

ILLINOIS STATE PLAN ADDENDUM INTRODUCTION

An initial state planning process in Illinois was spearheaded by the five Legal Services Corporation (LSC) recipient project directors. They enlisted the state support center to staff that process. Two committees were organized reflecting the two most immediate critical issues -- (1) replace federal funding cuts; and (2) increase private bar involvement in legal services delivery. The committees were planned to include members of the judiciary, the state legislature, the organized bar, law schools, private attorneys, and staff members of LSC recipients and non-LSC providers. The Resource Development Planning Committee was co-chaired by Board members of Land of Lincoln Legal Assistance Foundation, Inc. (LOL) and Legal Assistance Foundation of Chicago (LAFC). That initial process produced an Interim State Plan Report.

The process was reorganized in 1996 with the creation of the Illinois Equal Justice Project (IEJP) under the leadership of the two major bar associations -- the Chicago Bar Association (CBA) and the Illinois State Bar Association (ISBA). A Steering Committee was organized to develop a final report and recommendations to address the unmet legal needs of Illinois residents. Subgroups were organized composed of a broad cross section of state leaders similar to those planned for the earlier committee composition. The governing bodies of the CBA and the ISBA approved the final Equal Justice Report that was completed in February 1998.

At about the same time, LSC issued Program Letter 98-1. The five LSC recipients requested that the IEJP examine the questions raised in that letter because the members of IEJP had recently considered most matters raised in the letter. The LSC projects jointly developed draft responses to the questions raised in Program Letter 98-1 that were disseminated to the IEJP members for comment. The draft was also considered by the IEJP at a meeting in Chicago on September 15, 1998. The IEJP members made additional revisions. A final draft was approved by poll of the membership, except for the Chicago Volunteer Legal Services Foundation, a non-LSC provider in Chicago that did not approve the Addendum.

The IEJP has also acted to confirm its role as the planning vehicle for the Illinois state planning process.

**ILLINOIS STATE PLAN ADDENDUM
RESPONSE TO PROGRAM LETTER 98-1**

How are intake and delivery of advice and referral services structured within the state? What steps can be taken to ensure a delivery network that maximizes client access, efficient delivery, and high quality legal assistance?

Overview

Illinois has a diverse people, geography, culture, and political history. Low-income individuals and families in Illinois reflect this diversity. While all low-income people suffer from a lack of financial resources, how that impacts on their lives is significantly different, depending upon where the individuals live. The needs of a poor family living in a high rise public housing unit on Chicago's South side are different from those of a poor rural family living in a former coal mining area in the southeast quadrant of the State. The latter is more likely to own their residence, even though its value is small. Transportation and utility costs are often major concerns for the rural dweller because an automobile is essential to survival. The family living in the high rise public housing is often a victim of violence, marginal housing, racial or economic segregation and poor schools. Keeping one's children out of gangs and alive until adulthood are very challenging tasks.

The legal services programs in Illinois funded by the Legal Services Corporation (LSC) were structured to address the geographic and political realities of our diverse State. The Legal Assistance Foundation of Chicago (LAFC) serves the City of Chicago, a very distinct political entity in Illinois. Cook County Legal Assistance Foundation (CCLAF) serves the diverse suburbs of Chicago that are within the Cook County Circuit Court system but outside of the city. Prairie State Legal Services (PSLS) serves the counties surrounding Chicago, the collar counties, and the mid-sized cities and surrounding rural areas in northern and central Illinois. West Central Illinois Legal Assistance (WCI) serves a group of six counties in western Illinois and Land of Lincoln Legal Assistance Foundation (LOL) serves sixty-five counties in central and southern Illinois that also have mid-sized cities and rural areas but also contain some remote rural counties.

As discussed in the response to Question 7, different configurations of the five Illinois program service areas have been considered. Mergers of the two smaller programs with larger programs, WCI with PSLS and CCLAF with LAFC were proposed. After exploration and deliberation, those options were rejected. No appreciable improvement in extending access to legal assistance or cost efficiency was apparent. On the other hand, risks to

local control, priorities, and fundraising were real. Also taken into account was the fact that earlier mergers of many pre-existing smaller legal services programs created the three largest Illinois LSC funded programs, LAFC, LOL, and PSLs.

Since the establishment of those five legal services programs, clients have been routinely referred among and between programs when the client's legal problem requires such cooperation. The capacity to improve the ease and efficiency of such referrals has been a matter of ongoing attention and innovation in Illinois. The referral system benefits from the Illinois Legal Services Directory which lists all legal services programs, special projects, types of services offered, and staff members with specialty areas.

Client-Centered Intake, Advice and Referral

Over the last ten years, legal services programs in Illinois have been experimenting with a number of different ways to conduct intake and provide legal advice and brief services to eligible clients. In Cook County, the Lawyers Trust Fund of Illinois set-up Coordinated Advice and Referral Program for Legal Services (CARPLS), a centralized clearinghouse that matches up clients with legal problems with the appropriate legal services program in Cook County. It is important to note that there are a large number of legal aid programs in Cook County beyond the two LSC funded entities. Many of these programs are quite small and handle only a limited range of legal problems or serve only a very specific geographic area of the city or county. One larger program, Chicago Volunteer Legal Services, is a pro bono program with a staff component that sponsors a number of pro bono projects in the city. For the client, this proliferation of legal services programs is both a blessing and a curse. It is a blessing that there are so many options from which to choose; it is a curse because it is sometimes hard to find the right legal services program to help a particular client with a particular problem. One remedy to this problem was developed when CARPLS was established.

When a potential client contacts a legal services program in Cook County and that program is unable to help him or her, the potential client is patched through to a CARPLS staff member who then helps the client locate the appropriate legal services program or provides some legal advice to the potential client if he or she is not able to be helped. For those approximate 30,000 clients who contact the LAFC each year, they are able to discuss their problem with an intake specialist on the day of the initial call; they will then receive immediate advice or be scheduled for an appointment with an attorney.

In downstate Illinois, the situation is starkly different for clients. Apart from the LSC funded entities, i.e. PSLs, LOL

and WCI; there are only two other general legal aid programs. These two programs are the DuPage Legal Aid Services and the Will County Legal Assistance Program. Both of these programs receive subgrants from PSLs and have had a long and cooperative relationship with PSLs.

Downstate legal services programs are most often the focal points not only for the provision of legal services by staff attorneys but for most pro bono programs which are also organized through local legal services offices. The legal community, the client community, and the social services community are generally familiar with the programs and the work that they do. Given this situation, each of the three downstate legal services programs have reached out to the client community in similar ways to ensure easy client access to legal services intake, advice, and brief services. For many years, the downstate programs have provided toll free WATS and TDD telephone service for convenient client access. In rural areas, toll free access is a critical factor in making services easily available.

For the past eight years, PSLs has been experimenting with different ways in which to facilitate easier contact from prospective clients. The support staff member screened for both financial eligibility and legal problem. Because of funding reductions, priorities were tightened and it became increasingly apparent that fitting into the priorities often meant that the client had to identify his or her problem correctly. Support staff simply did not have the requisite skills to sort through a legal problem identified as a bankruptcy, which would not be handled, to determine that the underlying problem might have been caused by an improper denial of disability or some other governmental program for the poor, which would have been handled.

To deal with this problem and to open up the intake process, the PSLs Board of Directors approved a trial intake program in several offices. The program was radically different not only in its approach to intake, but also because it was conducted over the telephone. When individuals called the office, they spoke to an attorney or paralegal immediately. Advice, referral, and brief services were offered to clients for whom full representation could not be undertaken. The information or advice provided was written on the case summary sheet. If further representation was needed and resources available to handle the problem, the client was scheduled for an appointment in the local office on the next available date.

In 1996, building on this local telephone intake and advice system and in response to reductions in federal funding, the PSLs program was computerized and centralized. Now, instead of talking to a staff member at a local office, potential clients are transferred immediately to the new telephone counseling service. After conflict screening, the application is completed

over the telephone on the computer. Where complete representation cannot be provided, the client is given detailed advice about his or her legal problem and referred to another agency for additional legal or non-legal assistance if additional help is needed and available. Any advice given, referrals made or brief service provided is memorialized on the computer intake sheet. In addition, copies of letters are also kept with the intake sheet. If a local office has the resources to handle the client's legal problem, the intake information is transferred to the local office where an appointment is made. Referrals are made when appropriate to other agencies, to other legal services programs, or to pro bono lawyers.

