of the comment process, will be field tested in two states in the fall of 2002. The final product, with changes resulting from the field test, will be delivered to LSC by the end of the year. LSC's tentative plan for implementing the instrument calls for its use by LSC staff members or outside consultants in eighteen states or territories (one third of the total) each year. LSC realizes that states chosen for evaluation in 2003 will face special challenges arising out of the application of data from the 2000 census in planning and resource allocation decision making.

This evaluation instrument has been developed to gather information on the planning process for use by grantees and LSC to improve the process itself. LSC will provide copies of the final instrument to all of its grantees well before any evaluations based upon it are conducted. This will give all grantees an opportunity to revise or enhance their planning efforts before the evaluation takes place.

The purpose of the State Justice Communities Planning Initiative is to insure the highest quality and maximum level of services for potentially eligible poor persons in need of services in each state, with the ultimate goal of fully meeting all of those needs.

Except where specifically stated otherwise, the reach of this evaluation instrument and the data it calls for extends only to legal services programs receiving LSC funds, to the provision of legal services for which LSC funds may be used, and to persons eligible for services funded by LSC grants. In particular, questions concerning the development of non-LSC funding sources apply only to such efforts to obtain additional resources for clients and legal services for which LSC funds may be used.

The Evaluation Instrument addresses base level requirements. Legal services providers should not confine their planning efforts to the scope of effort measured by the instrument. This evaluation is limited for the most part (1) to LSC-funded legal services programs, (2) to poor persons eligible for services funded by LSC grants and (3) to civil legal services permitted with LSC funding. A few states have decided to address the needs of the “gap” population – those persons not poor enough to be eligible for free legal services and not wealthy enough to afford counsel. Many states include non-LSC-funded civil legal services programs in their planning efforts. And many state planning efforts address the full range of legal needs of all poor persons, whether or not they are eligible for LSC funded services. State planning efforts of broader scope are laudable and should not be criticized by LSC staff members using this instrument to conduct evaluations of state planning efforts.

Parts of the Evaluation Process

This instrument contains three sections. Section 1 sets forth the assessment of a state’s planning process

and the state plan produced by the process. It addresses how the state organizes itself for planning, what information it draws upon in planning, and what topics are addressed in the plan. For the most part, scores for topics included in Section 1 are based on the professional judgment of evaluators, supplemented by objective performance measure data on those topics for which such measures are established in Section 3.

Section 2 assesses the state’s implementation of its strategic plans. Has the state attempted to do what its plan has called for and with what degree of success? This section of the evaluation is based upon the specific objectives contained in each state’s plans.

Section 3 contains eight performance measures of aspects of statewide legal services delivery that statewide planning is intended to improve. Measures are included for some but not all topics, in order to focus on those topics of greatest importance and to limit the burden of data gathering on legal services providers. Each measure is defined in considerable detail to provide maximum guidance for states in collecting the required data. States will not be required to provide data on these measures until they are evaluated in one of the first three annual LSC evaluation cycles. Thereafter, LSC will expect every state to maintain its annual collection and reporting on these measures, whether or not they are the subject of a formal evaluation in a particular year. Trends for these measures will be important for all states’ planning processes and for monitoring progress towards their planning objectives.

This mix of three evaluation components will provide each state with maximum opportunity to demonstrate the strengths of its planning effort. States with sophisticated planning processes and sincere implementation efforts should achieve high scores on all three sections of the evaluation. States with rudimentary plans but significant actual improvements may score poorly on Section 1, but their accomplishments will be reflected in Sections 2 and 3.

Instructions for Evaluators

This instrument incorporates criteria for the evaluator to use in scoring each of the topics included. For most questions in Sections 1 and 2, the instructions direct, but do not determine, the evaluator’s exercise of discretion. If the situation in a state does not correspond directly to any of the scoring options, evaluators should choose the score most representative of the state’s performance, given the values underlying the structure of the scoring options. The evaluator will include comments that explain the rating chosen (including how a rating was derived when extrapolating a score when none of the defined scores apply) and include suggestions for needed improvements.

In general, the scoring system uses a five point scale. A rating of “5” represents optimal performance on that component of the evaluation. A rating of “3” represents adequate performance, with significant areas for improvement. A rating of “1” represents wholly inadequate performance.

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SECTION 1 STATEWIDE PLANNING PROCESS AND COVERAGE OF STATE PLANS

PART 1 MAINTAIN ROBUST STATEWIDE PLANNING STRUCTURE		
1.1 Adequacy of state planning structure		
A state's planning structure reflects the commitment of the state's institutions in the development of comprehensive, client-centered legal services for poor persons throughout the state. The structure will determine whether the planning effort includes appropriate and sufficient input, has sufficient resources, and is sustained over time. It will affect the creativity and viability of the plan's strategic direction and the extent to which that direction is implemented. LSC recognizes that all dimensions of a strong structure may not be realizable simultaneously.		
1.1.1 Client-centeredness Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	planning process focuses on the expressed goals of clients
	4	planning process gives significant weight to the expressed goals of clients
	3	planning process takes expressed goals of clients into account
	2	planning process is dominated by planners' views of the needs of their clients
	1	planning process does not consider expressed goals of clients
1.1.2 Degree of unified planning Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	state level planning addresses full range of legal services delivery
	4	state level planning addresses most legal services delivery issues
	3	planning equally divided between individual program planning and state level planning
	2	planning is predominantly done on individual program level
	1	state level planning merely reflects planning decisions of individual programs
1.1.3 Acceptance within legal services community Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	authority of state level planning fully accepted by programs
	3	authority of state level planning generally accepted by programs
	1	authority of state level planning not accepted by programs

1.1.4 Stature outside legal services community Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	state level planning highly respected by state and federal courts, state legislative and executive branch leadership, and business and community organization leadership
	4	state and federal courts, state legislative and executive branch leadership, and business and community organization leadership are all aware of, and believe in the efficacy of, state level planning
	3	state and federal courts, state legislative and executive branch leadership, and business and community organization leadership are all aware of state level planning
	2	some but not all parts of community leadership are aware of state level planning
	1	state and federal courts, state legislative and executive branch leadership, and business and community organization leadership are not aware of state level planning
1.1.5 Participation in state planning effort Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	all legal services programs in the state participate in the state planning process
	3	mechanisms are in place to ensure that all legal services programs will participate in the state planning process in the future
	1	some legal services programs do not, and will not, participate in the state planning process Evaluator may use ratings of "4" and "2" when appropriate.
1.1.6 Authority to implement Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	state planning body has authority to compel involvement of all programs
	3	state planning body lacks express authority to implement plans but has sufficient stature to ensure implementation by all entities
	1	state planning body lacks authority or stature needed to ensure implementation of its plans
1.1.7 Quality of staff support Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	state planning effort has sufficient and effective staff support
	4	state planning effort has adequate, designated staff support
	3	state planning effort has to rely on donated staff from legal services programs, but the level of support is adequate
	2	state planning effort relies on donated staff and level of support is not adequate

	1	state planning effort has no staff support
1.1.8 Continuity Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	state planning effort has high level of continuity of planning authority membership and staff from planning cycle to planning cycle
	4	state planning effort has high level of continuity of either membership or staff, and reasonable level of continuity of the other
	3	state planning effort has reasonable level of continuity of membership and staff from planning cycle to planning cycle
	2	state planning effort has reasonable level of continuity of membership or staff, but not both
	1	state planning effort lacks continuity
1.1.9 Ability to overcome turf issues Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	solid, broadly based consensus among planning participants to approach planning decisions solely from the standpoint of the best interests of clients, without regard to their impact on any individual entity
	4	most state planning participants approach planning decisions solely from the standpoint of the best interests of clients, without regard to the impact on any individual entity
	3	some state planning participants approach planning decisions solely from the standpoint of the best interests of clients, without regard to the impact on their entity
	2	state planning process is sometimes able to make decisions based on the best interests of clients, without regard to the impact on participating entities
	1	state planning process does not make decisions based on the best interests of clients when they would have an adverse impact on participating entities
1.1.10 Leadership Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	leadership of state planning effort is continuing, conveys a compelling vision of legal services delivery, is effective in achieving consensus, is capable of achieving results, and is highly visible within the state justice community
	4	leadership of state planning has most of the qualities stated for "5"
	3	leadership of state planning effort has enough of the qualities stated for "5" to be effective
	2	leadership of state planning effort has few of the qualities stated for "5"
	1	leadership of state planning effort is wholly inadequate

1.1.11 Formality of state planning organization Rating: Evaluator's Comments:	Rating	Instructions and Definitions
	5	created by order of supreme court or state statute
	4	created by written policy of state bar
	3	created by written agreement of legal services entities boards of directors
	2	created by informal agreement of legal services entities, but consistent from year to year
	1	dependent upon informal agreement, which changes from planning cycle to planning cycle
1.1 Overall Rating: <p style="text-align: center;">5 4 3 2 1</p> Evaluator's Comments:	<p>Evaluator will assign a score based upon his or her overall impression of the adequacy of the state's planning structure, including subsections 1.1.1 through 1.1.11. A "5" reflects a planning structure supported with sufficient resources, reflecting the commitment to state level planning by key state institutions, and sustainable over time. A "3" reflects an adequate structure for developing and implementing statewide justice communities planning. A "1" reflects a wholly inadequate structure. The overall rating is not an average of the scores for the components of an adequate state planning structure. The evaluator may give a high overall score despite the existence of low scores on individual components. LSC recognizes that all dimensions of a strong structure may not be realizable simultaneously. For instance, it may be more important for a state planning effort to have leadership chosen for its ability to achieve consensus and overcome turf issues, rather than on its statewide visibility. It may be more important to increase the inclusiveness of the planning body than to maintain continuity. A state may not choose to have its planning structure derived from the authority of the state supreme court or the state legislature if those bodies historically have not provided consistent support for legal services programs. The evaluator's comments should summarize the most important improvements needed for an effective state planning structure.</p>	
1.2 Inclusiveness of state planning structure Are the following groups or entities represented on the state planning board or authority?		
	yes	no
Advocacy groups representing low income persons Pro bono programs Private attorney volunteers Public sector attorney volunteers, including those in		Instructions and definitions Evaluators should indicate whether each of the listed groups is represented on the state planning board or authority. The goal is not total representation of all the listed groups and entities. That would produce an unwieldy decision-making body. The goal is rather a broadly inclusive board or authority. All legal services providers in the state – whether or not they receive LSC funding – should be represented on the state planning board or authority because of the overlap of clients among legal services programs. Inevitably, all legal services programs serve some clients eligible for LSC-funded legal services. Legal services provider representatives should include both members of governing boards and staff directors.

