



February 1, 2008

Chief Justice Gerry C. Alexander
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: ATJ Board's State Plan Implementation

Dear Chief Justice Alexander:

Enclosed is the quarterly report of the activities of the Access to Justice Board's State Plan Oversight Committee, which is responsible for the implementation of the recently adopted revised Plan for the Delivery of Civil Legal Aid to Low Income People in Washington State (State Plan). To date, our primary efforts have been focused on the local regional planning called for in the State Plan.

I trust that this report will be useful in keeping you and your colleagues up-to-date on our efforts to improve justice-related matters in our state.

As always, I am available to answer questions about our progress.

Very truly yours,

Gregory R. Dallaire, Chair
Access to Justice Board State Plan Oversight Committee

Cc: Stanley A. Bastian, WSBA President
Mark A. Johnson, WSBA President-Elect

Enclosure

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THE ALLIANCE
for Equal Justice

SUPPORTER

OCTOBER 1, 2007 – DECEMBER 31, 2007 REPORT

The last quarter of the year was devoted to addressing issues arising out of the state planning process. Implementation of the State Plan was the primary focus. The ATJ State Plan Oversight Committee (SPOC) continued to offer and provide facilitation services to local regional planning committees. In addition, SPOC began to undertake a review of the local plans that had been submitted to insure that that the plans addressed the core issues emphasized in the State Plan. In many instances, SPOC supported the recommendations of regional planners and encouraged them to move forward with their initiatives. In other instances, SPOC requested local planners to clarify or, in some cases, address State Plan core issues that were not covered in their submission. Responses from these local regions are expected back during the first quarter of 2008. Once SPOC has ensured that the supplementary submissions comport with the State plan, reconciliation of the plans will begin.

During the past three months, SPOC has continued to encourage discussions about a state-wide pro bono effort. After the pro bono coordinator symposium in July, a Steering Committee was tasked with the responsibility of preparing a proposal for a state-wide pro bono entity. The Steering Committee's initial draft was sent to volunteer attorney legal services boards (vls) in December. Responses are anticipated during the first quarter of 2008. In the meantime, the issue will again be addressed when most of the participants gather for the Goldmark celebration in February. While progress on pro bono issues remain in flux, SPOC will continue to encourage this segment of the Alliance to seek and implement strategies consistent with the framework provided in the State Plan.

Other issues that will be tackled in 2008 include strengthening statewide support functions, addressing performance and accountability issues and professional development and training.

The past year has seen many positive developments. Several of these are due to the support and/or the encouragement provided by SPOC to Alliance members. The narrative that follows summarizes those accomplishments.

2007 YEAR-END REPORT
STATE PLAN OVERSIGHT COMMITTEE (SPOC)

I. BACKGROUND

In May of 2006, the Access to Justice Board adopted its revised State Plan for the Delivery of Civil Legal Aid to Low Income People in Washington State. This State Plan sets out five areas of planning focus and calls for implementation over a three to five year period.

From the adoption of the State Plan in May to the end of 2006, a number of steps were taken regarding implementation of the plan's goals. A regional planning facilitator was hired to assist SPOC with the regional planning effort called for in the plan. Regional planning teams were created in each of the 19 geographic regions of service set out in the plan. A template was created and distributed to each of these regional planning teams outlining an approach to the assessment of existing legal needs, legal aid providers, gaps in service, and barriers to the access of services. Regional planners in all the regions met over the course of several months and created their planning Assessment by the end of the year, with input from local attorneys/bar leaders, judges, clerks, and social service agency representatives.

II. STATE PLAN RELATED ACCOMPLISHMENTS IN 2007

With the information from the Assessment in hand, the regional planning teams turned to the next phase of this planning effort—development of a Regional Plan. SPOC provided guidance and assistance throughout this effort which occurred over the first 6 months of 2007: a template was devised to guide the issues for consideration and the process, facilitation services were provided to a number of planning teams, and resources and demographic information were available to inform the result. Planning areas largely tracked the State Plan's five primary areas of planning focus. Each is outlined herein, along with implementation related efforts that occurred over the course of the past year.

A. Upgrading Rural Delivery

From July until the end of the year, many steps were taken to implement regional planning recommendations regarding the upgrading of rural delivery systems. Based on the three groupings found in the State Plan, these accomplishments include:

- The State Plan identified six regions as lacking the minimum of 3 full time staff attorneys. With the appropriation of the additional state funding, new money was directed to the Northwest Justice Project which opened three new offices in regions in this group that had not had a staffed legal aid office for over twenty years, including:

- a Port Angeles office now serving Clallam and Jefferson counties (region 19);
- an Aberdeen office now serving Grays Harbor and Pacific counties (region 18);
- a Longview office now serving Cowlitz and Wahkiakum counties (region 16);

A new NJP office will open early in 2008 in Colville to serve Ferry, Steven and PendOreille counties (region 1); two attorneys have been hired to staff this office. This is another region that has no staffed legal aid office for many years. Regarding the other two regions in this grouping, an additional attorney has been hired for the Okanogan NJP office (region 5), and NJP plans to staff the Walla Walla office with an additional attorney, bringing the total to three attorneys who will serve Walla Walla, Columbia, Garfield and Asotin counties (region 4).