The telephone counseling service began with two offices. This system has been expanded so that it currently covers all but one PSLS office. By the end of 1998, all PSLS offices will be on the system. Either late this year or early in 1999, Will County Legal Assistance Program and PSLS will enter into a collaborative arrangement to extend the telephone counseling services to Will County as well. While the DuPage Bar Legal Aid Service is unlikely to become a part of the telephone counseling service because of the narrow focus of their work, DuPage staff members are using the same intake software as PSLS and both programs are working together to refine and enhance the utilization of that software.

LOL has faced the same problems as PSLS and has developed a similar telephone intake/advice system. Currently, one office is operating a toll free prototype centralized intake unit with legal advice, referral, and brief service features in two urban counties. That system will be expanded in 1998 to the multi-county service areas of two additional branch offices, which will provide hotline services to 22 additional primarily rural counties. Legal information and advice, brief services, and referrals are handled by part-time attorneys using upgraded telephone system, electronic intake, and computer-generated correspondence, self-help, and educational materials. Print outs of the intake, case notes, and legal advice or other service are reviewed daily to ensure the quality of the attorney's assessment of the case and application of the law to the specific facts presented. Both LOL and PSLS are sharing information and experience at the administrative and operational levels.

Specifically, PSLS and LOL are sharing client community legal education preventative law and self-help materials that are sent to clients with specific legal problems; information and experiences on the technology that is essential to operate such a system, including such difficult areas as rapid data transfer among offices, computerized telephone systems; and oversight mechanisms to ensure quality advice and brief services to clients. With this shared information and experience, both programs are confident they will be better able to avoid mistakes

and duplication of effort while enhancing services to clients. Because WCI is much smaller, some of the technological problems do not exist for its staff but community legal education materials and topical information sheets will be shared with WCI.

WCI with its smaller compact service area is able to accommodate its applicants using traditional computerized intake and legal advice systems. Walk-in clients and telephone callers are scheduled appointments with an attorney. Applicants with emergency cases are seen the same day or the following morning. Legal advice is provided by telephone if it adequately addresses the client's legal problem.

Summary

It was the conclusion of a Task Force of the Equal Justice Project that Illinois was simply too large and diverse a state to have a single intake site for all legal services clients. While CARPLS provides an important coordinating service to clients in Cook County, not only between the two LSC funded entities but among the other programs providing various kinds of legal services, Cook County programs continue to conduct their own intake.

Downstate, collaborative working relationships among the existing programs are helping to improve efficiency in the way clients are provided intake, advice, and brief service. Referrals among programs are made routinely using technological advances to provide prompt legal assistance to clients. Most importantly, because this service is being provided locally, the advice is specific as to what clients might expect in court in various counties in the area. While Illinois law is uniform throughout the state, local practices and procedures often vary considerably and it is important that clients be advised of any unique or specific legal practices in their area.

In short, both the Equal Justice Project and the legal services program have concluded that programs are either in place or being developed that will effectively meet the needs of low-income clients in a time of diminished resources and that confederation among and between programs is taking place to ensure maximum service to clients and the most efficient use of resources.

Is there a state legal services technology plan? How can technological capacities be developed statewide to assure compatibility, promote efficiency, improve quality, and expand services to clients?

In Illinois, the Statewide Legal Services Delivery and Technology Working Group has developed a state legal services technology plan, which has been approved by the Illinois Equal

Justice Project and all of the Illinois LSC programs. The Working Group is a collaboration of the five regional Illinois programs and CARPLS.

The Working Group was formed in October 1997 with two main goals:

- To improve the capacity of the program to meet the legal needs of clients through the use of technology, and
- To coordinate the development and updating of written client educational materials.

One of the main functions of the Working Group is to provide a forum for the legal services programs to share information about their programs' use of technology. Many of the technology issues faced by the programs are the same. For example, most of the programs are evaluating how to transfer data between remote locations or local offices. By sharing information, the programs can build upon the experience of other programs, avoid mistakes, and more efficiently implement new technologies. Illinois legal services programs all share certain similarities in their use of technology. In every program all staff members have a computer. This is due, in large part, to the Illinois Lawyers Trust Fund Computerization Project, which funded computerization of the legal services programs beginning in 1989. The Project served as a purchasing agent for computer hardware and software; provided technical support, training and technical assistance; and installed, maintained, upgraded or repaired computer equipment.

In October 1997, the Lawyers Trust Fund decided to phase out its Computerization Project after coming to the conclusion that the centralized project was no longer the most efficient or cost-effective way to promote the use of technology in delivering legal services. The Project is being phased out over the next two years. Beginning on July 1, 1998, the Project becomes a one-year transitional grant program. As a result, each legal services program will be responsible for the purchase, installation, and maintenance of its own computer equipment. This development makes it even more imperative that the programs cooperate in ensuring that technological capacities are developed on a coordinated, statewide basis.

Each of the Illinois legal services programs is at a different stage of development in their use of technology. The first step in implementing the Plan recommendations was to determine how Illinois legal services programs can best build on the base of technology they already have. The Working Group conducted an inventory of the programs' current technology implementation and as projected by December 31, 1999. The inventory indicates that all Illinois LSC programs have networked

computer access for all staff, intraoffice or interoffice e-mail, and computerized financial management systems. The programs are using different integrated case management and fiscal systems and different timekeeping systems. The programs are evaluating different ways to electronically transfer documents and have tried systems including a wide area network, e-mail, zip disks, and PC Anywhere. Use of wide area networks has been problematic and for some programs is too costly. An in-house MIS coordinator or consultants provides technology support. The question of how to effectively build on the programs' current technology base is critical. A key question for each program has to do with the kind of technology, equipment, software, and personnel that is most appropriate to its needs. LOL which serves 65 predominately rural counties in central and southern Illinois through eight offices, may have vastly different needs than LAFC which serves the City of Chicago through four urban intake offices.

The technology inventories indicate that by the end of 1998 all of the legal services programs will be close to achieving technological parity. Although the programs will have comparable capabilities, there will be differences in operating systems, case management, fiscal, word processing, and timekeeping software. The programs have made significant investments in these systems, and it is not one of the goals of the state technology plan to implement costly uniform case management or word processing software. Rather, the goal is to build upon this base of technology by sharing information; evaluate what successes can be replicated; and determine what functions, such as sharing of a web site to disseminate client information, can be done on a statewide or centralized basis. The Illinois Statewide Technology Plan as of May 1998 is included in this response, as follows:

STATEWIDE LEGAL SERVICES TECHNOLOGY PLAN

The Statewide Legal Services Delivery and Technology Working Group was formed to enhance delivery of client services through development of a planned and coordinated approach to future technology development by the legal services programs on a statewide basis. Certain tasks are common to all of the legal services providers: (1) client intake; (2) advice and counsel; (3) community education, information, and referral; (4) representation; (5) legal research; (6) law work management; (7) record keeping and reporting; (8) private bar involvement; (9) staff and private bar training; and (10) resource development. The Working Group recognizes that current and emerging technologies have the potential to significantly improve the efficiency and effectiveness of the legal services programs in these areas.

In the past, all technology planning and implementation by Working Group members was done independent of each other. The

Working Group provides a forum to share information on the use of technology and to examine what functions or systems can be shared or developed on a statewide basis. The technology inventory conducted by the Working Group indicates that the legal services programs anticipate having the following systems and capabilities by the end of 1998:

Legal Assistance Foundation of Chicago

L AFC has converted to a Windows 95 platform and has purchased WordPerfect for Windows for word processing. L AFC has received a grant from the Lawyers Trust Fund to upgrade the network operating system to a Windows server. L AFC's current case management system, Turbo Cases is inadequate because data entry speed is slow and it experiences problems operating over a wide area network. L AFC is in the process of evaluating a replacement for Turbo Cases. L AFC is also considering replacing its electronic mail system and expanding its use of the Internet by obtaining modem-sharing technology with funds requested from LTF. L AFC has a contract with Lexis to provide computer assisted legal research. It also has a subscription to HandsNet.

Cook County Legal Assistance Foundation, Inc.

CCLAF has converted to a Windows platform and Windows NT operating system/file server. They will be using Microsoft Office Suite 97 software, which includes the Microsoft Word word processing. CCLAF is evaluating case management software. In 1998, CCLAF also plans to implement technology to link all of its offices and set-up agency-wide e-mail. By early 1999, CCLAF plans to have computer based law libraries accessible from each office and set-up a web site through which the public can access information about CCLAF and through which CCLAF can share information with other legal services providers in the state.

Land of Lincoln Legal Assistance Foundation, Inc.