the military			
Civic groups			
Educational organizations			
Business organizations			
Collaborating service providers			
Human services organizations			
Community organizations			
Civil rights and other advocacy organizations			
Client organizations			
State and federal courts			
State attorney general			
State bar association			
Local bar associations			
Specialty bar associations			
Law school(s)			
Legislature			
Executive branch			
State attorney general			
Administrative law judges			
Law library(ies)			
IOLTA program			
Bar foundation(s)			

Other funders Fundraisers Legal services providers, including programs that do not receive LSC funds			
1.2 Overall Rating: <div style="text-align: center;"> 5 4 3 2 1 </div> Evaluator's Comments:			The evaluator will assign a score based upon his or her overall impression of the inclusiveness of the state's planning structure. A "5" reflects a fully inclusive structure, given the characteristics of the state and the need to limit the body to a workable size. A "3" reflects an adequate structure for developing and implementing statewide justice communities planning. A "1" reflects a wholly inadequate structure. Evaluators may use ratings of "4" and "2" as well. The overall rating is not based on the percentage of listed groups included. Evaluator comments should note areas of particular need.
1.3 Diversity of state planning structure			
Do the following individuals serve on the state planning board or authority?			
Both genders Persons with disabilities Persons of diverse sexual preferences Persons of all ages Persons of all races and ethnicities within the state Persons of all religions Indigenous persons Persons of all nationalities	ext	mod	<div style="text-align: center;"> lim </div> Instructions and Definitions The evaluator should indicate whether persons from the listed groups are represented on the state planning board or authority. This topic differs from 1.2. Section 1.2 measures the organizations or interests represented by the members of the state planning board or authority. Section 1.3 measures the characteristics of the persons sitting around the table, i.e., that they are not all older white males even though they may represent diverse groups and organizations. ext = extensive mod = moderate lim = limited The goal is not total representation of all the listed groups and entities. The result would undoubtedly be an unwieldy decision making body. The goal is rather a broadly diverse board or authority.

<p>Immigrants</p> <p>Persons speaking diverse primary languages, including sign language</p> <p>Persons from all geographic regions within the state</p> <p>Persons from rural and urban communities</p>				
<p>1.3 Overall Rating:</p> <p style="text-align: center;">5 4 3 2 1</p> <p>Evaluator's Comments:</p>				<p>The evaluator will assign a score based upon his or her overall impression of the diversity of the state's planning board. A "5" reflects a broadly representative structure, given the characteristics of the state and the need to limit the body to a workable size. A "3" reflects a structure with sufficient diversity to develop and implement statewide justice communities planning. A "1" reflects wholly inadequate diversity among the members of the state's planning board. Evaluators may use ratings of "4" and "2" as well. The overall rating is not based on the percentage of listed groups included or the extent of involvement of any particular group. Evaluator comments should note areas of particular need.</p>
<p>1.4 Clarity of Vision Is there a vision; is it generally known and accepted; is it client centered?</p>				
		Rating	Instructions and Definitions	
		5	state has a formally adopted vision for providing legal services that is client centered and generally known and accepted within the state justice community	
		4	state has a formally adopted vision for providing legal services that is client centered	
Rating:		3	state has a formally adopted vision for providing legal services	
Evaluator's Comments:		2	state has no formally adopted vision for providing legal services	
		1	state has no discernable vision for providing legal services	
Overall Rating for Part 1 – Planning Structure:		<p>The evaluator will assign a score based upon his or her overall impression of the state's planning structure, including parts 1.1, 1.2, 1.3 and 1.4. A "5" reflects a fully mature, diverse, and inclusive structure, informed by a compelling vision. A "3" reflects an adequate structure for developing and implementing statewide justice</p>		

<p>5 4 3 2 1</p> <p>Evaluator's Comments:</p>			<p>communities planning – a structure with sufficient resources, diversity and input to address seriously the challenges of providing client-centered legal services throughout the state. A “1” reflects a wholly inadequate structure. Evaluators may use ratings of “4” and “2” as well. The overall rating is not based on the scores assigned to each subpart of Part 1. Rather it takes into account the relative importance of the areas in which a state is strong and weak. The evaluator’s comments will explain the rationale for the score assigned and note the most pressing areas of needed improvement in the state’s planning structure.</p>
<p>Part 2 Maintain rigorous planning process</p>			
<p>2.1 Breadth of input</p> <p>Does the planning process include organized, systematic input from the following communities, in addition to their representation on the planning body or authority?</p>			
<p>Low income populations</p> <p>Both genders</p> <p>Persons with disabilities</p> <p>Persons of diverse sexual preferences</p> <p>Persons of all ages</p> <p>Persons of all races and ethnicities within the state</p> <p>Persons of all religions</p> <p>Indigenous persons</p> <p>Persons of all nationalities</p> <p>Immigrants</p> <p>Working poor</p> <p>Persons speaking diverse primary languages, including sign language</p>	<p>yes</p>	<p>no</p>	<p>Instructions and Definitions</p> <p>Evaluators should indicate whether input is obtained from the listed groups in an organized, systematic fashion for consideration in the planning process. “Organized, systematic” is intended to describe a thought out process for obtaining a representative expression of views from persons within the community from which input is sought. The term is not intended to suggest that written surveys are necessarily preferable to other information gathering means. For instance, legal services clients may be less likely to return written surveys than other persons. Inviting input and feedback during presentations to client and civic groups may be more appropriate, given the resource constraints on legal service providers. Input obtained in other than written form should be reduced to writing. The goal is not necessarily to obtain input from all listed groups and entities. That would undoubtedly cost more than the benefits derived from the effort. The goal is rather to obtain input from a broad and diverse set of clients, community organizations, and governmental entities for use in the planning process. States might consider a strategy of obtaining information from core constituencies during each planning cycle and including a few additional communities each planning cycle to learn their perspectives and needs. Over time, this process would produce a rich body of information for use by the planning authority and staff.</p> <p>Input should be obtained from all legal services providers in the state – whether or not they receive LSC funding – because of the overlap of clients among legal services programs. Inevitably, all legal services programs serve some clients eligible for LSC-funded legal services.</p>

<p>Institutionalized persons</p> <p>Persons from all geographic regions within the state</p> <p>Persons from rural and urban communities</p> <p>Persons speaking diverse primary languages, including sign language</p> <p>Advocacy groups representing low income persons</p> <p>Pro bono programs</p> <p>Private attorney volunteers</p> <p>Public sector attorney volunteers, including those in the military</p> <p>Civic groups</p> <p>Educational organizations</p> <p>Business organizations</p> <p>Collaborating service providers</p> <p>Human services organizations</p> <p>Community organizations</p> <p>Civil rights and other advocacy organizations</p> <p>Client organizations</p>		<p>“Working poor” include persons making above 125% of federal poverty guidelines who are eligible for LSC-funded legal services.</p> <p>Some immigrants and institutionalized persons are not eligible for LSC-funded legal services.</p> <p>“Vulnerable populations” include young, homeless, disabled and elderly persons and groups at particular risk such as runaways and street people. “Isolated populations” include persons in geographic areas with little or no public transportation and limited communications facilities. Runaways are an example of a group with compound needs – young, homeless, poor, often with substance abuse problems and especially vulnerable to criminal elements and themselves prone to low level criminal behavior.</p>
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<p>State and federal courts State attorney general State bar association Local bar associations Specialty bar associations Law school(s) Legislature Executive branch State attorney general Administrative law judges Law library(ies) IOLTA program Bar foundation(s) Other funders Fundraisers Board members of legal services providers, including programs that do not receive LSC funds Staff of legal services providers, including programs that do not receive LSC funds Other vulnerable populations Other isolated populations</p>			
			<p>Evaluator will assign a score based upon his or her overall impression of the adequacy of the organized,</p>

<p>2.1 Overall Rating:</p> <p style="text-align: center;">5 4 3 2 1</p> <p>Evaluator's Comments:</p>	<p>systematic information gathering from affected and interested groups. A "5" reflects an optimal input process. A "3" reflects an adequate input process. A "1" reflects a wholly inadequate input process, such as a process that relies wholly on the experiences and views of the members of the planning body. Evaluators may use ratings of "4" and "2" as well. The overall rating is not based on the percentage of listed groups from whom input is sought. The evaluator should pay special attention to the identification of, and gathering input from, groups with compound needs. Evaluator comments should note areas of particular need.</p>		
<p>2.2 Use of empirical data</p> <p>Does the state planning process collect and use timely empirical data?</p>			
	yes	no	<p>Instructions and Definitions</p> <p>Evaluators should indicate whether empirical data is obtained and used in the planning process. A sophisticated planning process will take advantage of all available statistical information on legal services clients, their needs, and existing state legal services delivery programs. In this instance, the goal <u>is</u> to obtain input from all listed sources of empirical information. LSC understands the cost of state specific legal needs studies and program evaluations. But its goal is for all states to obtain and use timely data from all these sources within a reasonable time.</p> <p>In 2002 and 2003, legal services programs face a special burden of incorporating 2000 federal census data into state planning and resource allocation. This effort will absorb so many resources that it may be unrealistic to expect states to incorporate major additional data sources at the same time.</p>
<p>National legal needs studies</p> <p>State specific legal needs studies</p> <p>Census and other demographic data</p> <p>Data gathered by federal agencies (often reported on a regional basis)</p> <p>Environmental scan of emerging trends and issues</p> <p>Geographical information system (GIS) data on clients</p> <p>Extant program evaluations</p> <p>Performance data collected routinely by legal services programs</p> <p>Performance data collected routinely by the courts within the state, including, but not limited to, data on self-</p>			

represented litigants			
Local community needs assessments			
Other			
2.2 Overall Rating: <div style="text-align: center;"> 5 4 3 2 1 </div> Evaluator's Comments:			<p>Evaluator will assign a score based on the percentage of the listed empirical data sources used in the state's planning process. A "5" reflects use of timely data from all listed sources. A "4" reflects use of timely data from five or six of the seven sources. A "3" reflects use of timely data from four of the seven sources. A "2" reflects use of timely data from three of the listed sources. A "1" reflects use of timely data from fewer than three sources. Evaluator comments should note areas of particular need and the existence of special circumstances, such as the need to incorporate decennial census data.</p>
2.3 Tracking of plan implementation Does the plan itself address implementation? Does it contain milestones? Does it indicate when and by whom planned activities are to be accomplished? Does the state monitor accomplishment of those milestones? Does it prepare written reports on milestone accomplishments?			
Does the plan contain:	Yes	No	Instructions and Definitions
Milestones			Evaluator will note the existence of portions of a complete implementation component.
Deadlines			
Assigned responsibility			
Monitoring			
Regular written reports			
Rating: Evaluator's Comments:			<p>Evaluator will assign a score based on the percentage of completeness of the implementation portion of the plan. A "5" reflects the existence of all components. A "4" reflects the existence of all components but written reports. A "3" reflects the existence of milestones and monitoring. A "2" reflects the existence of regular monitoring of progress. A "1" reflects a lack of attention to implementation in the plan. Evaluator comments should note areas of particular need.</p>

