

## MINUTES

ATJ Board Delivery System Committee

October 14, 2011

10:00 a.m. – noon

Washington State Bar Association

Present: Co-Chair Nick Gellert and Dan Gottlieb, Steve Larsen, Caitlin Davis Carlson, Jim Bamberger, Jorge Barón, Alex Doolittle, Joan Fairbanks

Present by phone: Pam Feinstein, Clay Wilson, John Midgley

Present by videoconferencing: Laurie Powers, Catherine Brown, Kellee Spangenberg, Angie Maddox

Approve August 19, 2011 Delivery System Committee Meeting Minutes: The minutes were not discussed. They will be tabled until the next meeting.

Funding update: Jim reported that the Chief sent a letter to the Governor that casts constitutional protection over much of the judicial branch budget including 40% of the OCLA budget. This leaves about 60% of OCLA's budget exposed to cuts. The budget shortfall is \$2 billion. Budget reductions could be as high as 29%. The EJC and OCLA are working together on messaging. The Governor directed all executive branch agencies to develop plans to achieve savings of 5% and 10% of general fund expenditures. The DSHS submission eliminated TeamChild and naturalization services, some of which are funded through NWIRP. Caitlin reported that the LFW and LAW Fund Boards convened a meeting to discuss how to handle the drop in IOLTA revenues. They received a \$150,000 *cy pres* award on Monday, and there is another pending. Federal funding is unknown. With respect to King County funding, most of the advocates are included in the Executive's budget at the same levels as last year. LFW will make grant awards on November 19 and there likely will be significant cuts to IOLTA-funded programs.

Current changes in the delivery system: Jim distributed a list of recent pro bono coordinator staffing changes. He also called attention to a recent CLS memo informing Alliance members of significant internal restructuring. He also noted that NJP has been going through its own internal strategic planning process. Jim suggested that decisions made through both the CLS and NJP processes could have ripple effects on the activities of other Alliance providers. He observed that: (1) repeated turnover of staff in small programs may signal that we need to find a more sustainable model for delivering pro bono services, especially in rural areas; and (2) the larger programs (CLS and NJP) are not reaching out to the DSC or their Alliance partners as they conduct their own internal strategic planning processes. He wondered why the DSC seems to be acting as though it is 'business as usual' while all around it major issues with potentially significant impacts on the delivery system and client service coordination are being considered and addressed at the program level. Dan stated that we need more candid discussions at the DSC about programmatic changes so they can be factored into the DSC discussions; that the focus of the ATJ Board has been to ensure client needs are being addressed throughout the state while respecting the autonomy of individual programs and the availability of resources. Alex added that there appears to be a disconnect between what goes on within programs and what is discussed at DSC; that there needs to be more communication among programs. As an example of this, she noted that if a provider makes changes in how it is handling public benefits, Alex's program also needs to know because her program handles public benefits. Pam added that the pro bono system is overwhelmed and that some of the staffed programs may not be considering the impact of their decisions on the pro bono programs. As an example, she noted that when NJP changes its priorities or makes changes to CLEAR,

there are unintended consequences for the pro bono programs. Dan opined that if one of the goals of the ATJ Board is to plan to fill gaps in client service, how can we get that information? John Midgley added that CLS will not be taking any new directions until it connects with its partners in the Alliance. CLS has lost a significant number of staff and will lose more staff next year.

Report from September 16, 2011 ATJ Board discussion of the DSC Work Plan: Nick Gellert reported that the Board approved the plan. It had only a few comments, and generally seemed to think the DSC was on the right track. Board members made the following suggestions on how to tweak the language or focus of work plan: (1) change "cross cultural" to "cross difference" competence and add language about the importance of compounding bias for those who face multiple hurdles; (2) include a general discussion about how DSC's initiative will result in "best practices" for regional planning and parallel processes; (3) include a discussion about the interrelationship between civil and criminal systems, recognizing that a lot of our clients have parallel civil and criminal problems; (4) work to make our process even more transparent and participatory.

Discussion of implementation of the DSC Work Plan:

The Committee identified the facilitation of an Alliance-wide discussion of client priorities as its current focus. The first step is to ask the regions to convene meetings to respond to DSC inquiries. This information will be compiled and will be the subject of an Alliance-wide discussion on the afternoon of the annual Goldmark Awards Luncheon. The next Alliance-wide discussion will take place on Sunday morning at the ATJ Conference. Conversations will also occur between these events through webinars and videoconferencing.

Four DSC members volunteered to work with the co-chairs and staff as a steering committee to help guide this work. The committee will meet prior to the next DSC meeting to develop a recommendation for moving forward. Members are Kellee, Laurie, Pam and Catherine.

Nick will brief the ATJ Board on this initiative.

DSC agreed there should be regular updates at its meeting on program planning.

There was discussion about the need to get information on staff turnover from all the programs – not just the pro bono programs. Caitlin and Jim will develop a draft on changes over the last 12-18 months in funding and personnel changes for all providers.

Future Meetings (Third Friday of each month, 10 - noon):

November 18

December 16