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**Pioneering Innovative, High-Access, Regional
Legal Services in Northwestern Pennsylvania**

Bob Oakley declared in high school that he was going to be a legal services lawyer and he has never looked back. Today he is executive director of Northwestern Legal Services in Erie, Pennsylvania, a program that many regard as a model of integrated, comprehensive legal services delivery at a regional level. His relentless drive for improving things, and his leadership style of getting to know people, of gaining their trust, then leading them in the direction that will produce real change, have propelled NWLS from being an “average” LSC program when he arrived in 1995 to being known in Pennsylvania and the nation as a pioneer for innovation and effective service delivery.

“Oakley’s” continuous scanning for ideas that could improve his program has led to an interest in self-evaluation. He acknowledges that a monitoring visit by LSC in his second year as a program director was a defining moment in his career as a program director (“I got my butt kicked”) which triggered his pioneering the application of phone intake and advice systems, first in Wyoming and later in Pennsylvania. He actively seeks out feedback in a variety of ways, many of them casual or informal, to learn how things are working from the perspective of clients, lawyers and judges. He uses the information to drive strategic changes in the program. He is now interested in learning about more powerful self-evaluation tools that would help him to assess the results of things like *pro se* clinics and the program’s substantial investments in technology.

Innovation and non-traditional services in a rural context.

Oakley says he “always wanted to be a lawyer.” Like many in legal aid, he showed activist leanings early on. In high school in the 1960s, his hero was William Kunstler, the lawyer whose defense of the Chicago Eight dominated national attention in the way that the O.J. Simpson case did a generation later. Inspired by Kunstler and the lawyers working in the civil rights movement, he went to law school in Ohio, did well, and after his first year, got a chance to work at legal aid in Akron as a volunteer. He also was asked to serve on Law Review, but quit after a few months, finding he “couldn’t see any value in it.” On graduation, he continued in legal aid under a United Way grant. When the funding ran out, he went into private practice for three years, then returned to legal aid, this time as a managing attorney in Dayton. Four years later, he was hired as executive director of Legal Services of Southeastern Wyoming. In 1995, he moved back east to take his current position as executive director of Northwestern Legal Services, a ten-county program in Erie, Pennsylvania.

He made profound changes, as director, in both programs. In each case, the changes came when Oakley paid attention to something LSC did.

In Wyoming, it was a monitoring visit by a team from the Seattle regional office. In Pennsylvania it was the 1995 LSC state planning initiative. In each case, Oakley saw opportunities in situations many of his peers regarded only as threats.

“I got scalped,” Oakley says of the LSC evaluation. “They said our quality was *too high*, we weren’t handling enough cases. I would *never* agree that quality was too high, but I had decided soon after taking over the job that we should be serving more people. LSC’s report gave me cover to do something about it. Instead of having to tell my staff, ‘you guys aren’t working hard enough,’ I could point to the evaluation report.”

Oakley looked at how the program was delivering services. He drew a connection between the shortcomings he saw and a solution he’d encountered in the new-director conferences he was attending. As a result, he says, “We changed intake and did phone advice. I’m proud of how we organized it.”

This was in 1986, when phone intake and advice systems across the United States could be counted on the fingers of one hand. Wyoming and Bob Oakley became pioneers in what ultimately would become a national movement having profound implications for the way people of limited means gain entry to the civil justice system.

Another change in which Oakley takes pride was “getting legal aid on the map in Southeastern Wyoming.” His highly personal style of leadership turned out to be perfect for the rural, small-town area served by the program. “I got to know the judges and the lawyers. We set up compensated PAI programs and pro bono. With the Laramie County Bar, one of the two largest in the state, we set up a ‘Pro Bono Night.’ The lawyers would meet three pre-screened clients in our office. We’d go out for beers afterward.”

