



**SUPERVISION MANUAL**  
**FOR PHILADELPHIA LEGAL ASSISTANCE**  
**AND COMMUNITY LEGAL SERVICES**

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**PREPARED BY THE JOINT SUPERVISION COMMITTEE**

## **Supervision at PLA and CLS**

Being a supervisor is one of the most important roles you will play at PLA or CLS.

Strong supervision:

- ensures that the services we provide to clients will be consistently excellent – now and in the future.
- helps staff do their best and develop into highly skilled advocates.

Although supervision is crucial to our success, and can be tremendously rewarding, it can also be hard to find time to supervise or to know what supervision should involve. This manual is designed to provide an outline of the most important things you should be doing as a supervisor.

### **What Should I be doing as a Supervisor?**

As a supervisor, your core responsibilities are to:

Be available and proactive so the people you supervise can get help when they need it, preferably before a crisis occurs;

Give timely feedback, both positive and critical – so the people you supervise can know what they are doing well and what needs to improve.

Beyond these important basics, supervisors at PLA and CLS play many different roles, including teacher, mentor, and monitor. The amount and type of supervision each staff member requires will vary depending on the staff member's needs and prior experience. Below is an overview of some of the key tasks for supervisors.

Teaching:

- Law in the substantive area of practice;
- Professionalism, including: ethics, meeting deadlines, thorough preparation, client-centered advocacy, communication with clients and colleagues, file maintenance;
- Skills, including: interviewing, issue spotting, analyzing, writing, courtroom, strategizing, negotiating, and policy advocacy.

### Mentoring:

- Helping your supervisee to:
  - find opportunities for professional development and make professional contacts,
  - think through what skills to develop,
  - get training,
  - work effectively with others.
- Ensuring your supervisee has a mix of different types of work, including work that is not individual cases;
- Pushing your supervisee to stretch and grow professionally;
- Encouraging and supporting your supervisee in developing high expectations and excellence.

### Monitoring

- Making sure your supervisee is complying with rules of ethics and standards of professionalism.

**Remember that rules 5.1, 5.2 and 5.3 of the Pennsylvania Rules of Professional Conduct impose some clear obligations on legal supervisors.** Under Rule 5.1(b), “A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.” In addition, under Rule 5.1(c) A lawyer shall be responsible for another lawyer’s violation of the Rules of professional conduct if: “(1) the lawyer orders or, with knowledge of the specific conduct, ratifies the conduct involved; or the lawyer “(2)... has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.” Rule 5.3 has very similar provisions for supervision of Nonlawyer Assistants (such as paralegals).

If you have questions about how these rules apply, contact the Ethics Committee or someone in Management

- Ensuring that your supervisee is complying with rules of ethics and standards of professionalism includes making sure:
  - Files contain notes about what is being done, letters to clients, etc; See the attached “*File Maintenance Checklist*” for details.
  - The advocate is getting good outcomes for clients;
  - Your supervisee comes to work on time and is recording time properly;
  
- Ensuring your supervisee is aware of new developments in law and legal procedures;
  
- Making sure the size of the attorney or paralegal’s caseload is appropriate.

**Special Note about Caseload**

Part of your job is to help staff set limits so staff can do a great job for clients and can maintain their own sanity. You should plan proactively for dealing with workload, including helping staff set priorities and maintain a balance between individual representation and impact work, such as appeals, community education, group representation and class litigation.

The size of an attorney or paralegal’s caseload will often determine whether she or he can do the job well. *We all know how scary and out of control it feels when our caseload gets too large and how hard it is to do a good job in those circumstances.*

As a Supervisor, you should talk with the Managing Attorney of your unit about caseload expectations in the Unit and make sure that your supervisee’s caseload is not overwhelming. Regularly check on how many open files your supervisee has and address the situation promptly if the number is too high or too low.

**Methods of Supervision**

A key component of supervision is creation of a written Supervision Plan. The *PLSU contract* (Article 25 for both PLA and CLS) spells out what needs to be in Supervision Plans for lawyers and is a great guide for what should be in plans for other staff. To help you in drafting a Supervision Plan, sample plans and copies of the relevant contract provisions are attached.