2.4 Adequacy of plan revision process	
Rating: Evaluator's Comments:	Rating Instructions and Definitions "Revision" of a state plan refers to a process for gathering fresh data and reanalyzing client and program needs and directions. "Updating" of a state plan refers to more minor alterations to a state plan to reflect changes in the proposed actions or time frames set forth in a plan to reflect completed work, changes in circumstances or unexpected obstacles.
	5 state planning body updates the state plan annually and revises its plan on a periodic basis following stated criteria
	4 state planning body updates and revises the state plan periodically
	3 state planning body has a defined process for revising and updating the state plan
	2 state planning body has no regular revision and update process
	1 state does not revise or update its plan
Overall Rating for Part 2 – Planning Process: 5 4 3 2 1 Evaluator's Comments:	The evaluator will assign a score based upon his or her overall impression of the state's planning process, including subparts 2.1, 2.2, 2.3 and 2.4. A "5" reflects a fully sophisticated process using comprehensive individual and group input as well as empirical data, with a purposeful implementation plan and a carefully considered update and revision policy. A "3" reflects an adequate structure for developing and implementing statewide justice communities planning – a process using sufficient input and empirical information to address seriously the challenges of providing client-centered legal services throughout the state and a written implementation plan. A "1" reflects a wholly inadequate structure. Evaluators may use ratings of "4" and "2" as well. The overall rating is not based on the scores assigned to each subpart of Part 2. Rather it takes into account the relative importance of the areas in which a state is strong and weak. The evaluator's comments will explain the rationale for the score assigned and note the most pressing areas of needed improvement in the state's planning process.

Part 3 Produce comprehensive state plan	
3.1 Plan addresses broadest range of clients consistent with funding restrictions	
<p>3.1.1 No group of potentially eligible clients is excluded from service on a basis other than ability to afford, or otherwise gain access to, private legal services.</p> <p>Rating:</p> <p>Evaluator’s Comments:</p>	<p>Instructions and Definitions</p> <p>A state plan should address the needs of potentially eligible clients from all of the groups listed in Subpart 2.1 for whom the input obtained during the planning process shows a legal services need.</p> <p>No group of potentially eligible clients is excluded from service on a basis other than ability to afford, or otherwise gain access to, private legal services. Persons whose cases will warrant representation by a private attorney on a contingent fee basis do have access to private legal services.</p> <p>Evaluator will assign a score based upon his or her overall impression of the breadth of coverage of the state plan. This score has two associated objective measures in Section 3 of the instrument (3C1 and 3C2). Evaluators should take into account the actual accomplishments of a state – as reflected in those measures – in assigning a score to this part of the evaluation. A score of “5” reflects no exclusions of potentially eligible client groups from access to legal services. A “3” reflects an adequate breadth of coverage. A “1” reflects a wholly inadequate breadth of coverage. Evaluators may use ratings of “4” and “2” as well. A plan that excludes potential clients because of their geographic location will receive a score of “1.” Evaluator comments should note areas of particular need.</p>
<p>3.1.2 Plan identifies various conditions, regulations and limitations imposed on legal services programs by their funding sources, ensures that processes are in place to comply with such limitations, and uses multiple funding sources to afford services to all potentially eligible poor persons with legal needs.</p> <p>Rating:</p>	<p>Instructions and Definitions</p> <p>Most funding sources target their funding to specific classes of persons in need of legal assistance. The integrity of legal services programs and the continuing support of funders depend upon good faith adherence to the limitations accompanying program support. Each legal services program in a state has a stake in the reputation of legal services throughout the state in adhering to the terms of support grants. On the other hand, planning for comprehensive legal services requires careful meshing of a variety of funding mechanisms to afford maximum services to all potentially eligible poor persons with legal needs.</p> <p>Evaluator will assign a score based upon his or her overall impression of the plan’s provision for ensuring the state’s conscientiousness in complying with eligibility limitations in program grants and its effectiveness in meshing a variety of funding mechanisms to afford maximum services to all potentially eligible poor persons with legal needs. A score of “5” reflects a full articulation of limitations arising from the sources of legal services funding, a comprehensive process to ensure compliance with them, and success in constructing a comprehensive services plan from a variety of</p>

Evaluator's Comments:	restricted and unrestricted funding sources. A "3" reflects an adequate breadth of understanding of, and compliance with, limitations arising from the sources of legal services funding. A "1" reflects a failure to address these issues with any degree of sophistication. Evaluators may use ratings of "4" and "2" as well. Evaluator comments should note areas of particular need.	
3.1.3 Plan identifies other barriers to access to legal services Rating: Evaluator's Comments:	Instructions and Definitions Poor persons in every state face common problems arising from rural and other isolation, personal disabilities, and language barriers, among others. In each state, poor persons also face barriers specific to that state, arising from the geography, demography, history and culture of the state. The state plan will identify all such barriers to access to legal services. Evaluator will assign a score based upon his or her overall impression of the plan's identification of barriers to access to legal services. A score of "5" reflects a full articulation of such barriers and a full appreciation of their impact on potential clients. A "3" reflects an adequate identification of barriers. A "1" reflects a failure to address these issues with any degree of sophistication. Evaluators may use ratings of "4" and "2" as well. Evaluator comments should note areas of particular need.	
3.1.4 Plan proposes realistic and appropriate means to overcome the identified barriers Rating: Evaluator's Comments:	Rating 5 4 3 2 1	Instructions and Definitions plan thoroughly addresses all identified barriers plan thoroughly addresses most identified barriers plan adequately addresses identified barriers plan fails to address significant barriers plan fails to address barriers to access to legal services, to courts, and to community resources
3.1 Overall Rating: 5 4 3 2 1	Evaluator will assign a score based upon his or her overall impression of the inclusiveness and thoroughness of the plan's provisions for serving all potentially eligible clients, including subparts 3.1.1, 3.1.2, 3.1.3 and 3.1.4. A score of "5" reflects full consideration of the needs of all potentially eligible client groups. A "3" reflects an adequate consideration of the needs of all potentially eligible client groups. A "1" reflects a wholly inadequate consideration of the needs of all potentially eligible client groups. Evaluators may use ratings of "4" and "2" as well. A plan that excludes potential clients because of their geographic location will receive a score of "1." The overall score should reflect the scores for the component parts of this subpart. Evaluator comments should note areas of particular need.	
Evaluator's Comments		

3.2 Plan addresses full range of expressed client goals		
3.2.1 In all permissible legal subject matter areas relevant to expressed client needs Rating: Evaluator's Comments:	Instructions and Definitions State plans should address the full range of legal subject matter areas identified by clients as areas in which they need legal assistance for which LSC funds may be used. Evaluator will assign a score based upon his or her overall impression of the breadth of coverage of legal subject matters in the state plan. A score of "5" reflects no exclusions of legal subject matters from the plan. A "3" reflects an adequate breadth of coverage of legal subject matter areas. A "1" reflects a wholly inadequate breadth of coverage. Evaluators may use ratings of "4" and "2" as well. Evaluator comments should note areas of particular need.	
3.2.2 In all permissible forums necessary to meet expressed client needs Rating: Evaluator's Comments:	Instructions and Definitions State plans should address representation in the full range of legal forums (for which LSC funds may be used) necessary to meet the legal needs expressed by clients. Evaluator will assign a score based upon his or her overall impression of the breadth of coverage of legal forums. A score of "5" reflects no exclusions of legal forums from the plan. A "3" reflects an adequate breadth of coverage of legal forums. A "1" reflects a wholly inadequate breadth of coverage of legal forums. Evaluators may use ratings of "4" and "2" as well. Evaluator comments should note areas of particular need.	
3.2 Overall Rating: 5 4 3 2 1 Evaluator's Comments:	Evaluator will assign an overall score reflecting the average of the two component scores from subparts 3.2.1 and 3.2.2.	
3.3 Plan addresses an appropriate mix of services		
	yes	no
Information Community legal education Self-help facilitation Advice and brief services Extended representation Litigation		Instructions and Definitions Evaluator will indicate whether the listed services are included in the state plan. A mature and well-resourced state legal services delivery system will offer all of the listed services to its clients. LSC recognizes the resource limits of even the best resourced state legal services programs. The challenge facing state planners is to identify the best mix of services, consistent with its resources, to address the expressed needs of clients. If a state has limited services, it will be prudent to add additional services on an incremental basis in order to ensure that each receives the attention needed for a high quality implementation.