LOL has converted four of its service offices to the Windows 95 platform with Windows NT and Microsoft Office Suite software, using Microsoft Word for word processing. LOL has requested a grant from LTF to upgrade the other four offices. Only the Executive Director's Office is on the Internet. LOL plans to provide Internet access to all of its offices and is currently investigating modem-sharing or other options to get on-line. After the offices are online, LOL will convert from Michie CD-ROM to an online legal research system, such as Lexis. LOL is using a case management system that was designed for them. Development of additional modules for the system is ongoing. A centralized intake, advice, and referral prototype is operational in one office with plans to implement one program-wide intake unit by January 1999.

Prairie State Legal Services, Inc.

PSLS plans to upgrade all computers to Windows 95 and convert to a Windows based word processing system such as Word

Perfect for Windows. PSLS is using Kemps Clients for Windows for case management, and plans to maximize use of its case management features including timekeeping in the next year. Resolving data transfer issues is a high priority. PSLS also plans to make Internet accessible in every office and use it to establish a program-wide e-mail system. PSLS has a telephone intake and counseling program that will serve all nine of its offices through three locations.

West Central Illinois Legal Assistance

WCI uses the Windows 95 operating system and Windows NT. Their software is Microsoft Office 97, including Word, Excel, and Access. They have installed PC Anywhere on some computers, allowing access from home or other remote locations. They are using modem sharing for Internet access, and each staff person can access the Internet. By the end of 1998, WCI plans to set up a Web page, have voice mail, implement computerized intake, and have a hotline in place one night a week.

The inventory indicates that by the end of 1998, all of the legal services programs will be close to achieving technological parity, even though there will be differences in operating systems, case management software, and word processing software. The Statewide Technology Plan was developed with these similarities and differences in mind.

The initial meetings of the Working Group have focused on sharing information about each program's experience with the use of technology and determining what is available in the way of client educational materials. The Group is also trying to avoid duplication of effort by coordinating with other providers that are performing similar functions. The Working Group is also investigating a statewide legal services Web site and is discussing development of a site on the Poverty Law Project's Web site.

The Working Group will accomplish the Plan's goals in two stages. The first stage is identifying and evaluating which current and emerging technologies can be used to improve the efficiency and effectiveness of the delivery of legal services and which functions can be performed on a statewide or centralized basis. The cost of implementing different technologies will also be determined. The second stage of the Plan is implementation of the recommendations that are developed in stage one.

Stage One Goals

To identify and evaluate which legal services functions, such as development of client community educational materials or setting up a Web site, can be done on a statewide or centralized basis. (Projected completion

date: October 31, 1998)

To identify and evaluate efficient methods for providing access to legal information and program resource information for low-income persons, other organizations, and private attorneys through the use of technology. This goal includes developing a plan to share standard written client education materials and pro se kits among the legal services providers and how to disseminate them to the public, including consideration of providing Internet access to the materials. (Projected completion date: October 31, 1998)

To develop an efficient system for communication of legal information and issue analysis between and within Illinois legal services programs. This goal includes evaluating setting up a Web site that would be available to all staff statewide and would provide updates and discussion groups on different areas of the law. (Projected completion date: October 31, 1998)

To identify how new and emerging technologies can be effectively used to provide full access to training by legal services staff and private attorneys, regardless of location. (Projected completion date: June 30, 1999)

Stage Two Goals

To implement a site or sites that would provide Internet access to information about the legal services programs and client educational materials for low-income persons, other providers and agencies, and private attorneys. (Projected completion date: March 30, 1999)

To implement a Web site which would provide an efficient system for communication of legal information and issue analysis between Illinois legal services programs. (Projected completion date: March 30, 1999.)

To facilitate a statewide e-mail system for legal services providers. This goal includes printing and distributing a directory of e-mail addresses statewide for legal services casehandlers and establishing a group distribution system for messages. (Projected completion date: March 30, 1999)

Accomplishment of these goals will improve quality and expand access to services for clients by providing a statewide integrated system for delivering legal services. Use of on-line technology will improve communication among legal service providers by enabling casehandlers to access (1) experts in

different areas of the law throughout the state and (2) documents such as pleadings and memoranda of law. Coordinating development of client education materials will conserve resources by eliminating duplication of effort. Providing access to client education materials and information about the legal services programs on the Internet will improve access to services for clients and other providers.

3. What are the major barriers low-income persons face in gaining access to justice in the state? What efforts can be taken on a statewide basis to expand client access to the courts, provide preventive legal education and advice, and enhance self-help opportunities for low-income persons?

The low-income population of Illinois continues to face many barriers in attempting to gain access to justice. Some of the major barriers include the lack of free or affordable legal representation; a lack of awareness of those legal representatives who are available to provide assistance; a lack of awareness of basic legal rights and responsibilities; and complicated administrative and court procedures facing those who try to deal with their own problems. With these continuing problems, it is imperative to develop methods to help people overcome these barriers. These methods will increase people's access to the courts and to justice in general. Further, the commonality of these problems around the state allows the opportunity to confront them from a statewide perspective.

During the past several years, several groups have addressed the issue of how assistance could be provided to clients to gain greater access to the courts through the use of preventative legal education and advice while enhancing self-help opportunities for low-income individuals and families. Most recently, the Equal Justice Project took a more focused look at issues such as these through specialized working groups to examine and report on particular issues. The Pro Se Working Group reported on: (1) the consideration of options for helping to solve client problems outside the legal system without court intervention or direct representation; and (2) the consideration of methods to make courts and administrative hearings more effective and user-friendly for people who must proceed pro se. The results of the work of that task force are incorporated in the Equal Justice Final Report.

The efforts of the Project and its working groups were further enhanced in 1997 by the addition of three Americorps/VISTA attorneys who were placed at LOL, PSLS, and LAFC, respectively. Some of the more pertinent VISTA assignments include: (1) the collection, cataloging, and analysis of existing community education and pro se materials available from each LSC program; (2) the development of reports evaluating the various materials and making recommendations for streamlining and

improving such materials while also identifying any language barriers and gaps in substantive legal areas; and (3) the surveying and interviewing of various human service providers to further evaluate the quality and usefulness of self-help legal materials while also determining the potential usefulness of these providers to aid in empowering low-income individuals. These VISTA assignments also complement the activities of the Legal Services Delivery and Technology Working Group, a collaborative group comprised of members of the different legal services providers. The Technology Working Group is concerned with collaboratively developing and distributing self-help materials through traditional print mechanisms but also through the use of computer technology, particularly the Internet.

The primary strength of this current approach lies in the multi-program VISTA project. The project, which has been extended through 1999 by Americorps/VISTA, permits the VISTA volunteers to focus their full-time efforts specifically on the goals laid out through the state plan. Further, the organization of the project allows the placement of one VISTA volunteer at each of the three largest legal services providers in the state. This organization is critical since it is ideal for encouraging collaborative efforts between programs to fulfill project objectives.

While the VISTA project also presents a strength of the statewide project, it also presents a weakness. In 1998, additional VISTA volunteers will be added to work on the project, but the temporary nature of the VISTA assignments makes it imperative for participating persons and programs to increase their efforts to organize more collaborative efforts to address the issue of providing quality self-help materials. However, the research and other efforts of the VISTA workers will provide a solid foundation for this collaboration.

As just stated, one of the most important goals in this area is the establishment of a more permanent structure to oversee the collaborative production and maintenance of self-help materials. This group or committee will be comprised of members of different legal services programs and will be established within one year. One of its goals will be to permanently continue the work begun by the VISTA workers. Additionally, this group will coordinate its efforts with those outside the legal services realm so that additional resources can be found and used.

Another important goal is the actual production of some standardized self-help materials for statewide distribution and use. The assigned VISTA volunteers will do this initial production and research behind it. Some steps toward this goal have already begun, and more extensive steps will be taken within the next six months.

Another goal is to increase the overall accessibility of self-help materials. One method currently being considered is online access. Some programs have done initial research into the costs and capabilities of a Web site. It is likely that within one year that at least one program will establish a Web site that will offer self-help materials over the Internet. An additional statewide resource is the newly created "Self Help Legal Center" at Southern Illinois University at Carbondale, Illinois funded by the Lawyers Trust Fund. That Center has created a Web site to provide the Illinois legal services providers and pro bono lawyers, as well as clients, with convenient, free access to materials on commonly faced legal issues.

A final goal concerns the substance of the law that is put into self-help materials. One of the major barriers listed above concerned the complication and variation of some court and administrative procedures. While the Equal Justice Project Report has identified some of the problems and made some suggestions for relief [Equal Justice Project Report, Recommendations (A) (1), (A) (2), (C) (2), (D) (1) (a), and (D) (2) (b)], further research into the problem is needed. The ultimate recommendations coming out of such research would have a long-term impact on the way that information is provided to potential legal services clients.

