

Illinois' Progress Toward an Integrated Legal Services Delivery System

**A Report to the Legal Services Corporation
*Program Letter 2000-7***

**Prepared by the
Illinois Coalition for Equal Justice
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Introduction

The past four years have been a period of rapid change and dramatic progress for the legal services delivery system in Illinois. The **Illinois Coalition for Equal Justice**¹, the designated state planning body for Illinois, welcomes this opportunity to report to the Legal Services Corporation on these changes and on the challenges that lie ahead.

It should be noted at the outset that Illinois, like many other states, faced tremendous hurdles at the dawn of the “state planning” era. Perhaps the greatest challenge was dealing with the diffusion of leadership on legal services delivery issues in the state. In addition to five (now three) Legal Services Corporation-funded programs, Illinois has a large group of independent legal aid and pro bono programs, especially in Chicago.² Illinois has two major bar associations, The Illinois State Bar Association and The Chicago Bar Association. There is no tradition in Illinois of any officials in state government taking the lead on legal services delivery issues. While the Lawyers Trust Fund exerts some influence as the largest non-federal funding source, IOLTA grants account for only 10% of total funding in the state, and there are dozens of other public and private funding sources. In sum, Illinois had no central locus of power or authority that was in a position to impose its vision of the future on this multitude of important stakeholders.

The only alternative, which we have successfully pursued, was to create a structure that allows the various stakeholders to develop a shared vision, take collective action to realize certain critical goals, and create a service delivery framework capable of recognizing and integrating the initiative of individual actors.

This structure is the Illinois Coalition for Equal Justice, a state-level leadership group that includes judges, legislators, other public officials, law school representatives, bar leaders, funders, legal services staff and other interested citizens. The Illinois State Bar Association and The Chicago Bar Association jointly appoint the Coalition’s members, and contribute funds to support the work of a part-time executive director. The Coalition has smaller working groups on **pro se**, **pro bono**, **resource development**, **alternative dispute resolution**, **state planning**, and **coordination with state government**. The working groups are led by Coalition members with expertise in these areas, and are “staffed” through in-kind contributions of employee time from the Illinois State Bar Association, the Illinois Bar Foundation, The Chicago Bar Association, the Chicago Bar Foundation, and the Lawyers Trust Fund of Illinois.

This process of coordinating resources and responses on a statewide level has been challenging, to say the least. However, we believe that a brief review of Illinois’ accomplishments in the past four years confirms that the results have been worth the effort.

¹ The Illinois Coalition for Equal Justice was formerly known as the Illinois Equal Justice Commission. For a complete list of members of the Coalition, see [Attachment 1](#).

² The Lawyers Trust Fund of Illinois, the IOLTA program, provided grants to 33 organizations that deliver civil legal services in FY 2001. A list of programs is included as **Attachment 2**.

- In 1998 there were five LSC-funded programs in Illinois, one of which was too small to achieve the highest levels of efficiency, and one of which was plagued by chronic performance problems. Today there are three strong regional programs.
- In 1998, telephone intake advice and referral “hotlines” were in the development stage at both Prairie State Legal Services and the Land of Lincoln Legal Assistance Foundation. Today, regional legal services hotlines operated by Prairie State, Land of Lincoln and the Coordinated Advice & Referral Program for Legal Services cover 101 of Illinois’ 102 counties.
- In 1998, Illinois had no state statute and no state funding to support “access to justice” initiatives. Today, we have the Illinois Equal Justice Act (30 ILCS 765/1 *et seq.*), which, among other things, created the Illinois Equal Justice Foundation (IEJF) as a conduit for state funding to support civil legal assistance, “hotlines,” mediation and pro se initiatives. In both FY 2001 and FY 2002, Governor George Ryan proposed and the Illinois General Assembly approved \$500,000 in state general revenue funds for distribution by the IEJF. We hope to increase that amount in the future through the “*Equal Justice: Illinois Campaign*,” which is a project of the Illinois Coalition for Equal Justice (“Coalition”).
- In 1998, Illinois’ efforts to use technology to provide legal information to potential clients and the public consisted of a handful of digitized brochures posted on the web sites of various legal services programs. Today, the Illinois Technology Center for Law & the Public Interest, a collaborative project of legal services providers, funders and law school representatives, is designing cutting-edge multimedia tools for clients, staff attorneys and pro bono lawyers.

These are just a few highlights of our accomplishments over the past four years. We will be providing more details on these achievements throughout this report. But the most important achievement to note is that the stakeholders in the legal aid system have established a *modus vivendi* for collaboration, both through the Illinois Coalition for Equal Justice and for *ad hoc* efforts on individual initiatives. Long-time observers of the field share the belief that the level of cooperation among legal services providers has never been higher, and we plan to harness that cooperative spirit to tackle the challenges that lie ahead.

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Before proceeding to the body of this report, it is important to make a note on nomenclature. In Illinois – and in this report – the term “legal services program” is used generally to refer to any not-for-profit organization that provides civil legal assistance to lower-income people. This includes LSC-funded organizations, privately funded groups, and programs that rely primarily on the services of volunteer lawyers. (We believe this is an important step away from what Program Letter 2000-7 refers to as “LSC-centric” thinking.) When referring specifically to LSC-funded programs or pro bono programs, we will make the reference explicit.