Policy advocacy Community economic development Alternative dispute resolution			Some forms of policy advocacy are restricted for LSC grantees.
3.3 Overall Rating: 5 4 3 2 1			Evaluator will assign a score based upon his or her overall impression of the sophistication of the plan's strategic matching of service offerings with expressed client needs. This score has an associated objective measure in Section 3 of the instrument (3B1). Evaluators should take into account the actual accomplishments of a state – as reflected in that measure – in assigning a score to this part of the evaluation. A score of “5” reflects a refined strategic alignment of services and expressed client needs. A “3” reflects an adequate strategic approach to this challenge. A “1” reflects a wholly inadequate appreciation of or resolution of these issues. Evaluators may use ratings of “4” and “2” as well. Evaluator comments should note areas of particular need.
3.4 Plan addresses an appropriate mix of service delivery models			
	yes	no	Instructions and Definitions
Web based information Legal advice hotlines Telephone intake and referral Advice and brief services Unbundled legal services Workshops and clinics Courthouse based facilitation Full legal representation			Evaluator will indicate whether the listed service delivery models are included in the state plan. A mature and well-resourced state legal services delivery system will offer all of the listed service delivery models to its clients. LSC recognizes the resource limits of even the best resourced state legal services programs. The challenge facing state planners is to identify the best mix of service delivery models, consistent with its resources, to address the expressed needs of clients. If a state has limited services, it will be prudent to add additional service delivery models on an incremental basis to ensure that each receives the attention needed for a high quality implementation. Hotlines do not include telephone based services limited to intake screening and eligibility determination.
3.4 Overall Rating: 5 4 3 2 1			Evaluator will assign a score based upon his or her overall impression of the sophistication of the plan's strategic matching of service delivery model offerings with expressed client needs. A score of “5” reflects a refined strategic alignment of service delivery models and expressed client needs. A “3” reflects an adequate strategic approach to this challenge. A “1” reflects a wholly inadequate appreciation of or resolution of these issues. Evaluators may use ratings of “4” and “2” as well. Evaluator comments should
Evaluator's Comments:			

		note areas of particular need.
3.5 Plan uses full range of attorney and other community professional assets		
	yes	no
Staff attorneys		
Private bar/pro bono attorneys		
Private bar/compensated attorneys		
Law students		
Paralegals		
Volunteers		
Other professionals		
		Instructions and Definitions Evaluator should indicate whether the plan calls for use of each category of professionals. "Other professionals" include social workers, accountants, court reporters, business consultants, etc.
3.5 Overall Rating:		Evaluator will assign a score based upon his or her overall impression of the range of attorney and other community professional assets covered in the plan. The score should reflect the percentage of services provided from the list, with the exception of compensated private bar representation which is not a necessary component of a state plan. A "5" requires use of all assets. A "3" requires at least four of the categories of assets. A "1" reflects use of two or fewer. Evaluators may not use ratings of "4" or "2."
5 4 3 2 1		
Evaluator's Comments:		
3.6 Plan coordinates the activities of all providers of legal services to the poor within the state		
Rating:		Instructions and Definitions
5 4 3 2 1		An essential component of State Justice Communities Planning is coordination among legal services providers – non LSC-funded as well as LSC-funded - within a state. Non LSC-funded providers inevitably provide services to some poor persons eligible for LSC-funded legal services. A comprehensive, client-centered planning process will ensure maximum coordination among all legal service providers within the state to maximize services to clients eligible for LSC-funded legal services.
Evaluator's Comments:		

			<p>Evaluator will assign a score based upon his or her overall impression of the extent to which the plan coordinates the services provided by all providers of legal services to the poor within the state. A “5” reflects full coordination of service delivery among all providers of civil legal services to the poor within the state. A “3” reflects satisfactory coordination among all such providers. A “1” reflects wholly inadequate coordination among legal services providers. Evaluators may use ratings of “4” and “2” as well. Evaluator comments should note areas of particular need.</p>
3.7 Plan calls for engagement of multiple entities in cooperating to meet client needs			
	yes	no	Instructions and Definitions
<p>Engagements with:</p> <p>Bar associations, including local and specialty bar associations</p> <p>Local, state and federal courts</p> <p>Law schools</p> <p>Social service agencies</p> <p>Religious and other community based groups</p> <p>Clients</p> <p>Schools</p> <p>Funders</p> <p>Business community</p> <p>State executive branch</p> <p>Local government agencies</p> <p>Hospitals and other social service providers</p> <p>Other professional associations, e.g., doctors and</p>			<p>Evaluator should indicate whether the listed engagements are envisioned within the state plan.</p>

accountants				
3.7 Overall Rating: <p style="text-align: center;">5 4 3 2 1</p> Evaluator's Comments:		Evaluator will assign a score based upon his or her overall impression of the range of engagement efforts included within the plan. The score should reflect the extent to which the listed engagements are included. A "5" will reflect engagement among legal services organizations and with virtually all organizations on the list. A "3" will reflect engagement among legal services organizations and with a large number of listed organizations. A "1" will reflect neglect of engagement as a mechanism to increase the effectiveness of legal services delivery. Evaluators may use ratings of "4" and "2" as well. Evaluator comments should note areas of particular need.		
3.8 Plan addresses full use of technology for service delivery to clients				
Use of hotline(s) Use of internet Use of e-mail Use of website for client and advocate legal information Use of website for forms generation Use of kiosks Use of videoconferencing Use of technology for legal research and evidentiary preparation	yes	no	Instructions and Definitions Evaluator should indicate whether the listed uses of technology are included in the state plan. Because technology changes rapidly, this listing is illustrative only, reflecting appropriate technologies for the date this evaluation instrument was developed. State planners should identify developing and emerging technologies that increase interconnectivity of programs with clients and other service providers, reduce barriers to access, improve client comprehension of information, and reduce the time and cost of providing services. The evaluator should include in his or her comments a listing of additional technologies used by the state. Hotlines do not include telephone based services limited to intake screening and eligibility determination.	
3.8 Overall Rating: <p style="text-align: center;">5 4 3 2 1</p> Evaluator's Comments:		Evaluator will assign a score based upon his or her overall impression of the uses of affordable technologies for enhanced service delivery covered in the plan. The score should reflect the extent to which use of current, applicable technologies is included in the plan. A rating of "3" or higher will reflect the plan's addressing barriers to client access to technology and steps to circumvent those barriers. Evaluator comments should note areas of particular need.		

3.9 Plan addresses effective and efficient use of technology for statewide operational systems			
	yes	no	Instructions and Definitions
Use of internet Use of email Maximum functionality of case management system(s) Integration of multiple systems Advanced telephone technologies Effectiveness of statewide infrastructure Creation and maintenance of automated document databases Consistency of statewide data Continuing assessment of the need for additional statewide technology planning Integration with court-based technology			Evaluator should indicate whether the listed uses of technology are included in the state plan. Because technology changes rapidly, this listing is illustrative only, reflecting appropriate technologies for the date this evaluation instrument was developed. State planners should identify developing and emerging technologies that increase interconnectivity among programs (e.g., for transfer of case files and other information), reduce the time and cost of providing services, enhance personal productivity, improve employee skills, and reduce operating costs (such as the cost of space). The evaluator should include in his or her comments a listing of additional technologies used by the state
3.9 Overall Rating: <div style="text-align: center;"> 5 4 3 2 1 </div>			Evaluator will assign a score based upon his or her overall impression of the uses of affordable technologies for enhanced program operations covered in the plan. The score should reflect the extent to which use of current, applicable technologies is included in the plan. A "5" will reflect maximum use of current, applicable technologies. A "3" will reflect adequate use of current, applicable technologies. A "1" will reflect neglect of technology for program operations. Evaluators may use ratings of "4" and "2" as well. Evaluator comments should note areas of particular need.
Evaluator's Comments:			

3.10 Plan addresses generation of resources from diverse sources		
	yes	no
3.10.1 Generation of resources for legal services programs LSC IOLTA Area agencies on aging Protection and advocacy funding Fellowships State general revenues Court filing fees Court fine surcharges Bar contributions Individual attorney contributions Attorney bar dues surcharge Federal grants United Way Private foundations Corporate contributions Units of local government TANF VAWA Attorney registration fees		Instructions and Definitions A major purpose of state justice communities strategic planning is to obtain the funding needed to provide services for all potentially eligible legal needs and constituencies. Evaluator should indicate whether the state plan includes a strategy or strategies to obtain funding for legal services programs from the listed potential revenue sources. Make a list of other sources identified in the plan.

Pro hac vice appearance fees			
Cy pres awards			
Punitive damages awards			
Entrepreneurial approaches			
Endowments			
Other			
3.10.1 Overall Rating:			
5 4 3 2 1			
Evaluator's Comments	<p>Evaluator will assign a score based upon his or her overall impression of the range of revenue sources and fundraising strategies covered in the plan. This score has an associated objective measure in Section 3 of the instrument (3A4). Evaluators should take into account the actual accomplishments of a state – as reflected in that measure – in assigning a score to this part of the evaluation. A “5” will reflect a very wide diversity of revenue sources. A “3” will reflect an adequate diversity of sources. A “1” will reflect a wholly inadequate diversity of sources. Evaluators may use ratings “4” and “2” as well. Evaluator comments should note areas of particular need.</p>		

<p>3.10.2 Generation of other government funds to serve low income persons that do not flow to legal services organizations</p> <p>Child support enforcement</p> <p>Child custody</p> <p>Adoption</p> <p>Assistance for developmentally disabled persons</p> <p>Domestic violence</p> <p>Mental health guardianships</p> <p>Other guardianships and conservatorships</p> <p>Abuse, neglect and dependency</p> <p>Child protective services</p> <p>Other</p>	<p>yes</p>	<p>no</p>	<p>Instructions and Definitions</p> <p>In some states large amounts of state, local and federal funding are available to provide legal services for poor persons in some civil law areas through the courts or other entities that have no formal relationship with civil legal services programs, such as representation of parents and children involved in child abuse and neglect cases. Planning efforts should identify these resources and develop strategies for enhancing or supplementing them. To the extent that some areas of legal needs for poor persons are addressed through other mechanisms, the resources available to legal services programs can go farther in meeting remaining areas of need. Evaluator should indicate whether the state plan includes a strategy or strategies to obtain funding of this type from the listed potential revenue sources.</p> <p>Make a list of other sources identified in the plan.</p>
<p>3.10.2 Overall Rating:</p> <p style="text-align: center;">5 4 3 2 1</p> <p>Evaluator's Comments</p>			<p>Evaluator will assign a score based upon his or her overall impression of the range of revenue sources and fundraising strategies covered in the plan. A "5" will reflect a very wide diversity of revenue sources. A "3" will reflect an adequate diversity of sources. A "1" will reflect a wholly inadequate diversity of sources. Evaluators may use ratings "4" and "2" as well. Evaluator comments should note areas of particular need.</p>
<p>3.10 Overall Rating:</p>			<p>Evaluator will assign a score based upon his or her overall impression of the range of revenue sources and</p>

<p>5 4 3 2 1</p> <p>Evaluator's Comments</p>	<p>fundraising strategies for funding of legal needs of poor persons rated in subsections 3.9.1 and 3.9.2. The overall rating will not necessarily represent an average of the two subsection ratings, but rather will reflect the strengths and weaknesses of the state's overall fund raising strategy. This overall rating will also reflect the objective measure associated with subpart 3.9.1. A "5" will reflect a very wide diversity of revenue sources. A "3" will reflect an adequate diversity of sources. A "1" will reflect a wholly inadequate diversity of sources. Evaluators may use ratings "4" and "2" as well. Evaluator comments should note areas of particular need.</p>	
<p>3.11 Plan includes statewide strategy for quality assurance</p>		
	<p>Rating</p>	<p>Instructions and Definitions</p>
<p>Cooperative development of performance standards</p> <p>Client satisfaction surveys</p> <p>Client grievance mechanism, including board involvement</p> <p>Bar disciplinary mechanism</p> <p>Uniform performance standards</p> <p>Individual evaluations required by funding sources</p> <p>Evaluations beyond those required by funding sources, including peer reviews, desk reviews, and on site monitoring</p> <p>Legal skills training for staff and pro bono attorneys and paralegals, beyond continuing legal education requirements</p> <p>Leadership skills training for current and future program</p>		<p>Legal services programs are accountable for the quality of their services to clients and prospective clients, to the public, to funders, and to the state planning body. Evaluator should indicate the extent to which the listed approaches to quality assurance are covered in the state plan. A "5" will reflect a fully mature use of a quality assurance strategy. A "3" will reflect an adequate use of a quality assurance strategy. A "1" will reflect a wholly inadequate use of a quality assurance strategy. Evaluators may use ratings of "4" and "2" as well.</p>