Other barriers vary by Legal Services Corporation program service area and include geographic size, whether urban or rural, public transportation facilities, client population demographics, and language and cultural differences. Each program is addressing those needs according to the needs of its client population. Toll free centralized intake with hotline advice and brief services will help overcome distance and travel obstacles; staff attorneys or accessible interpreters fluent in the client's language accommodate non-English speaking clients; TDD equipment assists disabled persons. The elderly or infirm clients are seen at senior centers or long term care facilities. Court based staff attorneys or pro bono lawyers provide on-site advice and assistance to clients with particular legal problems, e.g. family violence or consumer cases. Judicare attorneys are recruited in remote, rural counties to provide accessible representation. All programs seek to employ minority attorneys and recruit minority pro bono and judicare attorneys.

4 (a). Do program staff and pro bono attorneys throughout the state receive the training and have access to information and expert assistance necessary for the delivery of high quality legal services?

Each legal services agency provides its attorneys with training in the various areas of law that most directly affect their client communities. The trainings, in landlord-tenant law, family law, consumer and bankruptcy law, trial skills, etc.,

occur periodically at each program, and frequently attorneys from one program attend sessions at another. For example, lawyers from CCLAF frequently attend the Consumer Team and Public Benefits Team meetings at LAFC. Trainings are designed to provide participants with information and written materials that will be useful in the representation of poor clients. Each agency may not have the same materials and/or procedures due to variations in the practices and procedures from county to county. However, every program shares the same goal--to provide its attorneys and paralegals with the necessary skills and knowledge to provide high quality representation to the poor. Supplemental training of staff is accomplished by sending staff to outside training events sponsored by state and local bar associations and other entities.

Statewide task forces in the major substantive areas of poverty law composed of LSC funded program attorneys meet on a regular basis. Those meetings are devoted to updating statutory, regulatory, and case law developments and sharing strategies to resolve client problems without duplication of effort. That task force approach could be expanded to include non-LSC program attorneys, private volunteer attorneys, and others through the use of technology as discussed in the following section.

The trainings provided by the LSC programs for attorneys may also be offered to pro bono attorneys who have either been practicing for a very limited period of time or are experienced attorneys who have decided to provide pro bono services in an area new to them. Generally, pro bono attorneys who participate in the trainings do so in exchange for providing legal services to at least two clients.

While the individual programs offer many of the trainings provided to pro bono attorneys, more trainings are provided by a conglomerate of legal services organizations and on a statewide basis. Private attorneys who participate in the training agree to represent clients referred from the respective programs.

An excellent example of a statewide training initiative was the recent response to the federal government's termination of certain SSI benefits for children. Through a collaborative effort of legal services programs, bar associations, and the Illinois Pro Bono Center, over 800 attorneys were trained to act as volunteer attorneys to address this particular crisis. A task force was created. A team of experts in the field devised a detailed training curriculum and offered it to interested attorneys. Training manuals were produced and made available. Also, an information and referral telephone hotline was created and shared with the general public for the families of disabled children seeking legal assistance. The SSI Task Force in Illinois continues to meet to track and share any developments that affect disabled children in Illinois, and the training

materials are regularly updated and disseminated to the volunteer attorneys through the local programs. Access to the training was increased by the use of technology. The training itself was videotaped and thus available to many who could not attend training events. Those persons who could not attend the trainings were able to receive the materials from the various legal services programs and two cooperating bar associations. Additionally, the information was made available through the Internet.

There have been other statewide initiatives to provide trainings to pro bono attorneys. Examples of these include trainings in homeowner's issues, WINS, and living wills. Each of the trainings includes a detailed manual, and, like the children's SSI materials, has been made available on the Internet. Each training is presented by attorneys with considerable expertise in the subject matter area.

Expert assistance has always been provided to staff attorneys and pro bono attorneys. Detailed manuals have been produced to guide lawyers in certain cases, such as the manuals on defending repossession and hospital collection cases produced by LAFC. Trainings provide an opportunity for expert knowledge to be shared. The legal services programs provide training through the use of their experienced attorneys, who not only understand the substantive areas of the law, but also have practical experience in applications of the law. Moreover, staff and volunteer attorneys can easily access other attorneys who have expert knowledge in the field. Programs also regularly send their staff to outside training provided by other legal groups.

4 (b). How can statewide capacities be developed and strengthened to meet these needs?

As with most systems, changes and further initiatives can be implemented to address the needs of the clients that legal services programs represent. Given new federal regulations and financial cutbacks, it is important for the five legal services programs to collaborate on a more regular basis. Instead of each agency duplicating the effort of one another, statewide training initiatives should be increased for staff and volunteer attorneys to replace certain program based training. Each of the respective programs should be responsible for organizing the trainings on a revolving basis. As a team, the programs should work with the Illinois Pro Bono Center and state and local bar associations to raise the necessary funds to create and disseminate the training materials. Additionally, the bar associations should provide the facilities for the trainings.

Also, technology should be utilized to ensure that quality information and knowledge is shared throughout the State. Specifically, as a statewide initiative, an interactive, on-line

training inventory should be created. Through interactive, on-line training, the programs would also create an opportunity to share research through a central research bank that would include model legal pleadings, forms, training manuals, and memoranda of law. A task force created solely for this purpose should complete a statewide needs assessment to determine those issues currently most important to the poor in Illinois; the research bank would then be created to reflect those needs. Utilizing technology for training and technical assistance will be particularly helpful to downstate staff attorneys and private pro bono lawyers in areas where time and travel costs reduce the opportunity for attendance at training events.

To ensure that indigent clients are provided with information to potentially enable them to handle many of their own legal problems, a statewide initiative should be instituted to develop and share standard community legal education materials, as well as pro se kits with the public. The material should be placed on-line and clients should be given the opportunity to access the materials. The same needs assessment created to determine the needs of the clients for research purposes should be used to determine what materials and/or pro se kits should be created or updated. The statewide Self-Help Center at Southern Illinois University at Carbondale has begun that service covering a limited number of legal issues. The task force should explore how the resources of that Center can be incorporated to avoid duplication of effort.

Since most legal services clients do not own computers, the programs must be prepared to address that need if this format is to be successful. Links could be established with appropriate community groups that have computers and that are willing to allow low-income clients to use them. Also, the judiciary, court administrators, and the bar associations must work with the legal services programs to analyze the current technological systems and take the necessary steps to update and/or create an effective system whereby clients and pro se litigants have access to on-line materials and pro se kits. The use of the state public library system as a resource for client access to computers and self-help materials was recommended in the Equal Justice Project Report.

5 (a). What is the current status of private attorney involvement in the state?

The preamble to the Illinois Rules of Professional Conduct states that lawyers have a special responsibility to use their training and skills to perform legal services in the public interest.

Currently, the vast majority of private attorney involvement occurs through voluntary attorney panels. Specifically,

attorneys agree to undertake direct representation of indigent clients in various areas of law based upon a needs assessment of the communities the legal services program serves. Each program utilizes various mechanisms to recruit attorneys, depending upon its particular needs. For example, some programs recruit attorneys through their local bar associations, with the assistance of the judiciary and the Illinois Pro Bono Center.

Private attorney involvement is also mandated as a condition of bar membership in some counties, such as Coles, DuPage, Kane, and McHenry. As in the traditional volunteer attorney panel system, the attorneys agree to provide direct representation to a certain number of clients.

Private attorneys throughout the State also participate in legal/pro se clinics. There are generally two types of clinic programs. The first, usually an outgrowth of the court system, requires that a team of volunteer attorneys make themselves available to answer any questions that a pro se litigant may have regarding procedure and/or the law. Attorneys become involved in this system primarily through local LSC programs and bar association solicitation or requests from the judiciary.

The second type of clinic that is becoming increasingly popular is the advice and brief service clinic. These clinics are created to specifically target certain areas of law where there tends to be an overwhelming need that has not been met, such as divorce and family law clinics. During these clinics, private attorneys provide the clients with critical information about the process and assist the clients with completion of legal forms. Instruction is provided to a group of clients; client questions are then answered individually by a panel of attorneys. In some clinics, pre-screened clients meet with private attorneys one-on-one and get brief advice, self-help forms and other relevant information and documents.

Currently, private attorneys also provide pro bono services by acting as mentors to new attorneys at legal services programs and volunteer attorneys. Staff and new volunteer attorneys may be matched up with private attorneys on an as-needed basis or the program may have a more formalized program that teams new volunteer attorneys with veteran attorneys.

