

Standing Committee on the Delivery of Legal Services (SCDLS) 2008 Year-End Assessment

APPOINTMENTS

1. ***How did the activities of your committee further completion of your committee's charge?***
The activities furthered the administration and governance of SCDLS and all aspects of the charge.
2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***
Recruitment of qualified attorneys from practice areas and settings that would be of benefit to SCDLS: corporate, IOLTA funded program with strong pro bono experience, government, small firm and solo practitioners and criminal indigent defense. All areas were achieved except for corporate and government which are challenging practice settings for soliciting pro bono awards nominations.
3. ***How was program success measured?***
Success was measured by the total number of applications received, the number of applications that list SCDLS as first priority, applicants from a variety of practice settings and diverse backgrounds, and the overall quality of each applicant (e.g. demonstrated commitment to the delivery of legal services to low- and moderate-income individuals)
4. ***What type of information has been presented related to the performance measures?***
Qualitative and quantitative.
5. ***What additional information is needed and when can that information feasibly be provided?***
Not applicable.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
Conduct targeted and individualized outreach and recruitment among State Bar subentities in addition to external entities. Continue to interview qualified applicants as part of the evaluation process and if applicant pool lacks qualified applicants, consider holding one or two positions open to continue recruitment efforts.

AWARDS/RECOGNITION

1. ***How did the activities of your committee further completion of your committee's charge?***
Identify, develop and supports improvements in the delivery of legal services and pro bono legal assistance to poor and middle-income individuals.
2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***
The overall number of awards nominations was more than satisfactory. Publicity and outreach for the awards were conducted well in advance of the nomination deadline with members making individual contacts with local, minority and women's bar associations, legal services providers and other entities, and distributing the information more widely (including more information on the State Bar website). Nominations were received in each category as opposed to last year (no nominations in the corporate or emeritus attorney/limited active practice categories).

3. ***How was program success measured?***

Success was measured by the quantity and quality of the nominations.

President's Pro Bono Service Awards

The total number of nominations received for the President's Pro Bono Service Awards was 30 (three more than in 2007). In 2006, 41 nominations were received and 29 in 2005. Once again, the nominees were outstanding and very "competitive", especially in the large law firm category.

Loren Miller Legal Services Award

The total number of nominations received was 3, six fewer than in 2006. However, the quality of the nominees remained high.

4. ***What type of information has been presented related to the performance measures?***

Both quantitative and qualitative information.

5. ***What additional information is needed and when can that information feasibly be provided?***

Not applicable.

6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***

Historically the corporate, government and medium law firm categories have had few or no nominations and a long term strategy is needed to cultivate pro bono participation in these areas. Also, IOLTA programs need to be reminded about nominating their emeritus attorneys. Staff and SCDLS members feel that it was a fluke that no nominations were submitted because this category traditionally has had many strong nominations. Members will modify their outreach accordingly to address shortfalls in 2008.

TRAINING

1. ***How did the activities of your committee further completion of your committee's charge?***

- Identify, develop and support improvements in the delivery of legal services and pro bono legal assistance to poor and middle-income individuals.
- Develop and disseminate educational materials and programs to improve the delivery of legal services to poor and middle-income individuals

2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***

Three MCLE programs were produced for the Annual Meeting in Monterey (September 25 -28):

- Attorney a la Carte
- Elimination of Bias in the Courtroom
- Strategies for Protecting Vulnerable Families

In addition, several current and former SCDLS members actively participated in the planning of the 2008 Pathways to Justice Conference that was held June 5-7 in Los Angeles, produced more than 10 MCLE programs and two roundtables, plus participated as panelists on various panels.

3. ***How was program success measured?***
Success was measured by the number of educational programs produced, positive comments from evaluation forms completed by attendees, positive comments by SCDLS members who attended and/or participated in the program, and number of attendees.
4. ***What type of information has been presented related to the performance measures?***
Quantitative and qualitative information presented.
5. ***What additional information is needed and when can that information feasibly be provided?***
No additional information is needed.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
Consider future training collaborations with the Legal Aid Association of California.