<p>leadership</p> <p>Skills training for non-lawyer staff</p> <p>Recruitment and retention of competent staff</p> <p>Recruitment and retention of diverse staff</p> <p>Effective supervision of legal and other work</p> <p>Adequate legal support in specialized areas of the law</p> <p>Collection and use of evaluation data to improve program performance</p> <p>Sharing of evaluative information and participation in basic research to increase knowledge concerning the effectiveness of legal services delivery</p>		
<p>3.11 Overall Rating:</p> <p>5 4 3 2 1</p> <p>Evaluator's Comments:</p>		<p>Evaluator will assign an overall score based upon his or her overall impression of the depth of quality assurance measures covered in the plan. A "5" will reflect a serious and in depth quality assurance program. A "3" will reflect an adequate quality assurance program. A "1" will reflect a wholly inadequate quality assurance program. Evaluators may use ratings of "4" and "2" as well. The overall rating is not based on the scores assigned to each topic listed above. Rather it takes into account the relative importance of the areas in which a state is strong and weak. Evaluator comments should note areas of particular need.</p>
<p>Overall Rating for Part 3 – Comprehensiveness of State Plan:</p>		<p>The evaluator will assign a score based upon his or her overall impression of the comprehensiveness of the state's plan, including subparts 3.1 through 3.11. A "5" reflects a complete and sophisticated plan</p>

<p>5 4 3 2 1</p> <p>Evaluator’s Comments:</p>	<p>addressing all topics necessary to the most effective use of the state’s legal services resources to meet the eligible expressed needs of clients. A “3” reflects an adequate plan for improving the delivery of client-centered legal services throughout the state. A “1” reflects a wholly inadequate plan. Evaluators may use ratings “4” and “2” as well. The overall rating is not based on the scores assigned to each subpart of Part 3. Rather it takes into account the relative importance of the areas in which a state is strong and weak. The evaluator’s comments will explain the rationale for the score assigned and note the most pressing areas of needed improvement in the state’s plan.</p>
<p>Part 4 Maximum efficiency and effectiveness of resource use</p>	
<p>4.1 The configuration of LSC-funded programs will maximize access for clients throughout the state</p> <p>This section assesses the extent to which the configuration of service providers contained in the plan is responsive to the most compelling needs of eligible clients and client communities, ensures the highest and most strategic use of all available resources, maximizes the opportunity for clients throughout the state to receive timely, effective and appropriate legal services in the present and in the future, and operates efficiently and effectively.</p>	
<p>4.1.1 Delivery system will maximize access for potentially eligible clients throughout the state</p> <p>Rating: A maximally effective configuration will rate a “5.” A less than optimal, but acceptable, configuration will rate a “3.” An unacceptable configuration will rate a “1.” Evaluator comments should note particular areas where change is needed.</p> <p>Evaluator’s Comments:</p>	<p>Instructions and Definitions</p> <p>Evaluator will assign a score based upon his or her overall impression of the extent to which the configuration of service providers contained in the plan:</p> <p>Facilitates the development and sustainability of a delivery network that, within financial resources and subject to appropriate priority decisions under 45 C.F.R. 1620, provides low-income persons throughout the state, to the extent reasonable possible, broad, prompt, and relatively equitable access to the legal services it furnishes regardless of such obstacles as physical or mental disability, age, geographical isolation, race, gender, sexual orientation, culture, or language.</p> <p>Takes into account the socio-cultural and economic affinities in place that are most relevant to the legal issues facing low-income clients and client communities, and</p> <p>Takes into account the geographic, physical, and historical distinctions and affinities within the state or territory of most relevance to clients and their communities.</p>

<p>4.1.2 Delivery system will maximize effective legal services to potentially eligible clients throughout the state</p> <p>Rating: A maximally effective configuration will rate a “5.” A less than optimal, but acceptable, configuration will rate a “3.” An unacceptable configuration will rate a “1.” Evaluator comments should note particular areas where change is needed.</p> <p>Evaluator’s Comments:</p>	<p>Instructions and Definitions Evaluator will assign a score based upon his or her impression of the extent to which the configuration of service providers contained in the plan:</p> <p>Within financial resources and subject to appropriate priority decisions under 45 C.F.R. 1620, promotes relative equity in the availability of the full range of client service capacities necessary to meet the full continuum of client legal needs regardless of where in the state clients live,</p> <p>Enhances opportunities to attract attorneys and paralegals who can provide expertise, skills, cultural relevancy and cultural competencies necessary to address the most pressing legal needs of clients,</p> <p>Promotes the likelihood that all providers will have relatively equal access to the resources, expertise, information and experience necessary to provide high quality legal services consistent with state and national standards of provider performance,</p> <p>Facilitates the efficient statewide coordination of legal work and provides an efficient means of establishing and maintaining a statewide capacity to provide training, monitor developments, disseminate relevant information and provide expert assistance necessary for the delivery of high quality assistance,</p> <p>Facilitates the ability of legal services providers to coordinate their efforts to expand client access to the courts, enhance self-help opportunities for low-income persons, and provide effective, culturally relevant, systematic and comprehensive outreach and preventive legal education and advice to the client-eligible population in the state,</p> <p>Takes into account the location and configuration of governmental, judicial, human services and other relevant regional delivery planning areas in the state,</p> <p>Facilitates the ability of legal services providers and other civil equal justice partners to coordinate their research and their efforts to stay abreast of developments in the delivery of legal services,</p> <p>Facilitates efforts to secure new funding for, and where appropriate allocate current funding to, new projects and experimental models for serving clients or strengthening system capacities, and</p> <p>Facilitates uniform and consistent approaches to accountability to clients, client communities and funders.</p>
<p>4.1.3 Delivery system will make the highest and best use of available resources</p> <p>Rating: A maximally effective configuration will rate a “5.” A less than optimal, but acceptable,</p>	<p>Instructions and Definitions Evaluator will assign a score based upon his or her impression of the extent to which the configuration of service providers contained in the plan:</p> <p>Facilitates the coordination of resource development efforts to maintain existing resources and to generate and leverage additional resources, including such efforts as unified approaches to major potential public sources, liaison with and maintenance of existing statewide resources, and coordinated technical assistance for local fundraising,</p> <p>Provides, to the extent reasonably possible, relative equity in the investment of civil equal justice resources (federal, state, private, and in-kind/pro bono) throughout the state,</p>

<p>configuration will rate a “3.” An unacceptable configuration will rate a “1.” Evaluator comments should note particular areas where change is needed.</p> <p>Evaluator’s Comments</p>	<p>Facilitates the coordination of efforts and a capacity to utilize new and emerging technology to promote efficiency, coordinate and collaborate with other entities, improve quality and expand services to clients regardless of where they reside or other access barriers they experience,</p> <p>Maximizes the potential for effective and efficient administration and minimizes the potential for duplication of capacities, services, systems and/or administration, and</p> <p>Facilitates strong coordination and collaboration with, and a high degree of involvement in services to low-income clients by, the private bar throughout the state; maintains and enhances state and local bar relations; and promotes, where appropriate, the sharing of urban-based private capacity with the needs of rural and isolated clients.</p>
<p>4.1.4 Delivery system will respond effectively and efficiently to new and emerging client needs and other changes affecting the delivery of legal services to the poor</p> <p>Rating: A maximally effective configuration will rate a “5.” A less than optimal, but acceptable, configuration will rate a “3.” An unacceptable configuration will rate a “1.” Evaluator comments should note particular areas where change is needed.</p> <p>Evaluator’s Comments:</p>	<p>Instructions and Definitions</p> <p>Evaluator will assign a score based upon his or her impression of the extent to which the configuration of service providers contained in the plan:</p> <p>Enhances the likelihood of achieving the intended goals and objectives of a comprehensive, integrated and client-centered legal services delivery system including, but not limited to, service effectiveness/quality; full range of legal services to address most pressing legal needs of eligible clients; efficiency; equity and ease in terms of client access; greater involvement by members of the private bar in the legal lives of clients; and client-community empowerment,</p> <p>Facilitates efficient, ongoing assessment of demographic trends, changes in laws and public programs affecting low-income persons,</p> <p>Operates to ensure that there is a regular review of system capacities and resources throughout the state and adjustments in their deployment to respond to new and emerging client needs, legal trends and other changes affecting the delivery of legal services to the poor,</p> <p>Operates to ensure within available resources that all components of the delivery system have sufficient resources and support to adjust to changes in client needs, staff or funding, and</p> <p>Promotes the system’s ability and capacity to develop, nurture, promote, recruit and retain strong and effective staff and leaders who are diverse and culturally competent.</p>
<p>4.1 Overall Rating:</p> <p style="text-align: center;">5 4 3 2 1</p> <p>Evaluator’s Comments:</p>	<p>Evaluator will assign an overall score based upon his or her overall impression of the extent to which the configuration of service providers contained in the plan, as shown in subparts 4.1.1, 4.2.2, 4.1.3, and 4.1.4, is responsive to the most compelling needs of eligible clients and client communities, ensures the highest and most strategic use of all available resources, maximizes the opportunity for clients throughout the state to receive timely, effective and appropriate legal services in the present and in the future, and operates efficiently and effectively. This rating is not an average of the ratings for the components of this part of the evaluation. The overall rating will take into account the relative importance of the areas of strength and weakness in the program configuration included in</p>

	the plan. A maximally effective configuration will rate a “5.” A less than optimal, but acceptable, configuration will rate a “3.” An unacceptable configuration will rate a “1.” Evaluators may use ratings of “4” and “2” as well. The evaluator’s comments will explain the basis for the rating assigned and note particular areas where change is needed
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4.2 Plan establishes state level capacities as appropriate

A plan must address those areas in which it makes sense in terms both of effectiveness and efficiency considerations to establish statewide capabilities serving or supporting all legal services providers. For instance, it will not be appropriate to purchase all goods and services statewide; however joint procurement of costly common requirements, such as computer-assisted legal research and computer hardware and software, is cost effective. In the area of management support, it would be helpful to have state level expertise on such matters as the federal Family and Medical Leave Act and student loan repayment requirements. State level capabilities should serve all legal services programs serving persons eligible for services supported by LSC funds, whether or not the programs actually receive LSC funding. It is not sufficient for a state merely to allocate responsibilities for these state level functions among different local service providers. That does not constitute the creation of state level capacity.