He went backpacking, hunting and fishing with the lawyers. He got invited to law firms’ holiday parties. He had lunch with judges and lawyers. He engaged the bar associations in the towns that had them, and had beers with the lawyers in the towns that didn’t. He estimates that outside Cheyenne he personally got to know three-quarters of the lawyers.

The effort paid off. Lawyers learned about legal aid by becoming involved in it. “It was hard for people to say ‘No’ to a *pro bono* case when I’d had lunch with them.” And it had an effect on them. “After Pro Bono Night, one Republican lawyer in his 60s came up to me and said, ‘I can’t believe people live on as little as they do.’”

Soon after moving to Pennsylvania, Oakley was hit by another defining event triggered by LSC. This time it was the 1995 state planning initiative. Oakley was inspired by it at a time when many program directors in Pennsylvania and elsewhere were fighting it. He put strategic planning to work in his program. He approached it as an exercise in self-evaluation. He used the state planning mandate as an excuse for making changes.

“We looked at the 1995 state plan and asked ourselves, ‘In what areas could we have improved?’ We looked at PAI, at community legal education, at resource development. Clients said, ‘We didn’t know you were there.’ We came up with some work plans. We put out poster boards in

shopping areas, an idea we'd developed in Wyoming. We put posters with panels having tear-off strips in laundromats, groceries, community centers — in places where we hadn't traditionally done outreach. We set community legal education goals, 'X community meetings per month.' We developed a custody clinic, a divorce clinic."

The strategic planning effort also produced a phone intake and advice system modeled on the one Oakley had pioneered in Wyoming. A "central intake unit" was launched in 1996. Oakley got each office to do some phone advice, letting people try it out, never describing it as a big deal. "You bring people along in steps rather than just plunking them into a new system." Counties were added to the system as staff became ready. The last county was added in summer 1997. By the time the second LSC state planning initiative hit in 1998, NWLS had a phone intake system in place in all ten counties, supported by an information system the program itself had designed.

NWLS was perfectly positioned to become Pennsylvania's champion for integrated intake, advice and service delivery, something LSC was now touting as the centerpiece of an integrated state system. Oakley found himself spending lots of time showing his system to visitors from other programs in Pennsylvania and across the nation.

Since then, NWLS has added innovations and "non-traditional" services to maximize its impact. The program's funding has grown 45 percent, from \$1.1 in 1995 to \$1.6 million in 2003. It has moved from being what LSC said was an "average" program in 1995 to being widely recognized as a benchmark for innovation and productivity in legal service delivery.

Its delivery system is especially noteworthy in a service area that is highly rural and has a low population density, making the traditional, walk-in legal aid model ineffective in many areas. Anchored by staff offices in six cities and connected by a centralized intake and brief service unit, the program delivers community legal education and self-help assistance services through a Web site, community presentations and legal clinics staffed by *pro bono* and staff attorneys. It has a DOJ-funded domestic violence project and recently added a TV program which not only is aired several times a week on local stations but also is taped and sent to welfare offices, community organizations and other legal services providers in the state to be shown in their client waiting rooms.

The high productivity of NWLS was documented in a 2001 desk review by Pennsylvania Legal Services, the state funder, which cited case statistics exceeding state and national benchmarks in both brief and extended legal representation as well noting the extensive outreach and non-traditional legal services such as community legal education and self-help assistance being provided by the program.

Self-evaluation under many names

Oakley is a people-oriented leader whose natural style is to get to know people first, then engage them in his relentless efforts to improve things. He uses self-evaluation as a tool, but he doesn't talk about "evaluation." He talks about visiting offices, having lunch with staff, meeting judges and calling clients who have checked a box on the survey form they get when their case is

closed. His methods are informal, even casual, but he is constantly evaluating himself, his staff and his program, and making adjustments.

He manages by walking around. He visits each office regularly. “With some, I get a hotel room so I can make it an overnight stay. That gives me time to meet with judges, interact with staff, have dinner with people. I have an office meeting with everyone, bring them up to date, give them an opportunity to ask questions. I spend some private time with each person, get to know them, talk informally. I take staff out to lunch.