Private attorneys also complete their pro bono effort by providing community legal education through the Speaker's Bureau. The Speaker's Bureau has been set-up by some agencies as an option for attorneys to assist many clients to address a legalirect representation of clients. Many of the attorneys who participate in the Speaker's Bureau also act as trainers in the volunteer and staff trainings that are conducted around the State.

Experienced trial attorneys and trial court judges also act as trainers to staff attorneys at trial skills training events.

In rural areas, because of geographic considerations, special pro bono efforts must be made to address the particular needs of the community. Therefore, two unique programs were created. The first is the Southern Illinois Regional Family Law Pro Bono Project which matches volunteer attorneys with volunteer law students from Southern Illinois University School of Law at Carbondale to handle family law cases referred by the local office. Thirteen different counties are participating in this program.

The other program, created in western Illinois, was designed to address a common problem where access for indigent clients was limited because the legal services program had been contacted by both parties to a legal dispute. Specifically, when one party to a case has obtained the services of the legal services attorney and the other party seeks a legal services attorney, the second party is referred to a panel of private attorneys who have agreed to handle conflict and non-conflict cases.

Additionally, programs serving small rural counties where pro bono panels are impractical have incorporated a judicare component. The programs allows the volunteer attorney to be paid fifty percent of the prevailing hourly rate with a cap, while requiring the attorney to complete the other fifty percent of the case on a pro bono basis.

5 (b). What statewide efforts can be undertaken to increase the involvement of private attorneys in the delivery of legal services?

Efforts are ongoing to increase pro bono involvement by each program in cooperation with the statewide Pro Bono Center. In addition, the Illinois Equal Justice Report calls for several initiatives to increase the involvement of private attorneys in the delivery of legal services to the poor. The Report recommends:

That the Governor and other elected officials should encourage staff and contract attorneys to engage in pro bono service through existing pro bono programs. The creation of reasonable/workable pro bono policies for government employed attorneys should be developed which balance the needs of the employing agency with the desire of the attorneys to perform pro bono service.

That all bar associations establish aspirational goals for pro bono representation by attorneys in Illinois and promote those goals to their members. Law firms and corporate law departments should be encouraged to

develop partnerships with legal services providers which might include "loaned attorneys" or financial support. Similar efforts should be made to promote and support clinical programs in law schools.

That each lawyer needs to examine closely the amount of time he or she has to provide pro bono assistance and to make a commitment to involvement with pro bono activities, even though these activities may involve representation outside the lawyer's usual field of practice. Law firms and other employers also have an obligation to create environments to promote uncompensated service by their lawyers.

That retired and senior attorneys who have cut back on their practices should be encouraged to donate time with local legal services programs and to become actively involved with pro bono projects. These senior attorneys can play an important role in providing additional legal services to senior clients who have similar life experiences and needs.

That corporate law departments of major corporations in Illinois should be encouraged to develop policies and practices which allow attorneys to provide assistance in local pro bono and legal services programs.

That the nine Illinois law schools should explore ways in which law students, faculty, and alumni can assist local legal services and pro bono programs.

6. What statewide financial resources are available for legal services to low-income persons within the State? How can these resources be preserved and expanded?

Expanding Revenue Sources

The five legal services programs in Illinois have been quite successful in securing financial resources from many sources. Illinois legal services programs have been successful in securing State funds from the Illinois Department of Public Aid and the Illinois Department of Human Services for the representation of individuals seeking SSI benefits and for representing the interests of disabled persons; from the Department of Children and Family services for the representation of wards of the State seeking special education representation; from the Illinois Attorney General and Illinois Criminal Justice Information Authority for civil representation of victims of crimes; and from the Illinois Department on Aging for the representation of older Americans. Much of the success in garnering these funds has resulted from the strong cooperation among the five programs in applying for these resources. For example, the five programs

organized a joint venture to provide statewide services under a grant or contract and in other circumstances, one program administers the grant and subcontracts with the other four programs.

Some programs have generated additional support through law school work-study contracts, foundation and law firm fellows, VISTA volunteers, and senior job training programs. These resources should be continued and increased.

Illinois legal services programs have also been successful in securing local government funding from a variety of sources ranging from county health departments to local police grants to township grants. Each Legal Services Corporation grantee also receives substantial support from one or more United Way grants, as well as many local and bar foundations. The programs also engage in fundraising campaigns and raise significant funds from law firms, private donors, and special events. The five programs share information and strategies for conducting successful fundraising events and preparing grant proposals.

Additional funds are available on a statewide basis through the Lawyers Trust Fund of Illinois, the IOLTA program in Illinois. The IOLTA program distributes funds to 25-30 legal aid providers throughout the State of Illinois in the annual amount of approximately \$3 to \$4 million.

In addition to the five legal services programs, there are between 25-30 additional providers of civil legal services in the State of Illinois. These programs range from (a) programs with a specialized mission to serve particular client groups, such as the disabled or battered women; (b) programs serving particular sections of Chicago; (c) law school clinics; or (d) programs serving other niches. Nearly all of these not-for-profits specializing in legal services are in Cook County.

Overall funding in the State of Illinois for all legal services and other legal services providers for calendar year 1998 was approximately \$30,857,887 according to information provided by the Lawyers Trust Fund. That total revenue was produced from the following sources:

Federal Government	47%	
State Government	7%	
Local Government	2%	
Lawyers Trust Fund (IOLTA)	9%	
Community Funding (United Way)		7%
Private Foundations	7%	
Law Firms	3%	
Bar Associations/Foundations	1%	
Private Donations	2%	
Other (Interest, Fundraisers,	15%	

Fees, Cy Pres Awards,
Miscellaneous Income)

Statewide Financial Resources

Work has continued for many years to develop additional statewide financial resources for comprehensive, nonspecific legal services but have not been successful. First, the LSC programs have worked with the Illinois State Bar Association (ISBA) and the Chicago Bar Association (CBA) for at least five years to attempt to secure state revenues for legal services programs.

For a number of years, the ISBA was committed to securing general revenue funds from the State of Illinois to support legal services for the poor. The ISBA's philosophy was that the cost of providing legal services to those unable to afford legal counsel is not solely a legal professional responsibility but were costs that should spread among the entire population of Illinois and therefore funded by its general revenues. Unfortunately, during these years general revenues for the State of Illinois were very tight and there was insufficient political support to secure appropriations from the general revenues for legal services the poor. The CBA, while supportive of the idea of general revenues for legal services for the poor, concentrated its efforts on trying to secure filing fee add-ons to support legal services. Bills were introduced in the legislature for a few years to secure filing fee add-ons but were not successful.

In 1996, the ISBA and CBA joined together to support a comprehensive package of revenue measures for legal services for the poor. The comprehensive bill was introduced into the State legislature but was not approved. In 1997, House Bill 415 was introduced to establish a series of revenue measures for legal services. Once again, there was insufficient political support to pass this bill. Because 1998 was an election year with a short legislative session, no major effort was carried on in the legislature this year. The ISBA, CBA, and legal services programs decided that a major effort for securing revenues would be made in 1999 after a new governor and a new legislature were installed in January 1999.

Illinois Equal Justice Project Report

This report calls for a number of governmental bodies to support increased revenues for legal services programs in Illinois.

The report calls for continued and increased support from the Supreme Court of Illinois for the IOLTA program and encourages maximum participation by lawyers in that program.

The report asks the Supreme Court to consider the addition of a modest fee and appropriation from the existing annual attorney registration fee to provide financial support to civil legal aid programs.

The report calls on the Illinois General Assembly to approve general revenue funding for legal services and also for new legislation to add modest filing fees in civil and traffic cases for the support of legal services.

The report also calls for the establishment of the Illinois Equal Justice Foundation that would be responsible for ensuring a balanced statewide distribution of funds that are collected for the support of legal aid programs.

During the period from November 1998 through the summer of 1999, there will be a major effort on the part of the bar associations and other supporters of legal services to secure the additional financial resources described above. Major stakeholders in Illinois are involved in a determined effort to expand statewide revenues for legal services. The Equal Justice Project Steering Committee and Legal Services Delivery Committee will be seeking the support of many other groups, such as religious leaders, business groups, labor unions, other not-for-profit agencies, to endorse the Illinois Equal Justice Project Report. Our goals are clear to expand revenues for legal services to eligible clients in Illinois. We hope to be able to overcome the various political barriers we have faced in years past and to achieve success during 1999.

7. Where there are a number of LSC-funded programs and/or the presence of very small programs, how should the legal services programs be configured within the state to maximize the effective and economical delivery of high quality legal services to eligible clients within a comprehensive, integrated delivery system?