LEGISLATION

1. ***How did the activities of your committee further completion of your committee's charge?***
 - Serve as a resource to the Board of Governors in legal services issues of importance to the State Bar.
 - Analyze, report to the Board of Governors, and comment where requested by the Board of Governors or the Executive Director, on proposed court rules or legislation directly relating to or impacting the delivery of legal services to poor and middle-income individuals in California.
2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***

SCDLS provided written comments and/or analyses on the following matters that were referred by legislative counsel—

State Bar Section Legislative Proposals

- BLS-2008-07 (Business Law: Nonprofit Director/Officer Liability)
- FL-2008-01 (Family Law: Waiver of Preliminary Declaration of Disclosure)
- FL-2008-02 (Family Law: Clarifies Non-retroactivity of Family Code §1615 Relating to Prenuptial Agreements)
- FL-2008-03 (Family Law: Require Notice of Declaration; Non-Applicability to Cases Involving Emancipated Adult Children)
- T&E-2008-04 (Trusts & Estates: Will Attestation Requirements: UPC "Harmless Error" Rule)
- T&E-2008-05 (Trusts & Estates: Conservatorship of Hume: Duties of Conservators and Guardians re: Property)

Judicial Council 2008 Spring Cycle:

- SPR-08-28 (Court-Appointed Temporary Judges: Recruitment, Selection, and Appointment of Temporary Judges)
- SPR08-35 (Criminal Law: Petition and Order for Expungement (amend Judicial Council form CR-180))
- SPR08-38 (Family Law: Miscellaneous Forms)
- SPR08-31 (Court Interpreters: Revisions and Updates to INT Forms)
- SPR08-36 (Criminal Law: Criminal Protective Order – Domestic Violence, Criminal Protective Order Other Than Domestic Violence, and Notice of Termination of Protective Order in Criminal Proceedings (CLETS))
- SPR08-37 (Child Support: Compliance With Federal Mandate Related to Automated Child Support Calculation Program and Improvement of Access to Justice for Non-English-Speaking Self-Represented Litigants)

State Bar Proposed Amendment to Title 6 of the Rules of the State Bar of California, regarding Annual Meetings

3. ***How was program success measured?***
SCDLS responded to all legislative referrals in a timely and thorough manner.
4. ***What type of information has been presented related to the performance measures?***
Not applicable.
5. ***What additional information is needed and when can that information feasibly be provided?***
No additional information is needed.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
A new fill-able electronic legislative comment form was developed for SCDLS members to use in 2009.

MODERATE INCOME

1. ***How did the activities of your committee further completion of your committee's charge?***
 - Identify, develop and support improvements in the delivery of legal services and pro bono legal assistance to poor and middle-income individuals
 - Develop and disseminate educational materials and programs to improve the delivery of legal services to poor and middle-income individuals
2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***
 - Presented unbundling training at the 2008 Pathways to Justice Conference and Annual Meeting.
 - Submitted training proposal on unbundling to the State Bar Solo and Small Firm Section Summit to be held in January 2009.

- The subcommittee continued to research information in preparation for the document to be submitted to the Access to Justice Commission regarding implementation of the Jones Report (recommendations 25, 26 and 27) to improve services to modest means clients.

3. ***How was program success measured?***

Success was measured by positive comments from evaluation forms completed by attendees, positive comments by SCDLS members who attended and/or participated in the program, and number of attendees.

4. ***What type of information has been presented related to the performance measures?***

Quantitative information was provided.

5. ***What additional information is needed and when can that information feasibly be provided?***

No additional information is needed.

6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***

Consider additional partners and venues for unbundling programs.