4.2.1 State level capacities related to client representation	Rating	Instructions and Definitions
<p>A unified approach to support for legal specialty areas</p> <p>Maintenance of a statewide document database</p> <p>Production and maintenance of community legal education materials</p> <p>A primary point of entry for clients into legal services programs throughout the state</p> <p>Statewide coordination of litigation and advocacy on behalf of clients</p> <p>Collection of demographic information</p> <p>Capacity to spot emerging areas of unmet legal needs</p> <p>Capacity to identify gaps in resources</p>		<p>Evaluator should indicate the extent to which the state plan calls for each of the listed state level capabilities related to client representation. If the state has the full capability at the state level, or plans to create it, the evaluator should assign a rating of “5.” If the state has, or plans to create, an adequate capability, the evaluator should assign a rating of “3.” If the state does not have, or intend to create, a state level capacity, the evaluator should assign a rating of “1.” Evaluators may use ratings “4” and “2” as well.</p> <p>A statewide document database includes the functions of a traditional brief bank, but encompasses a variety of legal resources and references – such as forms and memoranda – which will be of value to other staff attorneys and pro bono attorneys.</p> <p>Some forms of policy advocacy are restricted for LSC grantees.</p>

<p>4.2.2 State level capacities for strengthening the legal services community itself</p> <p>Unified planning and support for statewide automated applications that facilitates the appropriate deployment of technology avoiding duplicative investments and promoting collaborative financial investments with other stakeholders in the equal justice community (i.e., courts and community-based organizations)</p> <p>Clearinghouse for management support</p> <p>State level sharing of resources</p> <p>Clearinghouse and support for pro bono attorneys</p> <p>Effective internal communications within the state justice community</p> <p>Leveraged purchasing power and recruitment</p> <p>A single training needs assessment</p> <p>Statewide training for staff, pro bono attorneys and other volunteers</p> <p>State level strategies for cooperating with federal and state</p>	<p>Rating</p>	<p>Instructions and Definitions</p> <p>Evaluator should indicate the extent to which the state plan calls for each of the listed state level capabilities for strengthening the legal services community itself. If the state has the full capability at the state level, or plans to create it, the evaluator should assign a rating of “5.” If the state has, or plans to create, an adequate capability, the evaluator should assign a rating of “3.” If the state does not have, or intend to create, a state level capacity, the evaluator should assign a rating of “1.” Evaluators may use ratings “4” and “2” as well.</p> <p>State level sharing of resources ranges from transfers of funding from one program to another to joint recruitment efforts.</p>
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level entities		
<p>4.2.3 State level capacities for enhancing public support and resource development</p> <p>A unified approach to resource development</p> <p>Statewide development and implementation of strategies for public communications</p> <p>Coordinated advocacy on issues affecting legal services providers</p>	<p>Rating</p>	<p>Instructions and Definitions</p> <p>Evaluator should indicate the extent to which the state plan calls for each of the listed state level capabilities for enhancing public support and resource development. If the state has the full capability at the state level, or plans to create it, the evaluator should assign a rating of “5.” If the state has, or plans to create, an adequate capability, the evaluator should assign a rating of “3.” If the state does not have, or intend to create, a state level capacity, the evaluator should assign a rating of “1.” Evaluators may use ratings “4” and “2” as well.</p>
<p>4.2 Overall rating 5 4 3 2 1</p> <p>Evaluator’s comments:</p>	<p>Rating</p>	<p>Evaluator will assign an overall score based upon his or her overall impression of the range of statewide capabilities reflected in the plan, as rated in subparts 4.2.1, 4.2.2, and 4.2.3. This overall rating is not an average of the ratings for the components of this part of the evaluation. The overall rating will take into account the relative importance of the areas of strength and weakness in the statewide capabilities included in the plan. This score has three associated objective measures in Section 3 of the instrument (3A1, 3A2, and 3A3). Evaluators should take into account the actual accomplishments of a state – as reflected in that measure – in assigning a score to this part of the evaluation. A “5” will reflect a sophisticated statewide coordination and service delivery capability. A “3” will reflect an adequate set of statewide capabilities. A “1” will reflect a wholly inadequate approach to this issue. Evaluators may use ratings “4” and “2” as well. Evaluator comments should note areas of particular need.</p>
<p>Overall Rating for Part 4 – Maximizing the efficiency and effectiveness of resource use:</p> <p>5 4 3 2 1</p> <p>Evaluator’s Comments:</p>		<p>The evaluator will assign a score based upon his or her overall impression of the state plan’s strategies for maximizing the efficiency and effectiveness of the use of the limited resources available to meet the legal needs of potentially eligible poor persons, summarizing the scores for subparts 4.1 and 4.2. A “5” reflects a complete and sophisticated plan addressing all topics necessary to the most effective use of the state’s legal services resources to meet the expressed needs of clients. A “3” reflects an adequate plan for improving the delivery of client-centered legal services throughout the state. A “1” reflects a wholly inadequate plan. Evaluators may use ratings “4” and “2” as well. The overall rating is not based on the scores assigned to each subsection of Part 4. Rather it takes into account the relative importance of the areas in which a state is strong and weak. The evaluator’s comments will</p>

	explain the rationale for the score assigned and note the most pressing areas of needed improvement in the state's plan.
<p>Part 5 Overall rating of state planning process</p>	
<p>Overall Rating for Parts 1, 2, 3, and 4: Evaluator's Comments:</p>	<p>Instructions and Definitions The evaluator will assign a score based upon his or her overall impression of the quality of the state's strategic plan. A "5" reflects a complete and sophisticated plan addressing all topics necessary to the most effective use of the state's legal services resources to meet the expressed needs of <u>eligible</u> clients. A "3" reflects an adequate plan for improving the delivery of client-centered legal services throughout the state. A "1" reflects a wholly inadequate plan. Evaluators may use ratings "4" and "2" as well. The overall rating is not based on the scores assigned to Parts 1 through 4. Rather it takes into account the relative importance of the areas in which a state is strong and weak. The evaluator will weigh the formality and completeness of the planning process against a state's actual accomplishments, as shown by objective data gathered in Section 3 of this document, as noted in each part above. The evaluator's comments will explain the rationale for the score assigned and note the most pressing areas of needed improvement in the state's plan.</p>

SECTION 2 IMPLEMENTATION OF STATE JUSTICE COMMUNITIES PLANS

In this section of the evaluation process, the evaluator will assess the state's implementation actions taken as a result of State Justice Communities Planning.

As the evaluator reviews the state plan for purposes of scoring Section 1, he or she will enter each action contemplated in the current state plan into the first column (Planned or Achieved Actions). The evaluator will provide this listing to the state for review and comment. The state may ask the evaluator to include additional actions not specified in the current plan but actually accomplished by the state as a result of State Justice Communities Planning. For instance, the plan may have called for engagements with the state courts and state social services agencies. In the course of engaging the social services agencies, it became apparent that further engagements with the federal social security administration would also be

valuable. The state initiated a series of meetings with the social security administration, with significant positive results. The state may ask the evaluator to include the engagement of the social security administration as an additional action implemented as a result of the state planning process.

A state may also ask that actions taken as a result of prior state plans be included in this section's evaluation. The objective is for the state to be able to take credit for all significant changes implemented as a result of state justice communities planning, whether or not they have been articulated in a specific state plan, or in the most current version of the state plan.

The state will provide the evaluator with a narrative description of the steps taken to implement the actions contained on the original list and additional actions the state has asked to have included. During

the site visit to the state, the evaluator will independently verify the information provided and score this section of the instrument.

Each action articulated in the plan or added at the request of the state will be scored, with an overall rating assigned by the evaluator to reflect an assessment of all implementation activities considered as a whole. This overall score will take into account the relative importance of each action in achieving the goals of the State Justice Communities Planning Initiative.

The table below shows the evaluation process to be used for each action, followed by an example for a hypothetical brief bank project.

Evaluation Process		
Action	Rating	Instructions And Definitions
Action - Taken from the plan or added at the request of the state	Effort 5 4 3 2 1	In rating "effort," the evaluator will assess the extent to which the state expended time, resources, and personal energy to accomplish the planned objective. The evaluation of effort is independent of the evaluation of the result achieved. How hard did the state work to achieve its objective? A rating of "5" reflects maximum reasonable effort expended. A rating of "3" reflects adequate effort. A rating of "1" reflects the lack of discernible effort to accomplish the planned objective. Evaluators may use ratings of "4" and "2" as well.
	Agility 5 4 3 2 1	In rating "agility," the evaluator will assess the extent of creativity and flexibility shown by the state in attempting to implement a planned objective. When the implementation effort encountered resistance or an obstacle, what steps did the state take to circumvent it? Did it modify the objective to one with similar positive impact on representation of clients but achievable within the limits imposed by the political environment or available resources? A rating of "5" reflects maximum flexibility and creativity. A rating of "3" reflects adequate "agility." A rating of "1" reflects a lack of creativity to circumvent obstacles or resistance. Evaluators may use ratings of "4" and "2" as well
	Vision/seeing further possibilities 5 4 3 2 1	In rating "vision/seeing further possibilities," the evaluator will assess the extent to which a state went above and beyond the original objective set forth in the plan as it saw further opportunities unfold. For instance, a state may have set a goal for increasing state appropriations for legal services programs. During its discussions with state legislators, it found a willingness to substantially increase funding for the court system to appoint guardians ad litem for children whose parents face child abuse and neglect proceedings. The legal services advocates pursue that opportunity and obtain a substantial increase in resources for this group of potential legal services clients, although the services are not provided through a legal services program. A rating of "5" reflects maximum initiative in accomplishing more than the plan initially contemplated. A rating of "3" reflects adequate creativity in identifying and taking advantage of additional opportunities. A rating of "1" reflects the lack of initiative to accomplish more than originally contemplated. Evaluators may use ratings of "4" and "2" as well