Two questions must be answered in any discussion about the configuration of the LSC-funded programs in Illinois. The first question is whether the present five programs should be consolidated into one giant statewide program. If not, the second question is whether any smaller programs should be merged with the larger programs.

Question #1 - Should the five LSC funded programs in Illinois be consolidated into one statewide program?

Some advocates think the state should have two programs, one for Chicago and one for downstate. Others believe it should be divided into three programs, one for Chicago and two for

downstate. Most advocates believe the present five-program structure should be kept. While pros and cons of different configurations continue to be debated, it is the issues of the quality of effective, efficient legal services to low-income persons that must be the preponderant consideration in any configuration decision. The stakeholders who have thoughtfully considered configuration have concluded that there is no better way to assure equal access to quality legal services than retaining the current five-program configuration within a confederated structure and all five LSC funded programs in Illinois agree the state is too large, the problems of the many different client populations too complex and the ethnic makeup of these client populations too diverse to be controlled by one statewide program.

This point was made perfectly clear in the recently issued Equal Justice Project Report (Report) which stated:

"The numerous providers of legal services in Illinois share a common mission -- to serve the needs of the state's poor. Providers should continue current efforts to share expertise, eliminate duplication, and coordinate intake, training, educational materials and use of technology. **Efforts to improve legal services delivery should be expanded within a confederation structure that promotes cooperation and coordination, while retaining the locally based, client focused, 'bottom-up' organizational structure of the various individual providers. Unlike full scale merger, confederation is more sensitive to efficiencies gained on a statewide basis and efficiencies that are regional, local and historic.**" (Emphasis supplied) (Equal Justice Report, page 6)

These regional, local and historic efficiencies which the Report recognizes are important factors in any consideration of program configuration.

Size, Complexity, Cultural and Ethnic Diversity/Homogeneity of Client Population

There are significant differences in the client populations served by each of the present programs. LAFC serves 580,903 low-income persons, LOL serves 319,893, PSLs serves 265,436, CCLAF serves 118,630, and WCI serves 22,499 (100% of federal poverty level). The area LAFC serves, the City of Chicago, is urban. CCLAF serves suburban Cook County outside of Chicago, an area that is primarily urban with rapidly diminishing rural areas. The area served by PSLs, mostly Illinois' northern and central counties, and LOL, mostly southern and central Illinois counties, are largely rural, but contain all the major cities in Illinois except Chicago. The area served by WCI, in

West central Illinois, is rural. There is a wide cultural and ethnic diversity of client populations served by each program. LAFC and CCLAF share the greatest similarity in client populations with each having large numbers of clients considered parts of the minority population. PSLS and LOL have the most diverse client population with a mix of Caucasian and minority groups. WCI has the most homogeneous client population with only 3% of its client population being members of minority groups.

It is important to also consider the fact that the client population of Chicago is shrinking while that of the rest of the state is growing. In fact, the client population of the rest of the state is growing at a faster rate than the rate at which Chicago's client population is shrinking. According to the 1990 Census, Chicago's client population shrunk 1.5%, while the client population in the rest of the state rose by more than 16%. Overall the state's client population grew by 7.8%.

The present LSC programs have done an excellent job of serving the diverse and similar client populations in our state. Each has a Board of Directors, the composition of which reflects the cultural and ethnic diversity and similarity of the client population in its service area. An examination of the cultural diversity of just a few of the client members of the Board of Directors of WCI will illustrate this point. One member is a senior citizen representing the tenant's council of a low-income housing development in Galesburg. This is appropriate since one-fifth of the population of Galesburg are senior citizens. Another client member of the Board is a young man who represents an organization of low-income mentally and physically disabled persons. This is appropriate since a very large state mental hospital was located in his community. Many of those persons who were former residents and patients still remain in the area. Another client member represents the parents' council of a local Headstart program. She is a young single mother. Most of WCI's clients are young single mothers, many of whom have their children participating in the Headstart program.

This reflection of the client population on the Boards of Directors of the present LSC programs would not exist on the Board of Directors of a single statewide program. For example, the area served by WCI would be fortunate to have one Board member on the Board of such a program. That person would not have the voting power to control or influence the delivery of services to the clients in WCI's service area. A similar loss of representation would occur to CCLAF, PSLS, and LOL.

The size and location of the population of Illinois are major factors in the consideration of whether or not there should be one statewide program. Illinois with its size of 55,781 square miles is the 24th largest state. It is the 6th most populous state. Approximately 2/3rds of the 11.5 million

residents of Illinois live in the Chicago metropolitan area. The remaining 4.5 million people live at or near the 2.85 million acres of land (80% of the total acres in the state) which are currently cultivated or used for farming. The travel costs of operating one statewide program would be exorbitant. These costs would surpass the savings in administrative staff. The logistics of running such a program would be overwhelming at the cost of losing local client centered services and public support. In contrast, the five programs have developed effective management and delivery systems and utilized staff and volunteers to ensure high quality, cost effective, accessible legal services with locally generated fiscal support.

The programs already have offices strategically located to serve the surrounding clientele. They have local support from the attorneys and judges, from local funding sources like United Ways or community development block grants, and from local citizens who help support them through their donations. Each of these offices is well connected and received in the area they serve. A statewide program would lose this local connection. Downstate clients believe their needs cannot be met by statewide projects dominated by metropolitan Chicago. Chicago residents feel the same way about statewide projects administered downstate. Chicagoans and downstaters both realize the problems of the citizens of each area are so different that they must be served differently. Most state government agencies have separate facilities and operations for Cook County and downstate in recognition of those differences.

Geographic, Physical, and Historical Distinctions and Affinities Within the State

There are certain historical distinctions and affinities with the state which should be considered in any discussion of merger or consolidation of programs. For example, the residents of the area covered by WCI have often felt that the rest of the state has completely ignored them. WCI was started because the poor and the elderly of the area were not being served by any legal aid organization. It began as a one person office. That person would do intake and referral of cases to private attorneys who took the cases pro bono. These attorneys and the other people who started the organization were of the opinion that local attorneys were best equipped to handle cases for local people. In the late 1970s, when another legal aid program made a bid to serve the area, the local people answered with a resounding "No, thank you!" This remains the attitude of the Board of Directors of WCI and that of the client community toward absorption by any other program.

CCLAF, which serves the area of Cook County outside of Chicago, was created to serve people who were unserved or underserved by Chicago based programs. The crafters of CCLAF

understood the dynamics of the legal aid organizations in the City of Chicago. They realized early on that if there were to be accessible legal services available to low-income clients in suburban Cook County, then a separate program would have to be created. The dynamics have not changed since 1967. On several occasions, the CCLAF Board considered the possibility of merger with the LAFC. They overwhelmingly rejected merger. This decision was reached because it was clear the client community wanted a local presence and a voice in how services are delivered. Local suburban Cook County bar associations also wish to maintain local control. It is clear local control would be lost in a merger with LAFC. Additionally, the CCLAF Board realized that a merger would jeopardize non-LSC funding. Suburban bar associations would be reluctant to support a merged agency because they would see this as supporting Chicago services and not those of the suburbs.

LOL was organized in 1972 as a merger of seven pre-existing legal aid organizations serving 13 counties. The program received funding from the Office of Economic Opportunity and from the Lawyers Committee for Civil Rights Under Law. After adoption of the LSC Act in 1974, the service area expanded by 1981 to the present 65 counties with 13 branch offices. Subsequent federal funding cuts reduced the number of branch offices to the current eight. Of the 319,893 persons living in poverty in LOL's service area, 76% are Caucasian, 22% are African-American, and 2% are of other ethnic groups. During the harvest season, the Hispanic population increases significantly with an influx of migrant workers. Approximately 15% of the total LSC eligible population are elderly. The 65 counties the program serves cover over 35,000 square miles, an area nearly the size of the State of Indiana. The service area is 60% urban and 40% rural. The industrialized counties served by the East St. Louis and Alton branch offices are the residence of nearly 1/3rd of the client population of the program. The poverty rate in the total service area is 13.7% compared to the state average of 11.9%. Eight of the counties served by LOL rank as the state's poorest with poverty rates over 20%. One of the counties has a 32% rate.

LAFC was formed in 1973, the product of a merger of the two federally funded legal services programs in Chicago. LAFC operated out of eight neighborhood general intake offices and a central administrative office that also housed special projects and team heads, providing support to the neighborhood attorneys. The neighborhood offices were spread throughout the city; three on the south side, three on the near southwest and west side, and two on the north side. Today, after significant cuts in federal funding, LAFC operates out of three neighborhood general intake offices, a SSI Advocacy Project office, and a central office. The neighborhood offices are located on the south side, west side, and north side of the city. The central office, located in

downtown, contains a fourth general intake office, special projects, and team heads. Clients actually served by LAFC closely mirror the approximately 600,000 eligible clients in the city. Approximately 60% are African-American, 20% are Hispanic, 10% are Caucasian, and the remainder are made up of other minority groups. LAFC has tailored its services to meet the needs of its urban clients. LAFC has expended large amounts of time in developing expertise in responding to home foreclosure cases, consumer fraud, domestic violence, and crime victim clients.