“In Wyoming, I got to know the lawyers and judges. Here the program is much larger and I can’t do it. I expect my managing attorneys to do it. Some of them do a good job at it.”

Personal relationships are the key to his leadership style. “The more people respect and like me, the easier it is to get them to go down the path I want them to take.”

The path he wants them to take leads aggressively forward. “You have to move the program. You can’t let it flounder,” he says. “If you’re not changing, you’re going backward.”

While he was still considering the Pennsylvania job, he asked John Tull, who was then heading up the program oversight division at LSC, what he thought about NWLS. “John said it was about average — not really good, not really bad.”

Oakley took the job. As soon as he arrived in the program, he began to “move” it. But building trust with staff came first. “It’s harder to move a large program than a small one. In Wyoming, I just did it. Here, you need a certain amount of buy-in.”

He defines his role as program director with two words: “A leader.” “There are a whole lot of things I do in that role. In Cheyenne, I did everything. Here I had to give it up. I have to work through others.” Starting with the strategic planning initiative in 1995, he began to hold three all-staff meetings a year. “At the end of the meeting, I send people off with a ‘charge.’ I try to get some excitement in them.”

Self-evaluation methods

Oakley does a variety of things to get information about how things are working. His sense is that NWLS is a high-quality program, and he has some indicators he uses to talk about it. He gets client feedback and acts on it. He has a series of processes in place to monitor quality and productivity, but would like to see them be better.

1. “Touchstones of a high quality program”

When asked if he can demonstrate quality, Oakley responds by listing features the program has in place that enable it to provide clients with effective, high-quality service. “I call these ‘touchstones’ of a good program,” he says, then rattles them off.

Phone intake and advice. “We have a phone intake and advice system in place. People get immediate help. If they need to see an advocate, they get to see one in a day or two rather than having to wait a week.”

Appeals. “We do them. They are not ten percent of our cases, but we do our share. We don’t shy away from them.”

Pro bono. “We have a good *pro bono* program. In Erie County, 70 percent of the bar takes *pro bono* referrals from us.”

Outreach. The program is making strong efforts to make its services known in the community.

Community legal education. The program is providing information that people can use to understand their rights and to avoid small problems that could get worse.

Self help packets. People have access to materials they can use in handling simple things by themselves.

Innovations. “We have a web site that clients can go to to get legal information. We have a TV program.”

Funding growth. “Our funding is growing steadily. I think funders know we do a good job.”

Client feedback. “We did a client survey when we did our needs assessment. We also send a survey form to the client when we close a case.”

Oakley cites feedback he gets in a variety of ways that tells him his touchstones are real. For example, an attorney at the PA Health Law Project told him that NWLS does the best job of community legal education in the state.

2. Client survey at case closure

“Every client gets a survey at the end of the case. This is the most powerful evaluation method we use. All the surveys come back to me. I don’t compile them, but I review them. Most interesting are responses to questions like, ‘Did you get through on the telephone line, or did you get a busy signal?’ It’s a harbinger of how we are doing with clients. Should we be adding lines? Should we be structuring things differently? It’s caused changes; for example, we added a cable modem to free up a phone line.

“There’s a check box, ‘Would you like a call from the Executive Director?’ It’s rarely checked, maybe twice a year, but when it is, I call them. It gives me a channel to talk with the client. In 95 percent of the cases, they’re unhappy with the law, not the program, but sometimes I’ll have a discussion afterwards with the advocate who handled the case.”

3. Legal work quality review

Oakley uses a system of periodic case reviews for monitoring quality on the program's case work. In addition, he has created a peer review system for monitoring quality of service provided by the phone intake and advice component.