Evaluation Process		
Action	Rating	Instructions And Definitions
	<p>Achievement</p> <p>5 4 3 2 1</p>	<p>In rating “achievement,” the evaluator will assess the extent to which the state actually implemented the subject action. A rating of “5” reflects that the state accomplished more than originally contemplated. A rating of “4” reflects that the state completely accomplished the planned objective, within a reasonable time frame. A rating of “3” reflects that the state substantially accomplished the objective, or completely accomplished it over a longer time frame than was reasonably required. A rating of “2” reflects that the state accomplished some part of the objective. A rating of “1” reflects that the state did not accomplish its objective.</p>
	<p>Overall rating for this action</p> <p>5 4 3 2 1</p>	<p>In assigning an “overall” rating, the evaluator will assess the overall accomplishment of the planned objective. That rating will begin with the “achievement” rating and make appropriate adjustments for the other three factors. For instance, a state will not be penalized for fully accomplishing the proposed objective, even though it showed no flexibility or creativity and did not go beyond the stated objective. It would retain an overall rating of “4” for this action. However, if it did not accomplish the objective, its rating could be higher than “1” based on the effort expended and the creativity demonstrated in attempting to circumvent obstacles and resistance.</p> <p>Evaluator comments should summarize the state’s accomplishment and the rationale for the ratings assigned.</p>

Example		
Action	Rating	Instructions And Definitions
<p>Action - taken from the plan or added at the request of the state</p> <p><i>Example:</i></p> <p>Create brief bank</p> <p>Evaluator comments:</p> <p>The state obtained a grant to provide the resources needed to develop a brief bank. You involved staff from several programs throughout the state, and pro bono attorneys, in the planning effort. The brief bank established includes forms and templates going well beyond the original contemplation of a brief bank. Users throughout the state have expressed appreciation for the resource provided, and noted the time saved by the forms and templates. The brief bank took nine months longer to complete than planned.</p> <p><i>Ratings: The project took more effort than anticipated but showed great creativity in seeing opportunities beyond the project's original scope. While it was</i></p>	<p>Effort</p> <p>5 4 3 2 1</p> <p>5 4 3 2 1</p>	<p>In rating "effort," the evaluator will assess the extent to which the state expended time, resources, and personal energy to accomplish the planned objective. The evaluation of effort is independent of the evaluation of the result achieved. How hard did the state work to achieve its objective? A rating of "5" reflects maximum reasonable effort expended. A rating of "3" reflects adequate effort. A rating of "1" reflects the lack of discernible effort to accomplish the planned objective. Evaluators may use ratings of "4" and "2" as well.</p> <p>In rating "agility," the evaluator will assess the extent of creativity and flexibility shown by the state in attempting to implement a planned objective. When the implementation effort encountered resistance or an obstacle, what steps did the state take to circumvent it? Did it modify the objective to one with similar positive impact on representation of clients but achievable within the limits imposed by the political environment or available resources? A rating of "5" reflects maximum flexibility and creativity. A rating of "3" reflects adequate "agility." A rating of "1" reflects a lack of creativity to circumvent obstacles or resistance. Evaluators may use ratings of "4" and "2" as well.</p> <p>In rating "vision/seeing further possibilities," the evaluator will assess the extent to which a state went above and beyond the original objective set forth in the plan as it saw further opportunities unfold. For instance, a state may have set a goal for increasing state appropriations for legal services programs. During its discussions with state legislators, it found a willingness to substantially increase funding for the court system to appoint guardians ad litem for children whose parents face child abuse and neglect proceedings. The legal services advocates pursue that opportunity and obtain a substantial increase in resources for this group of potential legal services clients, although the services are not provided through a legal services program. A rating of "5" reflects maximum initiative in accomplishing more than the plan initially contemplated. A rating of "3" reflects adequate creativity in identifying additional opportunities. A rating of "1" reflects the lack of initiative to accomplish more than originally contemplated. Evaluators may use ratings of "4" and "2" as well.</p>
	<p>Agility</p> <p>5 4 3 2 1</p>	<p>Vision/seeing further possibilities</p> <p>5 4 3 2 1</p>
	<p>Vision/seeing further possibilities</p> <p>5 4 3 2 1</p>	

Example		
Action	Rating	Instructions And Definitions
<p><i>delayed significantly in its completion, it nonetheless deserves an overall rating of “4” because it went significantly beyond the original project design.</i></p>	<p>Achievement</p> <p>5 4 3 2 1</p>	<p>In rating “achievement,” the evaluator will assess the extent to which the state actually implemented the subject action. A rating of “5” reflects that the state accomplished more than originally contemplated. A rating of “4” reflects that the state completely accomplished the planned objective, within a reasonable time frame. A rating of “3” reflects that the state substantially accomplished the objective, or completely accomplished it over a longer time frame than was reasonably required. A rating of “2” reflects that the state accomplished some part of the objective. A rating of “1” reflects that the state did not accomplish its objective.</p>
	<p>Overall rating for this action</p> <p>5 4 3 2 1</p>	<p>In assigning an “overall” rating, the evaluator will assess the overall accomplishment of the planned objective. That rating will begin with the “achievement” rating and make appropriate adjustments for the other three factors. For instance, a state will not be penalized for fully accomplishing the proposed objective, even though it showed no flexibility or creativity and did not go beyond the stated objective. It would retain an overall rating of “4” for this action. However, if it did not accomplish the objective, its rating could be higher than “1” based on the effort expended and the creativity demonstrated in attempting to circumvent obstacles and resistance.</p> <p>Evaluator comments should summarize the state’s accomplishment and the rationale for the ratings assigned.</p>

SECTION 3 OBJECTIVE MEASURES OF THE SUCCESS OF STATE JUSTICE COMMUNITIES PLANNING

This section of the evaluation instrument contains a series of eight objective measures of the success of State Justice Communities Planning. The measures are designed to provide useful and valid information on the performance of state legal services programs; all eight measure dimensions of capacity building and service delivery at the core of client centered legal services. LSC has chosen these specific measures to focus on key issues of state level legal services planning, to define measures for which consistent and reliable data can be obtained, and to limit the burden on legal services organizations to the minimum level necessary. Each measure is defined in considerable detail to provide maximum guidance for states in collected the required data.

States will not be required to provide data on these measures until they are evaluated in one of the first three annual LSC evaluation cycles. Thereafter, LSC will expect every state to maintain its annual collection and reporting on these measures, whether or not they are the subject of a formal evaluation in a particular year. Trends for these measures will be important for all states' planning processes and for monitoring progress towards their planning objectives.

All public and private sector entities – at the national and state level -- are under intense pressure to gather and use performance data to improve their programs and to enable funders and the public at large

to gauge their effectiveness and efficiency. The Legal Services Corporation Board of Directors is committed to developing and implementing performance measures for the legal services programs it supports. The measures included in this instrument are not designed to address the whole of range of services delivered to clients; rather they are intended to focus on the purposes and hoped for results of State Justice Communities Planning.

No objective measure or measures can be designed so as to reflect perfectly all of the factors that contribute to a complete understanding of the strengths and weaknesses of a legal services program. For instance, the average funding for LSC-funded legal services programs from non-LSC sources varies widely throughout the nation. Differences from state to state reflect many factors, including state per capita income, the percentage of poor persons in the population, historical political attitudes and the existence of non-LSC funded programs within the state to which other resources are directed. The cost of providing legal services also differs greatly from place to place. Some areas have higher lawyer salaries; some have higher costs of reaching clients. Differences in dollars contributed for support of legal services programs may be offset by pro bono representation of poor persons by the private bar. Consequently, dollars of non LSC funding provided to LSC-funded legal services programs are the beginning

of a discussion of equitable resource allocation, not the end of that discussion. This instrument requires the reporting of legal services funding per poor person compared to the national average. The measure does not include any weighting of funding by per capita income or for the costs of providing services. The measure does include total hours of pro bono services spent, but it makes no attempt to determine the value of those services nor to combine pro bono services and funding in a single composite measure. The difficulty of constructing such a measure, and the burden on legal services programs of gathering data for all of its components, counsel against such an approach. And, no matter how elaborate the measure were made, it would fail to provide a complete and accurate depiction of the adequacy or fairness of a community's resource commitment to providing legal services to those within its population unable to afford them.

The response to the inevitable imperfection of objective measures is not to refuse to employ them. It is rather to develop and make available sufficient supplemental information for funders, the press, and the public at large to accurately interpret and use the objective data provided.

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
A. Improving the capacity of legal services programs to serve eligible clients					
A.1 Creating state level capacities to improve client representation	Percentage of statewide capacities set forth in Part 4.2.1 of Section 1 that a state has in place	<p>A state will get a score of one or zero for each of the listed capacities. A score of one will be assigned if the capacity exists and is used. A score of zero will be assigned if the capacity does not exist or is so new or lacking in effectiveness that it does not enhance the effectiveness or efficiency of the delivery of legal services. The state's score will be divided by 8.</p> <p>The capacities included within this category are:</p> <ul style="list-style-type: none"> A unified approach to support for legal specialty areas Maintenance of a statewide document database Production and maintenance of community legal education materials A primary point of entry for clients into legal services programs throughout the state Statewide coordination of litigation and advocacy on behalf of clients. (Some forms of policy advocacy are restricted for LSC grantees.) Collection of demographic information Capacity to spot emerging areas of unmet legal needs Capacity to identify gaps in resources 	Number between zero and 100, rounded to the nearest whole number	% change since 1998	States will be required to provide data for current and prior years during the first year in which they are evaluated

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
<p>A.2 Creating state level capacities to strengthen the legal services community</p>	<p>Percentage of statewide capacities set forth in Part 4.2.2 of Section 1 that a state has in place</p>	<p>A state will get a score of one or zero for each of the listed capacities. A score of one will be assigned if the capacity exists and is used. A score of zero will be assigned if the capacity does not exist or is so new or lacking in effectiveness that it does not enhance the effectiveness or efficiency of the delivery of legal services. The state's score will be divided by 9.</p> <p>The capacities included within this category are:</p> <p>Unified planning and support for statewide automated applications that facilitates the appropriate deployment of technology avoiding duplicative investments and promoting collaborative financial investments with other stakeholders in the equal justice community (i.e., courts and community-based organizations)</p> <p>Clearinghouse for management support</p> <p>State level sharing of resources</p> <p>Clearinghouse and support for pro bono attorneys</p> <p>Effective internal communications within the state justice community</p> <p>Leveraged purchasing power and recruitment</p> <p>A single training needs assessment</p> <p>Statewide training for staff, pro bono attorneys and other volunteers</p> <p>State level strategies for cooperating with federal and state level entities</p>	<p>Number between zero and 100, rounded to the nearest whole number</p>	<p>% change since 1998</p>	<p>States will be required to provide data for current and prior years during the first year in which they are evaluated</p>