PSLS was incorporated in May 1977 and began operations in October of that year. It grew out of the merger or association of five pre-existing legal services programs and one bar association sponsored referral program. By 1979, one other legal services program and one other bar association sponsored program had also joined PSLs. Since 1979, PSLs and the pre-existing program in Will County, the Will County Legal Assistance Program (WCLAP), have had a collaborative relationship in providing legal services to low-income residents of Will County. Under the agreement, WCLAP participates on the PSLs Board of Directors, adopts all PSLs policies and participates in all training and other staff events with the PSLs staff. The WCLAP Director also participates in PSLs management meetings. WCLAP staff in Will County through a subgrant provides direct legal services with PSLs. Since 1980, PSLs has provided legal services to residents of northern and central Illinois through ten branch offices and several other satellite, part-time offices. People who live and work in its service area consider themselves as distinct and different from people who live in Cook County. They consider themselves to be downstaters, even though some of them live north of Chicago. Even the bar associations in the PSLs service area consider themselves to be different from the Cook County system. It is viewed as a very different court system with its own set of problems and concerns. As is the case with each of the Boards of Directors of the downstate LSC funded programs, the Board of Directors of PSLs has attempted to take the best elements of a larger program and guide it with the local orientation and local control of a smaller program. This local orientation and local control is achieved by Board membership and by advisory councils. PSLs has worked with the other LSC funded programs on many projects. Currently WCI provides services to seniors in two of its counties through a subgrant from PSLs. During the 1980s, PSLs, LOL, and WCI all worked collaboratively on a Family Farm Project to help financially distressed farmers. Such cooperative relationships among the five programs ensure that low-income clients are served effectively and efficiently.

Variation in Local Client Needs and Ability to Respond and Set Priorities Accordingly

There are variations in local client needs to which the

priorities of the programs must respond. The needs of Chicago clients are much different from those of clients who live in Metropolis that is in the far south of the state in LOL's service area. The standards of living are much different. In rural areas, attorneys and paralegals frequently resolve client problems informally working with attorneys, government agency personnel, and other adversaries personally known to them. In rural areas, the legal problems are different than in metropolitan areas. For example, in the housing area, many more clients are purchasing their modest residences. There are many more homeownership problems where housing costs are low compared to Cook County.

LOL has been assessing, responding to, and setting priorities according to the needs of its client community for many years. It knows the needs of clients in East St. Louis and Cairo, two of the most impoverished municipalities in the nation. It sets appropriate priorities for the client community in the state's ten southernmost counties where the poverty population ranges from 20% to 30% of the total population.

Like all Illinois legal services programs, PSLS regularly sets priorities. Its new telephone counseling and intake system provides a new way to monitor the number and type of calls coming into the program and helps to identify more quickly new legal problems in the client community. Its participation in other community groups and organizations such as the United Way, which periodically conducts its own needs assessment, provides other ways for PSLS to keep abreast of new developments.

These same arguments hold true for each of the programs. The priorities for each program must be different. A single statewide program could not set uniform priorities that would be realistic for the whole state.

Assessment of Programs' Performance and Capacity to Deliver Effective and Efficient Legal Services in Accordance with LSC and Other Professional Criteria

Each of the LSC funded programs in Illinois provides high quality legal services. Each has the capacity to deliver effective and efficient legal services in accordance with LSC and other professional criteria. This conclusion was reached each year when LSC conducted on-site monitoring of programs. Each of the programs received consistently high marks for its high quality legal services and for effective management with a small administrative staff.

Other funding sources and organizations also recognize the fine job the programs are doing. For example, PSLS and CCLAF both received the Encore Award from the Retirement Research

Institute. This is a competitive grant that recognizes superior work in delivery services to senior citizens. WCI has received the State of Illinois award as public sector employer of the year. This is an award that recognizes the work the recipient does to improve the job skills and talents of senior citizen employees. The other programs and individual staff members have received many honors and awards recognizing the high quality of services provided to low-income and elderly clients.

From the clients' point of view, the programs are doing a superb job. This is evident from an examination of the client satisfaction surveys as well as unsolicited communications.

Ease and Efficiency of Client Access to Services and Opportunities for Improvement

The programs are currently working to improve client access to services by completing regional hotlines with electronic intake. Those systems will give clients easy, quick access to legal assistance. WCI is very close to finishing automated systems for dissolution, adoption, and guardianship. These systems will increase efficiency and will be available to all providers.

The importance of the efforts to work together on the above components and others were recognized in the Equal Justice Project Report as follows:

"Legal services delivery can benefit from improved technology not only to increase internal program efficiency, but also improve statewide programming through shared information and expertise. The experience of unrepresented litigants can be enhanced by technological changes which improve their access to current information. An ongoing commitment to technological advancement means a significant financial investment and targeted additional funding must be sought. With better technology, the following efficiencies can be achieved through cooperative ventures:

Creation of a statewide network of providers linked by technology which should include state-of-the-art hardware technology and a common software.

Through improved technology, providers should develop interactive, on-line, shared research banks and model legal forms.

Through increased coordination and

cooperation, providers should develop and share standard written community legal education materials and pro se kits, and development of accessible on-line materials for clients and pro se litigants.

A state hotline or regionally based hotlines should be created to increase visibility of services to the public and improve access of potential clients." (Illinois Equal Justice Report, Pages 6-7)

The LSC programs are already implementing these recommendations or have plans to do so. Through their own efforts and those of the Lawyers Trust Fund of Illinois, each of the programs has or will shortly have state-of-the-art hardware to improve client access to legal services.

Forms for new causes of action or for obscure legal arguments are shared at the statewide task force meetings in which the programs participate. Efforts similar to the LSC staff attorney authored Representing the Low-Income Client published by the Illinois Institute for Continuing Legal Education for new staff attorneys and pro bono lawyers must be continued.

Capacity to Efficiently and Effectively Conduct Community Legal Education, Pro Se, and Outreach Activities

As previously discussed, each program is efficiently and effectively conducting community legal education, pro se assistance, and outreach activities. Each has had many years of experience in providing these kinds of services. One of the programs is currently working on a computerized dissolution of marriage system by which a client can answer questions asked by the software and it will then construct draft dissolution pleadings, motions, and orders for the client. This will then be reviewed by an attorney before the client is allowed to proceed pro se. This system will be shared with other programs.

The programs conduct several types of outreach including community legal education events, media releases, public presentations, and written materials. In addition, most will do intake at an applicant's home or at an institution in which the applicant is residing or being treated for medical problems. This is especially true in the case of senior citizen applicants.

Relative Costs Associated with Fiscal and Administrative Responsibilities and Potential Savings in Management, Board, and Administrative Costs

It is difficult, if not impossible, to determine whether savings would result from consolidation of the programs. For example, travel costs would increase dramatically while there might be some personnel cost savings in administration. Each of the programs has or will shortly have their own centralized intake system with new computer hardware and software systems and telephone equipment. Converting all five to single systems would require a huge cash outlay for technology. The same is true for the case reporting and fiscal systems. It might take years to recover those costs.

There is great concern any potential savings in management, Board and administrative costs would be offset by greater losses in local funding from United Ways, lawyers, foundations, and other local funding sources. Local fundraising is based on personal relationships with the agencies or with the individuals. A statewide program could not maintain those personal contacts necessary to maintain long term local funding. The historic downstate attitude toward Chicago would serve to diminish or eliminate funding from any downstate person or agency that perceived their money was going to serve Chicago residents.

Summary

The foregoing discussion attempts to summarize the deliberation of the Equal Justice Project (Project) in developing its Report. The Steering Committee and the working task forces were composed of a broad cross section of Illinois citizens. Their work over the course of a year included examination and study of the results of state planning processes in other states. After thoughtful discussions and consideration, its conclusion was that consolidation of the Illinois programs into a single statewide program would not be in the best interests of the low-income population in Illinois. The Project further concluded that a statewide program would not improve service delivery but would jeopardize local support.

Question 2 - Should West Central Illinois Legal Assistance be merged with one of the other Illinois LSC funded programs?

