

Mary Asbury
Executive Director
Legal Aid Society of Greater Cincinnati

Strategic management supports effective substantive strategies

The Legal Aid Society of Greater Cincinnati (LASGC) has had a long tradition of using various self evaluation tools to measure the effectiveness of the program's work, which predated Mary's becoming the Director. The program uses outcome measures, follow-up interviews with clients and agencies serving clients and informal focus groups. More importantly, the program has a tradition of planning and implementing projects with a strategic approach that assumes self evaluation as a key component of managing. This is not a program that is thinking about doing program owned evaluation—it's doing it now and has for a long time. And it swears by it.

According to Mary, the program's involvement goes back to a training conference on increasing productivity in 1986.¹ The two themes at the conference were the importance of a legal services program being clear about knowing what it is trying to accomplish—"What's our product?"—and knowing how to measure if it has accomplished its objectives—"How will we know if we are successful?" Those learnings were coupled with insights gained at various strategic planning trainings² where a dominant theme was to be clear about what you are trying to accomplish and what your strategy is to get there.

The result of those learnings is that the Legal Aid Society of Greater Cincinnati is a very strategically focused program, both in its service and its impact work. According to Mary, LASGC has been very serious about going out into the community and asking clients what they want from the program. They have accomplished this by talking to clients in a focus group kind of setting.³

What emerged from those discussions were new concentrations on education and employment opportunity. In addition, the program addresses the more traditional economic and family stability issues. Mary says, however, that the grounding for what the program takes on is in what the client community says it wants the program to address.

Mary notes that the focus group process gave the program a clear sense of its goals. Talking with Mary, one gets the unambiguous sense that this is a program with a clear objective for its legal work at all levels and a clear sense of what it hopes to accomplish for its client community. The clear objectives form the basis for the program's self evaluative approach to management. Because it knows what it wants to accomplish, it wants to know if it is accomplishing it. That desire to know if it has done what it set out to do leads it to ask questions in a disciplined way about the outcomes of its work. LASGC has woven self evaluation into the fabric of the

¹ Increasing Productivity Conference conducted by Gerry Singsen, Cynthia Metzler and John Tull.

² Mary cited John Arango's trainings as being particularly significant.

³ They did not call them focus groups, but in retrospect, Mary says that is what they were.

program's operation. The program applies the tradition equally to examining outcomes in individual cases and in its impact work.

Outcome measures and other self evaluation techniques in ongoing service work

The key to LASGC's self evaluative approach in its individual service is its strategic focus. All parts of the program operate within a work plan that includes attention to measuring the outcomes of the work undertaken. Mary observes that it is basic management theory that she refers to as a "Project Management Model." Being clear about the objectives for any strategy is an exceedingly strong value at LASGC. "There are so many important issues we could be working on," says Mary, "that I don't really care what we do, so long as we are *clear* about what we are trying to do."

What has evolved from this approach, according to Mary, are outcomes that are more client oriented. Commonly, the goal that is set for representation and the outcome that is recorded is tied to a legal remedy in the case—did we forestall an eviction, gain child support, obtain dismissal of the action, and the like. The outcome measures that Mary's program uses are tied to changes that the work accomplishes in the client's life—did our client obtain and keep a job, do they have stable affordable housing, and so forth.

One example Mary gives involves the program's eviction work. Initially, the program measured outcomes by how many housing cases it had won. Now the approach is a more client-oriented objective of measuring how many families the program has "stabilized in affordable housing." From that perspective, the program looks at a subtler set of questions. "You have to parse the sentence," Mary says. "The questions become: 'Is the person in affordable housing? Do they have income to stay?'"

Focusing on what the outcomes are in clients' lives can have profound consequences for how the program approaches service delivery. Attention to the question whether people have adequate income led the program to a focus on employment work. The program was one of the first in the country to reduce its welfare work to concentrate on employment issues.