The guiding principle beyond the Contract provisions is that when you first become

someone's supervisor, and at least annually after that, you should assess what training, supervision and development needs they have and you should communicate with them about when and how supervision will happen. In addition to creating a Supervision Plan, you may want to use some or all of the following methods:

- Meeting regularly to discuss cases; the frequency will vary depending on the supervisee's level of experience, but in all instances you should be talking frequently and setting aside time to regularly discuss cases.
- Case Reviews. These are a necessary component of supervision. Attached is the "CLS File Maintenance Checklist" and "How to Do a File Review" both of which may be helpful to you.
  - The frequency of case reviews is specified in the PLSU contract, Article 25 (attached);
  - Generally, case reviews should be monthly for the first year and at least twice a year after that;
  - For transfers to a new unit within CLS or PLA, case reviews should be done monthly for six months and then twice a year. For lateral hires from another law firm, you should make an individualized assessment about the frequency.

Other keys methods are:

- Interview, court and meeting accompaniment;
- Recommending that the supervisee attend conferences and specialized training;
- Reading your supervisee's written work (letters, briefs, etc.) and providing helpful feedback. See attached article, "Supervising Legal Writing."
- Co-counseling is a great way for a newer lawyer to learn from you while also getting other work done.

### **Probationary Period Responsibilities**

New or new to CLS/PLA attorneys are ordinarily on probation for the first 6 months of their employment at PLA or CLS (this time period can be extended by agreement between PLSU and CLS or PLA). It is really important that Supervisors pay close attention to the attorney's work during this period so that the new staff member receives a solid start to

his or her practice. On the off chance that there is a significant problem with the new lawyer's performance, this is the time to identify it ---rather than discovering a problem months or years down the road.

According to CLS's PLSU contract, Article 25, Section 8, the Managing and Supervising Attorneys must create a written supervision plan for the new hired attorney and provide the plan to the supervisee within the first month of their employment at CLS. The plan must provide for at least monthly case reviews followed by constructive written feedback. At least one month prior to the end of probation, the Managing Attorney and Supervising Attorney should meet to discuss the attorney's progress. While not contractually required at PLA, these steps are a good practice.

Paralegals and social workers have a four month probationary period and should be similarly supervised and monitored during this time.

### **Using Legal Server/Prime as a Case Management Tool**

CLS and PLA's case management systems (A.K.A. Prime/Legal Server) are important tools to help you do your job as supervisor. There are many different reports you can run and data you can look at that will give you useful information about how and what the person you are supervising is doing. A few examples of information you can and should be looking at include:

- How many cases does your supervisee have open now?
  - Is that the right number?
- How many have been opened in the last 6 months?
  - Are there lots of old cases that probably can and should be closed?
- What types of cases is this person handling? Is it the right mix?
- Are there notes about what is being done for the client?

Attached to this manual is an article entitled, "Case Management Tool Kit" which will give you more ideas about how to use our system to the best advantage.

### **But, wait, I'm in the Union, I shouldn't have to.....**

Sometimes supervisors at CLS and PLA who are union members feel uncomfortable asking people they supervise to do something or telling them they need to improve.

Generally, you will need to use your judgment about when to bring a situation to management's attention. However, if there are significant problems with your supervisee's work, you must let your managing attorney or someone else in management know as soon as possible.

Hopefully these situations are few and far between. Here's the bottom line: every union supervisor reports to a legal manager. If there is something that you are being asked to do as a supervisor, or something you think needs to be done, and you feel uncomfortable about doing it, talk with your legal manager or someone else in management, such as the Deputy Director, about it. The two of you should be able to work out roles that feel appropriate for each of you.

Enjoy watching your supervisees develop skills and mature professionally, knowing that your helpful supervision has contributed to their success.

## Appendix

PLA Checklist on Mandatory File Maintenance

PLA File Review Guidelines

CLS Checklist on Mandatory File Maintenance

CLS Guidelines: How to Do a File Review

PLSU Contract Provisions for PLA and CLS

Sample Supervision Plan

### Articles

The Case Management Tool Kit

Supervising Legal Writing

The Supervisor's Role

There are additional helpful articles on providing effective supervision available in CLS Apps and from supervisors and managers at PLA.