Accordingly, a key goal of the State Plan has been met--the six regions identified in the State Plan as targeted for movement toward the minimum necessary 3.0 FTE advocates (State Plan page 16) have received this additional attorney staffing. The civil legal aid delivery structure in these six regions has been significantly upgraded.

- Another five regions are identified in the State Plan as requiring significant additional resources to achieve equity of service delivery capacity. The additional funding appropriated by the State legislature was used to address this need for additional attorney staffing, to wit:
 - the Pasco NJP office will be staffed by an additional attorney, bring the total to two attorneys, serving Benton and Franklin counties (region 8);
 - the Yakima NJP office is now staffed by an additional attorney, serving Yakima and Kittitas counties (region 9);
 - the Wenatchee NJP office will be staffed by an additional attorney, serving Chelan and Douglas counties (region 6);
 - additional attorney staffing from the Olympia NJP office will be devoted to clients in Thurston, Mason and Lewis counties as this office no longer serves clients in Grays Harbor and Pacific counties.

Grant and Adams counties (region 7) are also in this grouping. No additional NJP monies will be spent in this region, but a new project funded by the Legal Foundation of Washington (LFW) will involve the opening of a new office in Moses Lake. This will be discussed further in section D, below.

- The State Plan recognizes that seven regions are adequately staffed with legal aid advocates; planners in these regions were asked to determine what, if any, changes should be made in the existing delivery system to better serve the needs of clients, with the existing current

resources. A number of initiatives were recommended within these regions that will enhance the client delivery system including the continuation of regional planning meetings in order to monitor and evaluate the effectiveness of the system, the use of technology/videoconferencing to better serve clients in outlying areas, better coordination with representatives from specific low income communities including Native American tribes... others?

B. Strengthening Pro Bono

Strengthening pro bono service delivery is another major focus of the State Plan which notes the 24 existing programs in the state, all with different organizational configurations. The Plan identifies ten existing pro bono programs that do not meet the minimum threshold of 160 volunteer attorneys in the region and therefore do not merit continuation as a stand-alone program; all of the regions with these programs were asked to develop alternative approaches to pro bono administration, recruitment and support in the course of regional planning. And in the remaining regions, planners were likewise asked to consider any innovations that would work to strengthen the regional pro bono component.

C. Centralizing Client Intake and Access in King County

The State Plan recognizes that intake, advice, brief service and/or referrals are available to low income persons across the state, except for those who reside in King County. Attempting to remedy this significant omission, the plan tasked King County legal aid providers with developing specific recommendations for the creation of a centralizing intake system. The King County regional planning team initially focused on gathering information and considering models for a centralized intake and information system and then, in early 2007, proposed utilization of the King County 211 referral system to meet this need. With SPOC's approval, this recommendation has moved forward, additional NJP CLEAR attorneys have been hired to provide advice and brief services associated with the increased workload, and the system is set to become operational as of January 1, 2008. People in King County with legal problems can now call 211 as a centralized source for information about and referrals to the many free and low-cost civil legal services that are available in the county.

D. Expanding Client Access for all Low Income People

The State Plan directs that new and innovative efforts be undertaken to address obstacles that limit access to the legal aid system due to cultural, linguistic, status-based, ability related or other challenges. Over the course of the assessment phase of regional planning, it became clear that the central Washington corridor has a significant population of low income families and individuals who are ineligible for services from NJP. Accordingly, representatives from Columbia Legal Services (CLS), the Northwest Immigrant Rights Project

(NWIRP), and TeamChild began meeting to discuss possible remedies to this gap in the delivery system. In late summer, they advanced a proposal to the Legal Foundation of Washington (LFW) for funding of a new office in Moses Lake. At its November meeting, the LFW board awarded funding for this project. Staffing of this office will consist of two CLS attorneys and two NWIRP attorneys, and an effort is underway to find office space which will include the Grant-Adams pro bono program. This collaborative effort is moving forward as hiring of staff is underway. Once this office is open, staff will serve clients in regions 5 (Okanogan), 6 (Chelan-Douglas), 7 (Grant-Adams), 8 (Benton-Franklin) and 9 (Yakima-Kittitas), in coordination with staff in those locations.

III. Next Steps; Goals for 2008

SPOC has reviewed all of the submitted regional plans and corresponded with regional planners regarding next steps. In some cases, planners were asked to provide SPOC with supplementary information by mid-February. In many cases, SPOC supported the recommendations of the regional planners, and they were encouraged to move forward with the initiatives designed to improve the regional delivery system. Once SPOC receives the supplementary information from certain regions, reconciliation of the plans as a whole will begin. During this same period, SPOC anticipates working with the pro bono community to determine the feasibility of a statewide pro bono entity. As this is an integral component of the overall delivery system, the State Plan will provide the framework for decisions on any proposal that is advanced.

SPOC is also updating the mapping software that has been developed as a resource for regional planners and the Alliance community. And finally, SPOC will begin to address the numerous statewide support functions outlined in the State Plan, including evaluation and accountability, advocacy coordination, professional development and training, and pro bono support.

Once recommendations regarding all the various components of the State Plan are formulated, SPOC will create an overall implementation plan and present it to the Access to Justice Board for its approval. In sum, SPOC will continue to monitor all the components of the State Plan implementation and ensure that these occur in a strategic and measured manner.