Any consideration of merger inevitably involves WCI as the smallest Illinois LSC program. But the issue of the quality of legal services to low-income persons again must be the preponderant consideration in any discussion about program configuration. In all previous monitoring of WCI by LSC, it has always been found to provide high quality legal services. Each of its other funding sources has also reached the same conclusion in their monitoring of the program.

There are other factors which indicate WCI is providing high quality legal services to the clients of its service area. The

first of these concerns the number of attorneys per poor person. For many years one of the driving goals of LSC was to secure enough funding from Congress to fund two attorneys per 10,000 poor persons. WCI has met the goal with approximately two attorneys per 10,000 low-income persons. It employs four attorneys to handle the potential legal problems of approximately 22,000 eligible clients.

A second factor is the ability to provide highly computerized services to its clients. Use of computer automated systems insure that the full range of high quality legal services will be provided. The automated systems do not leave any aspect of a case to chance. A case handler following the system will not forget to ask any important question or to discuss any alternatives with his or her client. WCI is the most highly computerized program of the five LSC funded programs in Illinois. In June 1997, it received a complete computer upgrade from the Lawyers Trust Fund of Illinois. It now has Pentium or Pentium II computers operating under Windows 95 for each employee. Its network operating system is Windows NT 4.0. It has a Hewlett Packard 5si printer that prints at 16 pages per minute. It uses Microsoft Office 97 Professional Edition as its software for word processing, spreadsheet, database, etc. It has used this software to create an automated divorce system. It is developing automated systems for adoptions and guardianships. It has a CD tower and the software to enable each case handler to have access to the Westlaw Illinois CDs in the tower from his or her desk. It has modem sharing software which enables each staff person to access online computerized legal research and the Internet from his or her own desk.

A third factor in determining the quality of the legal services rendered is the ability to provide legal services with highly trained attorneys. The present staff of attorneys have 20, 11, 8, and 8 years of experience. The paralegal has 3 years of experience. Each of the attorneys has specialized in an area of law determined by its clients to be a priority area. These areas include dissolution of marriage, consumer law, landlord/tenant, poverty, and administrative law. They have received training from the other four programs, the Illinois State Bar Association, the American Bar Association, the Illinois Institute of Continuing Legal Education, and other sources.

A fourth factor is the ability of the program to provide legal services which meets or exceeds local, state, and national guidelines. The local legal community views the legal services provided by WCI as high quality. Judges and lawyers in the area have always praised the expertise, performance, and skill of each of the attorneys and the paralegal of the program. Additionally, when WCI's services are measured against the standards promulgated by the Illinois State Bar Association and the American Bar Association, the services meet or exceed the

standards.

A fifth factor is the ability of the program to provide funding for its staff on a continuing basis. WCI is more than capable of doing this. It has leveraged LSC funding which amounts to only 45% of its overall funding to receive additional funding to raise the number of attorneys per low-income person to almost two per 10,000. It has participated with the other programs in statewide grants and fundraising activities. It has done very well in the fundraising area and has developed a plan that it is implementing to increase these activities in the future.

Illinois does not have so many LSC funded programs that WCI must be absorbed just to reduce the number of programs to a more manageable number. Illinois with its 11.5 million people is not like Florida with 14 million in population, but with its 12 LSC funded programs. It is not like Michigan with 9 million in population, again with 12 programs. It is not like New Jersey with 8 million in population, but with 14 programs. It is not like Ohio with approximately the same population as Illinois, but with 15 programs. None of the four larger programs in Illinois needs to absorb WCI. Five programs are not an extraordinary number, especially in light of the performance of each of the programs. Additionally, none of the programs wish to take on the task of absorbing WCI.

WCI has been an important part in the joint efforts of the five programs to seek state grants and state funding of legal aid programs. It has always held its own in statewide grants. It once ran the statewide referral service for a grant in which all five of the programs participated. A key Illinois State Senator considering legal services funding is committed to the preservation of WCI and of the present configuration of the LSC funded programs.

In terms of training, WCI has helped to present training in computerization. It has developed automated dissolution systems that it has shared with the other LSC funded programs in Illinois. It is developing similar systems for adoption and guardianships. It will share these systems with other programs.

For these reasons, it is clear WCI should remain a separate LSC funded entity. The clients want and need it to continue to provide personalized, individual, high quality legal services.

Strengths and Weaknesses of the Present Configuration

The major strength of the present configuration is the ability of the programs to work together to achieve common goals while preserving a strong local client voice and local support. Since the early eighties, the programs have cooperated to provide

services to all client eligible populations. They have joined together for many statewide grants. The work necessary to achieve the goals of each of these grants has been shared among the programs. For example, the present DCFS grant is awarded to LOL and the other programs operate as subgrantees to provide the necessary services in their service areas. During the years that LOL was awarded the LSC grant for the Illinois State Support Center, the programs worked together to see that the Center provided services needed by each program. The spirit of cooperation is a great strength of the present configuration.

The five programs have cooperated in the area of training. While the Illinois State Support Center existed, it organized several statewide training programs. In the past when one of the programs has conducted its own training of staff, it has usually opened the training sessions to participants from the other programs. The programs often share manuals created by staff with each other. For many years the programs have supported statewide task forces that dealt with issues in family and women's law, consumer law, public benefits law, etc. This arrangement permits attorneys from different programs to join when their training needs are similar but also to address the specific training needs of individual programs and their pro bono lawyers.

Similar to cooperative funding and training, the five programs will work together to improve service delivery in Illinois to meet the challenges of 1998 and beyond. With clients facing new and different legal problems, the programs will coordinate their service delivery to utilize technological improvements and refine delivery systems to accommodate the needs of more clients with less reliance on federal funding. The objective is not to maintain the status quo; the goal is to retain the best of locally controlled programs while adopting improvements and innovations under a confederated approach. That design will promote effective services with the most efficient use of resources. The LSC programs have demonstrated that they are committed to making those improvements and changes.

One perceived weakness of the present configuration is that there are not uniform statewide priorities. However, clients argue that this is not a weakness. It is viewed as an opportunity for clients in each locality to see that the program that serves their area is responsive to their needs, not to those of another locality.

It is clear that Congress looks favorably on programs that provide individual case related services. The Illinois programs provide these types of services. There is no evidence to show that a bigger program in Illinois would provide any more or better service at any lower cost. In fact, the history of legal services in Illinois clearly shows that the five Illinois programs are the products of mergers of the small Illinois

programs many years ago.

Establish goals to strengthen and expand services to eligible clients. Determine the major steps and a timetable necessary to achieve those goals.

The programs believe the most important goal to strengthening and expanding services to eligible clients is to initiate funding for legal services by the State of Illinois. This goal has been given highest priority by the programs, the Illinois Equal Justice Project, the Illinois State Bar Association, the Chicago Bar Association, the other legal aid programs in Illinois, etc. This additional funding would be used to strengthen and expand services to eligible clients. Steps have already been taken to accomplish this goal. The programs intend for this goal to be accomplished within the next year.

A second important goal to strengthening and expanding services to eligible clients is increased statewide coordination of legal services delivery under a confederated structure. The organizing of new task forces to plan improved cooperation and coordination will help accomplish this goal during 1999.

A third goal is to complete centralized intake and hotline services for legal advice, referral, and brief service by 1999 to ensure accessible services for the greatest number of clients.

A fourth goal is to continue to use technology to increase the quality and quantity of the legal services the programs will deliver. One goal will be to automate legal systems so that the quantity of the services provided could be increased while the high quality is maintained. The programs will work to share their efforts at automation. The technology task force will be the vehicle for this sharing. The task force will work to develop other ways that the programs can use technology and share what they have created. When possible the programs will work together on development of systems that can be used by each. This will be an ongoing goal.

A fifth goal is to continue efforts to provide training for staff with statewide events, whenever feasible. The task force charged with this responsibility would make training events open to all programs and will plan and implement any statewide training events for all attorneys serving low-income clients. It will seek funds to provide statewide training. These tasks will be an ongoing goal.

A sixth goal is to develop standardized legal education, prose, and self-help materials and kits for clients to use to solve their own legal problems.

The seventh goal is of significant importance to the low-

income and elderly people in Illinois. The Equal Justice Project goal of confederation of programs must be carried out as expeditiously as possible. The program directors and the Boards of Directors will be charged with the responsibility to implement the Project's Report. The continuing effort to build an effective confederation is an ongoing goal of the programs.

Conclusion

Similar to the conclusion concerning a single statewide program configuration, the Equal Justice Project rejected alternative proposals to merge smaller programs with larger programs. In developing its recommendation for a confederated approach retaining the current five programs, the Project concluded that Illinois clients are best served by the existing configuration.