

# Working to Encourage Public Interest Careers with Legal Services Corporation Programs: The LSC Quality Initiative

by Karen J. Sarjeant

The Legal Services Corporation (LSC) has a multifaceted Quality Initiative designed to support its vision of building and supporting high-quality capacity in LSC-funded legal services programs. In addition to supporting the current staff in programs, a significant outcome sought through the Quality Initiative is to continue to widen the path for law graduates and practicing lawyers who want to work with LSC-funded legal services programs.

As law graduates are deciding what to do with their law degrees, LSC invites them to consider joining an LSC-funded legal services program. There is no more noble work than a career in public interest law, and skilled advocates are needed to help close the justice gap that exists for millions of eligible low-income clients who cannot get legal assistance to address their pressing civil legal needs.

Congress entrusts the Legal Services Corporation (LSC) with a dual mission: to promote equal access to justice and to provide high-quality civil legal assistance to low-income Americans. Created in 1974, LSC is the main source of funding for civil legal aid. In 2007, LSC awarded competitive grants to 138 local legal services programs with more than 900 offices nationwide.

The need for civil legal services is staggering. Each year, LSC-funded programs complete nearly one million cases for eligible low-income clients. More than 50 million Americans, including 13 million children, are eligible to receive civil legal aid from LSC-funded programs. Most are at or below 125% of the federal poverty level threshold,

an income of approximately \$25,000 a year for a family of four.

In October 2005, LSC issued a groundbreaking report, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*. This report included the first nationwide, comprehensive analysis of the number of people that LSC-funded programs are unable to serve due to lack of resources.

LSC-funded programs recorded the number of eligible people who came to their offices that they could not serve. On average, for every person served, one was turned away — just 50% of those who actually sought help received it. The people who were turned away had nowhere else to turn and were, in effect, denied access to justice. This is an unacceptable situation when we know that lack of access to legal assistance often means the loss of basic necessities like housing and healthcare.

LSC wants to encourage more law graduates and mid-career lawyers to join the cause of equal justice and work with these LSC-funded programs. To ensure that LSC is doing all that it can to help make the equal justice community welcoming to all advocates, LSC is focusing several Quality Initiative activities on the dual challenges of recruitment and retention of highly qualified, diverse advocates.

Since 2004, LSC has focused on the development and implementation of a multifaceted LSC Quality Initiative, which is LSC's vision for supporting, building, and institutionalizing capacity for

the delivery of high-quality legal services. A few of the activities in the Quality Initiative are:

- refining and implementing clear performance standards through the revised LSC Performance Criteria, which address all aspects of program operations and the delivery of legal services (<http://www.lsc.gov/pdfs/LSCPerformanceCriteriaReferencingABAStandards.pdf>);
- disseminating creative and innovative approaches to engaging private attorneys in the delivery of legal services to eligible low-income clients ([http://www.lri.lsc.gov/LRI/LSC\\_2007\\_Action\\_Plan\\_for\\_PAI.pdf](http://www.lri.lsc.gov/LRI/LSC_2007_Action_Plan_for_PAI.pdf));
- piloting and creating leadership mentoring models through the Leadership Mentoring Pilot Program that can be used by programs to support the leadership development activities of program staff at all levels of the program (a final report on the Leadership Mentoring Pilot Program will be available later this summer);
- demonstrating through the Pilot Loan Repayment Assistance Program (LRAP) that recruitment and retention can be addressed in part by implementation of effective LRAPs ([http://www.rin.lsc.gov/LRAP\\_Application.pdf](http://www.rin.lsc.gov/LRAP_Application.pdf));
- implementing an improved system of data collection and reporting which allows programs to count and capture for data collection and reporting purposes all of the work that they do for eligible clients; and
- undertaking other activities that have lasting effects in the improvement of LSC programs through the implementation of technology in programs' work (<http://www.tig.lsc.gov/>).

## Recruitment and Retention

Two of those activities focus directly on recruitment and retention of high-quality, diverse staff: the Leadership Mentoring Pilot Program and the Pilot Loan Repayment Assistance Program.

Recruitment and retention are multi-pronged issues for programs: legal services salaries have not kept pace with other public interest salaries; new advocates are taking on large debt burdens because of the high cost of legal education; advocates desire leadership development opportunities and training; governing boards have generally allowed the issues of organizational succession planning to linger at the end of the priority list; and everyone is struggling with the issues related to quality of work/life balance.

There is a growing awareness of the need for salary improvement in legal services. The biennial NALP *Public Sector & Public Interest Attorney Salary Report* provides current information on salary ranges in the public interest environment. Programs and funders now recognize that salary must be considered as part of the overall recruitment/retention challenge — that talking about the moral imperative and good value of the legal work on behalf of poor people is not enough.

Real efforts are being made to address this baseline issue. For example, based on the findings in a study by the Chicago Bar Foundation and the Illinois Coalition for Equal Justice entitled “*Investing in Justice: A Framework for Effective Recruitment and Retention of Illinois Legal Aid Attorneys*” (November 2006), there has been a successful effort in Illinois to do targeted fundraising of close to \$1 million dollars to allow the legal services providers (LSC and non-LSC) to begin to address salary improvement with a deliberate salary increase plan over several years.

In other states, Interest on Lawyers Trust Account (IOLTA) programs are leading the way in making salary improvement a high priority for funding. LSC continues to seek a higher congressional appropriation to increase the delivery of services and

also to allow programs to address infrastructure needs such as salaries.