About 3 years ago, LASGC established a project called Clearing Legal Hurdles to Employment. The project seeks to keep participating clients in their jobs by concentrating on removing barriers to employment. The program's focus on client-oriented outcomes—have we helped keep our client employed?—has led to an unexpected approach to its work in the project. The program found that it needed to address the small impediments in people's lives that keep them from getting or keeping employment. As a result, the program found it was doing "the most mundane legal work." The program would take whatever "dumb old issue" that keeps people from getting a job, like drivers' license suspensions, child custody issues, expungement of criminal records and the like. The approach, Mary calls "full service problem solving."⁴

⁴ The program is starting the same approach with its domestic violence work.

Mary observes that when the focus is jobs, “you have to measure differently whether you are successful.” One remarkable change in the CLHE project came about because of its measuring outcomes that reflect the program’s objective—keeping people in their jobs. To evaluate whether the project was accomplishing this objective, follow-up calls were made to a random selection of clients to see if they got and if they kept employment. LASGC enlisted the help of students at a local university to make the calls.⁵ The program tried surveys, but found that they didn’t work, because people generally did not respond.

LASGC also works closely with various agencies that provide support services to persons making the transition to work. It regularly follows up with its partners to assess the effectiveness of its efforts to accomplish the stated goals of the project, including calling up the client’s job coach in the partner agencies to find out what happened with the individual’s employment.

Based on what it learned in following up with clients and agency partners, the program realized that matters that they had traditionally assumed clients could—and should—handle themselves, were in fact seriously affecting their capacity to stay employed. Small legal issues, such as problems with a utility bill, or hassles with a landlord were often “the last straw” for people struggling to stay in their first job. They didn’t have the time while working long hours, and the anxiety caused by the issue was significantly debilitating.

As a result, the program started taking over the day-to-day management of such issues. The “evaluation question” that the program asked is, “Did our taking over our clients’ problems make a difference because it freed them up to address their employment obligations?” Mary notes that the program found that without regard to any substantive result, there is an important difference for the client. “The objective is taking over management of the problem, not necessarily solving the problem.”

Such a notion is radical in legal services, where the prevailing wisdom is that to preserve limited program resources, minor matters should not be taken on, particularly ones that clients can handle themselves. An additional article of faith is that it is better, where possible, to teach clients to help themselves rather than to build dependency by doing “for” the client. Mary recognizes the importance of both values. Attention to whether the project was accomplishing its clear objective, however, led to the radical departure from traditional wisdom. “It has totally pushed us in the other direction on *pro se*,” notes Mary. “We have this image that people have all kinds of time on their hands to represent themselves.” That’s just not true for the working poor. It’s one of those “self-evident” things that only becomes evident when you ask the right questions.

While the program has a tradition of self evaluation tied to a strategic plan, Mary acknowledges that the changes in focus resulting from the evaluations sometimes raise questions within the program. “Some of staff have an issue with others regarding why we are taking cases that we wouldn’t have taken a few years ago.” Moreover, a barrier to follow up interviews is that some

⁵ Initially, the program was going to followup with all clients, but it has found that a sampling of clients was adequate. Ninety clients were called.

staff worry that they will find that they have not accomplished what they hoped they would. “The actual evaluation process is not that hard to design and set up—but some people are afraid of it.” To overcome that, she counsels that in any new project “you have to get started early in requiring and doing it.” It should be built in right at the outset and started in the first quarter so that it is seen as a natural part of the strategy’s implementation.

Mary observes that there can also be a tendency to try to change the objective, if an evaluation finds that the objective is not being met. Staying focused on the client-oriented objective, however, is fundamental. “It changes the whole level of discussion from just ideological claims about what we are trying to accomplish.” It forces you to look at what is happening in service cases and strive to be more insistent on a result that really makes a difference for clients.

Outcome measures and other self evaluation techniques in impact work

In addition to doing a significant amount of individual service work, the Legal Aid Society of Greater Cincinnati also has a very active practice with impact projects. Its strategic approach with a self evaluation component also guides its broader work. The main vehicle for accomplishing this is its monthly docket of the program’s approximately 60 impact projects and an outcomes reporting process during the course of each case and at its end. In the monthly docket, the advocate responsible for each case has to provide an update and summary of results achieved to date. At closure, the advocate reports whether the project has accomplished its goal.