Case reviews. "In Erie [the largest office], staff have case acceptance meetings every Friday morning; others have them on a regular basis. Lawyers are expected to write a 'six months memo' for every case that has been open six months or more; these are reviewed by the managing attorneys. All closed cases are reviewed by the managing attorney. Optimally, managers do at least annual reviews of the open cases of each staff member."

Quality review system for hotline program. "We have two lawyers staffing the hotline. Each reviews the other's letters. The manager reviews intakes every day. Every client gets a survey. Some clients get a follow-up call in 30 or 60 days to see what happened."

In spite of these methods, Oakley is not satisfied with the handle he has on quality. "Often we don't find out quality is below par until a lawyer leaves and the person taking over his cases grumbles about the way the file was handled... I have questions about the validity of case reviews. Managing attorneys don't want to tattle on their people. They either handle problems themselves or they keep it to themselves... Client complaints give you some information, but clients don't often complain.

"All the methods for getting information about performance have their drawbacks. By using a balance of methods, you get a feel for performance, but it's not as reliable as I'd like it to be."

4. Review of case statistics

"I look at CSR statistics on closed cases. I look at caseloads. I adjust them if they are too high or too low. Before we had the phone intake and advice system, we said 200 closed cases a year was the benchmark. Now we don't have a benchmark. But if the range is 125 to 150, I'm not too concerned. If it's below 120, I might take a closer look at the cases involved.

"I look at open caseloads quarterly and yearly, by staff member, program as a whole, comparison between offices. I look at them in staff evaluations or if someone says they are inundated. Open case loads should be around 40 to 60 cases for a new attorney, 60 to 80 for a five to ten year attorney, and 80-plus for a ten year attorney. If it's over 100 cases, I look at the CSRs. Are they active cases? I talk to the attorney or to the managing attorney. 'Is the person waiting for a lot of SSI decisions? Is the casehandler overextended? Did he or she close cases last month? If not, get them to close some.'

"I get quarterly reports from my administrators. If I spot something, I go straight to the CSRs.

"I don't like the term 'productivity' in legal services. I can do a hundred PFAs [Protection from Abuse orders], but it's so different from other kinds of cases that the number isn't meaningful.

What should caseloads be? It's different for a first-year attorney than a ten-year attorney. It's also an issue of types of cases a person is handling -- how complex versus how rote they are."

Next steps in applying program self-evaluation

Bob Oakley is an innovator with a relentless drive for improving things. This is reflected in his attitude about self-evaluation. He has tried things, but is not satisfied with them. He wants access to better feedback from stakeholders about how the program is doing, and better tools for monitoring quality and work output. In Wyoming, he felt more connected with the community, and less need for formal feedback. "It's taken me awhile to get where I am today, but I'm not happy with it. I expect my attorneys to have these connections. Some do and some don't."

He wants to know more about the performance of the service innovations he has put in place. "I'd like to know things like, Are our *pro se* clinics really working?" He has a model for finding this out. "The first thing I'd do is get a list of clients, then check their court records to see who's filed, has it gone from there to a final order? Then I'd get feedback from the clients. 'If you didn't file, why not?' Who did, and what happened to them?"

He asks himself, "What's the value of the thousands of dollars we have invested in technology -- phone systems, LANs, Web sites, Intranets? What's the benefit of tuition repayment programs and salary increases? My board president asked if we could afford to raise salaries. My response was, 'Can we afford NOT to? It's like, can we afford a copying machine? But I'd like to have a better handle on what impact it's having."

The biggest obstacle he sees in finding out these things "is having the time to put it together. It's a matter of having time and staffing."

Bob Oakley could be described as "ready" for more powerful, less informal tools for program-owned evaluation. His program is a benchmark of state-of-the-art legal aid practice in the combinations of rural counties and small communities that characterize much of America. In the current climate of scarce funding for legal aid, he has the interest and the ideas, but feels he lacks the resources for moving program self-evaluation much beyond where he's been able to go on his own.

In that regard he is perhaps typical of his peers in legal aid programs across the country.