PRO BONO

1. ***How did the activities of your committee further completion of your committee's charge?***

- Identify, develop and support improvements in the delivery of legal services and pro bono legal assistance to poor and middle-income individuals.
- Develop and disseminate educational materials and programs to improve the delivery of legal services to poor and middle-income individuals.
- Develop liaison relationships with other State Bar entities concerning legal services issues of importance to the State Bar

2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***

- Partnered with the Public Interest Clearinghouse to plan the first ever Pro Bono Summit that brought together experienced pro bono practitioners from legal services programs and large law firms for a strategic planning meeting on November 6, 2008. Four working groups will be formed to implement recommendations that came out of the Summit and SCDLS will staff two of them, Pro Bono Best Practices and Family Law.
- In July 2008 the final recommendations submitted by SCDLS to rename, expand and update the Emeritus Attorney Pro Bono Program Rules were approved by the Board of Governors. The new name is Pro Bono Practice Program.
- Advised and provided input on the creation of a "Pro Bono Resources" webpage (www.calbar.org/probonoresources) for volunteer attorneys, law students, judges, law firms, etc. on the State Bar's website.
- Continued to participate in the Access to Justice Commission's Pro Bono Task Force.

3. ***How was program success measured?***

Positive comments and evaluations received from stakeholders will help measure the quality, usefulness and effectiveness of programs and activities.

4. ***What type of information has been presented related to the performance measures?***
Qualitative information.
5. ***What additional information is needed and when can that information feasibly be provided?***
No additional information is needed.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
The outcome of the two Pro Bono Summit working groups may have implications for future SCDLS activities in the pro bono area.

PUBLICATIONS

1. ***How did the activities of your committee further completion of your committee's charge?***
 - Identify, develop and support improvements in the delivery of legal services and pro bono legal assistance to poor and middle-income individuals.
 - Serve as a resource to the Board of Governors in legal services issues of importance to the State Bar.
 - Develop and disseminate educational materials and programs to improve the delivery of legal services to poor and middle-income individuals.
 - Develop liaison relationships with other State Bar entities concerning legal services issues of importance to the State Bar.
2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***
 - SCDLS one-page handout was updated and distributed to members to use for recruitment purposes.
3. ***How was program success measured?***
Not applicable.
4. ***What type of information has been presented related to the performance measures?***
Not applicable.
5. ***What additional information is needed and when can that information feasibly be provided?***
Not applicable.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
Materials should have limited print run in light of wider access to information in electronic format.

STRATEGIC PLANNING

1. ***How did the activities of your committee further completion of your committee's charge?***
Furthers all aspects of the committee's charge.

2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***
2008 accomplishments were evaluated and 2009 activities and projects were prioritized before the end of the 2007-2008 committee year; the 2009 Work Plan was revised accordingly.
3. ***How was program success measured?***
Tasks were completed.
4. ***What type of information has been presented related to the performance measures?***
Not applicable.
5. ***What additional information is needed and when can that information feasibly be provided?***
Not applicable.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
No changes anticipated.

OTHER

1. ***How did the activities of your committee further completion of your committee's charge?***
 - Identify, develop and support improvements in the delivery of legal services and pro bono legal assistance to poor and middle-income individuals
 - Develop liaison relationships with other State Bar entities concerning legal services issues of importance to the State Bar
 - Serve as a resource to the Board of Governors in legal services issues of importance to the State Bar
2. ***What specific measurable program accomplishments were achieved and what were not achieved and why?***
 - On April 23, six SCDLS members participated in a symposium celebrating the 10th Anniversary of the California Commission on Access to Justice entitled: The Future of Access to Justice in California: Developing a Vision for the Next Decade. Innovative ways to expand legal services, establishing the right to counsel in civil cases, and planning for the changing role of the courts were the topics of discussion.
 - On April 24, SCDLS members also participate in an invitation-only planning session that focused on the following topics: legal services salaries/recruitment/retention/funding; delivery system changes to improve access; need to expand access to rural areas; ways to improve language access.
 - SCDLS participated in the Stakeholder Forum sponsored by the State Bar's Council on Access and Fairness on June 14 representing the legal services interest for more diverse attorneys working in legal services and public interest programs.
 - Participated in the Legal Services Coordinating Committee meetings held on March 10 and August 26.

3. ***How was program success measured?***
Not applicable.
4. ***What type of information has been presented related to the performance measures?***
Not applicable.
5. ***What additional information is needed and when can that information feasibly be provided?***
Not applicable.
6. ***What changes, if any, should be made to the direction and desired outcomes related to the program?***
No changes anticipated at this time.