The key, Mary notes, is that the results accomplished have to be expressed in terms of specific and express goals for the project. Mary observes that it is important that the advocate stick with the goal stated at the outset rather than tailoring the goal to fit the developments in the case.

Over time, as people in the program have worked more and more with the model that involves identifying clear goals and objectives at the outset of a project with attention to measuring if the goals have been achieved, they have become better and better at articulating the goals. Mary notes that the approach ties back to how each attorney and paralegal is supposed to do their legal work in all cases. LASGC has adopted practice standards based on the *ABA Civil Standards*.⁶ Mary notes that the standards call for there to be a clear case plan that is framed at the outset of the case and that guides how it is conducted.

Where the approach has had a big impact is in new work and new areas of practice. Mary says that is because in new areas, the appropriate strategy is not as clear as in more traditional ones. “Not only is what you should be doing in the area less clear but so is knowing if you’ve succeeded.” It is, therefore, particularly important to work at the outset to define the objective you are trying to accomplish and to consider how you would measure it.

Not only has the ongoing feedback about the success of various projects in accomplishing their objective helped shape the projects, but it has also led the program to abandon one project that at the outset seemed promising. LASGC undertook a project to help people maximize getting all

⁶ American Bar Association, *Standards for Providers of Civil Legal Services to the Poor* (1986).

the benefits they are entitled to under various programs. At the outset, they set a goal of increasing the average participant's income by 50%. The strategy was to do a detailed benefits analysis and then help people follow through to obtain the benefits they were entitled to. They hoped to reach 3,000 to 4,000 people per year for whom they would try to reach the targeted increase.

By measuring whether the desired outcomes were met, they saw that they were not as successful as they thought they could be. More importantly, they found that people did not want to take advantage of the project. They just weren't coming in. When LASGC followed up to ask why, it found out that the cause was often that people were not interested in pursuing food stamps because it was too much hassle. Faced with that knowledge, the program successfully pursued an informal strategy with the social service agency to reduce the difficulties in obtaining food stamps.

Nevertheless, the program found that people still were not taking advantage of the project. Mary notes: 'We tried a bunch of strategies, but then we just left off doing it. It wasn't succeeding—people weren't interested.'

Self evaluation is also a tool of management to guide program operations

LASGC uses the same strategic planning and evaluation model to address delivery issues within the program. Mary describes the program's intake system as one step short of a hotline. She notes that the program is one of the few that keeps track of all calls that it receives, not just the ones that it accepts. She notes that people were dissatisfied with intake based on customer service issues, and the fact that a great deal of attorneys' time was spent deciding if the program would take the case. To address the issue, the program created a focus group of reception and intake staff to examine the system and propose changes. Their first task was to write out a project plan with all the necessary elements of an effective intake system. The project description for revising the intake system is expected to be "specific, measurable, realistic and time-framed" consistent with the project management model used by the program. Furthermore, Mary notes, "the success of the new system will be measured in terms of whether we accomplish what we say we are trying to accomplish."

It is important that people who are close to the work and who are responsible for it are the ones doing the evaluations. It cannot just be seen to be something that happens from outside the project. In LASGC, the ones who do it and who "own it" are mostly the 10 attorneys who supervise the work and who have to do the evaluations. It is their responsibility to evaluate the components of their team's work plan and establish what they have accomplished.

The result of the constant evocation of a strategic approach—what Mary refers to as the "Project Management Model"—is that people "learn the skills of setting goals... and timelines and critical paths on projects." She observes that it is now so much a part of the way the program operates that "it is hard to sort out what is planning, what is doing and what is evaluating. They are all mixed up together." "We haven't perfected it," she says, "but it is the underlying *m.o.* of how we work." While Mary considers the most important benefit to the program to be a built-in

mechanism for performance improvement and good management, she also sees the approach as creating high energy in the staff and giving staff a solid sense that what they do does in fact make a difference.