## The Role of LRAPs

A few years ago, Congress appropriated \$1 million for *LSC's Pilot Loan Repayment Assistance Program (LRAP)*. The goals of the three-year Pilot Program are to help LSC-funded programs recruit and retain highly qualified attorneys, study the impact of LRAPs on the issues of recruitment and retention, and spur development of other loan repayment assistance programs either at the local, regional, statewide, or national level.

Legal aid lawyers are among the lowest paid members of the legal profession. In the LSC Pilot LRAP, the average participant earns \$32,000 per year and the median loan debt of participants is \$70,000. To offset these loans, LSC's pilot program is providing \$15,000 per attorney over a three-year period. Currently, there are 70 attorneys participating in the Pilot LRAP, all of whom have been legal services lawyers for less than three years. Some are new recruits and others have been with the legal services program for more than one year. Each participant makes a three-year commitment to an LSC-funded program.

Preliminary data collected from the Pilot LRAP shows the program is meeting its goals. Participating LSC-funded programs that have the capacity to offer an LRAP have an important inducement to recruit advocates, especially in rural areas. The data also shows that for new staff attorneys, an LRAP can make a difference in their decision to work in a LSC-funded program. For example, data show that more than 90% of the participants say financial pressure is a "significant" or "very significant" reason they would leave their jobs as legal services lawyers; two-thirds of the participants say loan repayment assistance makes it "significantly" or "very significantly" more likely they will stay in their jobs; and two-thirds of the participants report that loan repayment has "significantly improved" their financial situation or quality of life.

Yet, an LRAP alone is not enough. Advocates coming into legal services today are looking for training, skills development, leadership opportunities, and a definite balance in the work/life equation.

## Professional Development and Diversity

The Illinois study referenced above, "*Investing in Justice: A Framework for Effective Recruitment and Retention of Illinois Legal Aid Attorneys*," includes a number of important findings and recommendations that may also be applicable in other states. For example, the study documented and quantified in dollars the high cost of turnover to legal services programs when they repeatedly lose staff after a few years. The study showed how in Illinois, a 10% attorney turnover in one year can result in over 9,200 fewer clients being served in that one year. The study also documented that training and professional development and support are keys to recruiting and retaining staff.

Implemented in 2005 and developing from recognition that a diverse corps of well-trained leaders is a reachable and necessary goal, the *LSC Leadership Mentoring Pilot Program* sought to help LSC-funded programs identify, nurture, and train a group of diverse attorneys. The Pilot Program sought to provide guidance on the most effective ways to promote leadership mentoring activities within LSC-funded programs.

Despite LSC's earlier efforts to promote the value and benefits of diversity in delivering high-quality legal services, LSC noted a lack of diversity in senior leadership positions with more diversity in the middle management job categories among its grantees. LSC's leadership/mentoring pilot program was developed and implemented in part to meet the challenge of deliberately developing and nurturing leadership from within the ranks of middle management and had three objectives: (1) to develop and evaluate mentoring and leadership development models that can be replicated and used by individual LSC programs in furtherance

of providing quality legal services; (2) to foster a recognition and commitment among legal services programs' boards of directors and management that the programs and their clients ultimately benefit from the deliberate nurturing and cultivation of diverse staff to increase the leadership capacity within programs; and (3) to design and implement a mentoring and development model that will provide successful candidates with the knowledge, skills, exposure, and analytical abilities to become a diverse corps of future leaders in the legal services community.

Along with defining the goals and objectives of the Pilot Program, LSC developed and built the mentoring training curriculum around the *LSC Core Competencies of Leadership* to reinforce the qualities that mentoring would seek to foster in its emerging leaders.

Working with ten mentors and ten protégés from LSC-funded programs across the country, a diverse group of individuals were selected as participants for the Pilot Program, to work in "pairs" and/or in a group. The participants represented 20 separate LSC-funded programs from throughout the legal services community nationally, and the group was geographically and ethnically diverse.

LSC is in the process of compiling its evaluation of the program. Preliminary data demonstrate that the program will have continuing value both to the participants and to the broader legal services community. We learned from the Pilot Program that, among other things, formal leadership mentoring activities are a valuable component of leadership development strategies in legal services; mentoring activities significantly enhance the leadership skills of both protégés and mentors; and the combination of individual mentoring and group mentoring together is an effective way to structure a mentoring program. LSC is excited about getting the final report and models distributed to LSC-funded programs for their own use.

These are just some of the Quality Initiative activities that LSC undertakes to fulfill its mission to support, build, and institutionalize a capacity for the delivery of high-quality legal services. LSC

believes that these activities help make working in an LSC-funded program an attractive career option, support and develop existing staff, and continue to widen the path for law graduates and practicing lawyers who want to work in LSC-funded legal services programs.

## LEGAL SERVICES CORPORATION LSC Core Competencies of Leadership

### An Effective Leader:

- Possesses unquestioned integrity and adheres to the highest ethical and professional standards
- Develops, articulates, and implements a vision and core values for the organization
- Champions and models inclusiveness and respect within the organization and externally
- Develops leadership in others at all levels of the organization
- Communicates effectively to achieve organizational goals
- Strategically aligns the vision and core values with organizational goals
- Collaborates with partners to further the goals and objectives of the organization
- Welcomes change and effectively addresses the challenges of uncertainty
- Is creative and willing to try new ideas

---

*Karen J. Sarjeant is Vice President for Programs and Compliance of the Legal Services Corporation in Washington, DC. She can be contacted at [ksarjeant@lsc.gov](mailto:ksarjeant@lsc.gov).*