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
<p>A.3 Creation of state level capacities for enhancing public support and resource development</p>	<p>Percentage of statewide capacities set forth in Part 4.2.3 of Section 1 that a state has in place</p>	<p>A state will get a score of one or zero for each of the listed capacities. A score of one will be assigned if the capacity exists and is used. A score of zero will be assigned if the capacity does not exist or is so new or lacking in effectiveness that it does not enhance the effectiveness or efficiency of the delivery of legal services. The state's score will be divided by 3.</p> <p>The capacities included within this category are:</p> <p>A unified approach to resource development</p> <p>Statewide development and implementation of strategies for public communications</p> <p>Coordinated advocacy issues affecting legal services providers</p>	<p>Number between zero and 100, rounded to the nearest whole number</p>	<p>% change since 1998</p>	<p>States will be required to provide data for current and prior years during the first year in which they are evaluated</p>

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
<p>A.4 Non LSC resources received by all legal services providers serving persons eligible for LSC-funded services</p>	<p>Total resources received in the course of the last calendar year from two non-LSC sources for all legal services programs within the state providing services to persons eligible for LSC-funded services, divided by the number of poor persons in the state</p> <p>See Part 3.10.1 of Section 1 of this instrument.</p>	<p>LSC grantees will obtain and report data on all revenues received (not pledged or owing) for each calendar year by all civil legal services programs in the state providing services to persons eligible for LSC-funded services from two sources – state and local governments and private sector fund raising campaigns.</p> <p>“State and local governments” include state general funds, court fees, any other funding generated pursuant to state law or local ordinance, and funds appropriated by municipalities or other governmental subdivisions within a state.</p> <p>“Private sector fund raising campaigns” include efforts to obtain contributions from individuals, community and civic organizations, and businesses. It includes campaigns for contributions from lawyers, whether or not conducted through a state or local bar association. It does not include grants or similar contributions from private foundations or community-wide charitable fund raising efforts such as United Ways.</p> <p>These two sources have been chosen as examples of frequently untapped sources widely believed to be capable of generating significant amounts of support for civil legal services for the poor. The measure is limited to these two sources in order to limit the burden of data gathering on LSC grantees.</p> <p>This section places the burden on LSC grantees to obtain this information from non-LSC grantees serving persons eligible for LSC-funded services.</p>	<p>A whole number, representing the amount of non-LSC funding per poor person generated within the state during the last calendar year.</p>	<p>All historical data already aggregated by the state will be reported, identifying any discontinuities in data definitions</p>	<p>In the first year in which they are evaluated, states will provide data for the prior calendar year and available trend data for past years, together with information needed to interpret past data</p>
<p>A.5 Relative availability of legal services</p>	<p>Availability of legal services lawyers to poor</p>	<p>Aggregate the number of full time equivalent attorneys (including managing and supervising attorneys) in legal services programs serving persons eligible for LSC-funded services, whether in LSC-</p>	<p>A whole number, representing</p>	<p>Trend data since 1998</p>	<p>In the first year in which they are</p>

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
<p>lawyers serving LSC-eligible clients throughout the state</p>	<p>persons statewide See part 3.5 of section 1 of this instrument.</p>	<p>or non-LSC-funded programs, throughout the state during each calendar year. Divide the number of poor persons in the state population (based on 125 % of federal poverty guidelines) by that number. This measure understates the number of poor persons potentially eligible for LSC-funded services. It uses 125% of federal poverty guidelines to calculate the number of poor persons in a state, although LSC guidelines authorize services for persons with income as high as 187.5% of the poverty level if they have sufficient excludable expenses. However, 125% of poverty guidelines is a number easily calculated and reported by LSC grantees while the actual number of potentially eligible persons cannot be determined without extensive research.</p>	<p>the number of poor persons potentially eligible for LSC-funded legal services in the state divided by the number of lawyers available to serve them</p>		<p>evaluated, states will provide data for the prior calendar year and available trend data</p>
<p>B. Output of Legal Services Programs</p>					

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
B. 1 Quantity of service provided by type of service	Statewide totals of cases closed (CSR) and services provided (MSR) by LSC programs in the course of the last calendar year, by type of service defined in CSR and MSR. See part 3.3 of Section 1 of this instrument	Each LSC-funded program will report the number of cases closed and services provided, broken down by type of service provided, using the categories specified in the CSR and MSR. The state will aggregate the program reports for each type of service.	Numbers of cases closed and services provided for each type of service. Report the CSR and MSR data separately; do not aggregate.	% change over period for which data has been collected.	In the first year in which they are evaluated, the state will provide data for the current calendar year. No prior year or trend data is expected during the first evaluation.
C. Equity of Output					
C.1 Geographic equity in resources distribution	Disparity in funding and pro bono services per poor person by county See part 3.1.1 of Section 1 of this instrument.	States will gather funding and pro bono services data by county. Funding data will include total LSC and non-LSC funding spent during each calendar year by LSC-funded legal services programs. Funding for programs with statewide reach will be divided out by the county of residence of clients served during the calendar year or by another reasonable allocation related to the geographic distribution of the potentially eligible indigent persons who will benefit from the services. In evaluating the reasonableness of such allocations, programs may consider the following factors and any others that aid in making that determination: (1) the forum in which the matter is being pursued, e.g., court, administrative agency, etc.; (2) whether the matter can be expected to establish a precedent and the scope or breadth of that precedent; (3) a description of the group of individuals that would benefit from a favorable resolution of the	Two percentages, rounded to the nearest whole percent, will be reported – one for disparity in funding per poor person per county and the second for	% change over the period for which data has been gathered	In the first year in which they are evaluated, the state will provide data for the current calendar year. No prior year or trend data is expected during the first evaluation,

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
		<p>legal matter; (4) the complexity and relative cost of various services provided; and (5) the legal issues raised by the matter.</p> <p>Funding for programs serving a single county may be attributed to that county, even though the program serves a few out of county residents during the course of a year and even though some of the benefits of that representation accrue to residents of other counties. Funding for programs serving multiple counties is divided according to any one of the following criteria (which have been adapted from the allocation process used by California): numbers of clients served who reside in each county or of cases handled in each county; actual or estimated hours of service provided in each county, or provided to clients who reside in each county; actual expenses of providing service to clients in each county, including both personnel and non-personnel expenses; statistics that establish the geographic distribution by county of persons who will benefit from the services provided. In certain circumstances it may be necessary to use a combination of these or other methods to arrive at an allocation method that is reasonably related to the actual expenditure of funds. Estimates are acceptable if the method of estimation is reasonably related to the expenditure of funds and fully explained.</p> <p>Programs may compute an allocation formula based on direct services provided and divide overhead, indirect, and other services impossible or extremely difficult to allocate on the same basis.</p> <p>Divide each county's funding by the number of poor persons in that county (using 125 % of federal poverty guidelines). Divide the lowest figure (of dollars per poor person) by the highest figure and report that percentage as the measure of disparity between the worst</p>	<p>disparity in pro bono services per poor person per county.</p>		<p>except for states that have been collecting this data systematically</p>

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
		<p>and best funded county.</p> <p>States will also gather data on the actual number of hours spent by members of the private bar in providing pro bono services to income eligible persons or to creating or expanding resources or programs or recruiting attorneys to provide such direct service. It will collect that information by the county of residence of the client served, or allocate the hours by county using any of the allocation criteria set forth above for allocating funding.</p> <p>Divide each county's hours of contributed pro bono services by the number of poor persons in that county (using 125 % of federal poverty guidelines). Divide the lowest figure (of hours per poor person) by the highest figure and report that percentage as the measure of disparity between the worst and best served county in terms of pro bono representation.</p> <p>This measure understates the number of poor persons potentially eligible for LSC-funded services. It uses 125% of federal poverty guidelines to calculate the number of poor persons in a state, although LSC guidelines authorize services for persons with income as high as 187.5% of the poverty level if they have sufficient excludable expenses. However, 125% of poverty guidelines is a number easily calculated and reported by LSC grantees while the actual number of potentially eligible persons cannot be determined without extensive research.</p> <p>States are invited to provide additional data to explain any inequity shown by this measure as constructed.</p>			

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
<p>C.2 Equity in the provision of services to groups of clients</p>	<p>Each state will report the breakdown of its extended representation services provided to various client groups, compared to their percentage representation in the state's population of poor persons</p> <p>See part 3.1.1 of Section 1 of this instrument.</p>	<p>Each legal services program in the state will identify the race/ethnicity, age, and gender of clients (all as defined in the current CSR requirements) to whom it provides extended representation. Each state will also choose two additional special client groups based on language or some other characteristic of special significance in its state. LSC-funded legal services programs in the state will gather data on the number of persons within those two special client groups to whom they provide extended representation. Each program will report that data to the state planning body, which will aggregate the data to determine the number and percentage of persons served falling within each such group. The state planning body will determine the proportion of the state's poverty population falling within each of the reported categories. It will compare each group's percentage of total persons given extended representation in the state, rounded to the nearest whole percent, with that group's percentage of the state's poverty population, likewise rounded to the nearest whole percent.</p> <p>Poverty population will be computed at 125% of federal poverty guidelines.</p> <p>States are encouraged to go beyond the requirements of this measure, both in the number of different groups for which data is collected and in the range of program services for which the data is collected. States should anticipate that LSC will expand the formal requirements for this sort of data gathering; states that have put more aggressive data gathering approaches in place will be prepared for such expanded future requirements.</p> <p>This measure understates the number of poor persons potentially</p>	<p>The report will consist of two numbers for each group – its percentage of persons provided extended representation and its percentage within the state's poverty population. Roughly 20 different pairs of numbers will be presented.</p>	<p>% change over the period for which data has been gathered</p>	<p>In the first year in which they are evaluated, the state will provide data for the current calendar year. No prior year or trend data is expected during the first evaluation, except for the categories currently required by the CSR.</p>

Measure	Description	Instructions and Definitions For Data Gathering	Result	Measure Of Change	Effective Date
		<p>eligible for LSC-funded services. It uses 125% of federal poverty guidelines to calculate the number of poor persons in a state, although LSC guidelines authorize services for persons with income as high as 187.5% of the poverty level if they have sufficient excludable expenses. However, 125% of poverty guidelines is a number easily calculated and reported by LSC grantees while the actual number of potentially eligible persons cannot be determined without extensive research.</p> <p>States are invited to provide additional data to explain any inequity shown by this measure as constructed.</p>			