Toward a Comprehensive, Integrated, Client-Centered Delivery System

The Challenges Facing Low-Income Illinoisans

Low-income Illinoisans face many legal problems that are unique to the poor (*e.g.*, TANF time limits) and many legal problems that are common to people of all income levels, such as conflicts over child custody in divorce cases.

In recent years the laws referred to generally as “welfare reform” have imposed new restrictions and requirements on people receiving public assistance. There has been a surge in immigration larger than any since the 1920’s. A booming economy has led to housing shortages and skyrocketing rents in the Chicago area, at the same time that thousands of low-income families have been “vouchered out” of traditional public housing. Financial services companies have found new and ingenious ways to take advantage of the cash-flow problems of working people, spawning an industry of payday and predatory lenders. The state-run system for collection of child support is in disarray. Each year, domestic violence sends tens of thousands of low-income women in search of legal help to obtain freedom, safety and a stable environment for their families.

These are the substantive issues that form the core of the day-to-day work of legal services providers. These issues evolve with changes in demographics, changes in the economy and changes in the law. The one constant for legal services programs is a lack of resources that necessitates hard work and even harder choices.

The Legal Services Delivery System: Programs and Funding

In Illinois, the legal services delivery system is made up of many individual programs.³ Three LSC-funded programs cover all of Illinois’ 102 counties. The **Legal Assistance Foundation of Metropolitan Chicago (LAFMC)** serves the City of Chicago and suburban Cook County. **Prairie State Legal Services** covers 36 counties in northern and western Illinois⁴, including many of the heavily populated “collar counties” of suburban Chicago. The **Land of Lincoln Legal Assistance Foundation** serves low-income residents in 65 counties in southern and central Illinois.

Outside of Cook County, there are a handful of other small programs that provide legal assistance to low-income people. The legal clinic at **Southern Illinois University School of Law** provides advice and representation to senior citizens. The legal clinic at the **University of Illinois College of Law** works closely with the Land of Lincoln’s Champaign Office. The **Immigration Project**, based in Granite City, offers assistance with citizenship issues. **Guardianship Referral & Services**, a program of Catholic Charities, assists elderly or disabled persons in need of guardianships. In suburban Lake and DuPage counties near Chicago, local bar programs coordinate the delivery of pro bono services, with the financial

³ See Attachment 2.

⁴ The **Will County Legal Assistance Program**, based in Joliet, is a separate 501(c)(3) entity that operates as a sub-grantee of Prairie State Legal Services.

support and cooperation of Prairie State Legal Services. While these are important programs, outside of Cook County it is Land of Lincoln and Prairie State that do the vast majority of legal work for the poor.

Because of an active bar, a pressing need, and a strong base of foundation and law firm support, Chicago has a vibrant history of creating and sustaining legal aid programs. The **Legal Aid Bureau** of Metropolitan Family Services has been operating since 1886. With over 2,000 volunteers, the **Chicago Volunteer Legal Services Foundation (CVLS)** is one of the nation's oldest and largest pro bono programs, and consistently reports more litigated cases than any other program in the state. The **Coordinated Advice & Referral Program for Legal Services (CARPLS)** was the nation's first freestanding legal aid hotline, and now provides advice and referral services to 18,000+ clients each year. The **Chicago Legal Clinic**, which offers representation to the "working poor" on a sliding-fee scale, has four branch offices and 14 staff attorneys, as well as a pro bono panel.

In addition, there are specialized legal services and pro bono programs serving tenants (**Lawyers Committee for Better Housing**); people with AIDS/HIV (**AIDS Legal Council**); the elderly and people with disabilities (**Center for Disability & Elder Law**); immigrants (**Midwest Immigrant & Human Rights Center, Centro Romero, Asian Human Services**); victims of domestic violence (**Life Span, Pro Bono Advocates**), non-profit community groups (**Community Economic Development Law Project**); incarcerated parents (**Chicago Legal Advocacy for Incarcerated Mothers**); a variety of low-income neighborhoods (**Cabrini Green Legal Aid Clinic, Uptown Peoples' Law Center, Evanston Community Defender Office**); and even starving artists (**Lawyers for the Creative Arts**). The law schools at **Northwestern, University of Chicago, DePaul, Loyola** and **John Marshall** all have clinics that serve the poor. Three of them, **Loyola, Northwestern** and **University of Chicago** also have clinics for small business/community development projects, which address "welfare to work" issues in a way that mainstream legal aid programs cannot.

Chicago is also home to a number of important research and advocacy organizations that have legal programs working on the policy level, including the **National Center on Poverty Law, Chicago Lawyers Committee for Civil Rights Under Law, Leadership Council for Metropolitan Open Communities, Access Living, Equip for Equality, the SSI Coalition for a Responsible Safety Net, and the Chicago Coalition for the Homeless**. These organizations work on variety of issues, including state and federal benefit programs, child support, employment discrimination, discrimination under the Americans with Disabilities Act, and the preservation of affordable housing. Because they are privately funded, they have the freedom to use an unfettered array of advocacy and litigation strategies.

This diverse delivery system is supported by a combination of public and private funding. According to estimates prepared by the Lawyers Trust Fund of Illinois, the 26 primary legal aid programs in Illinois raised a total of **\$28,074,415** in FY 2000. The largest source of funding, accounting for 39.2% of the total, was the Legal Services Corporation. Other government funding accounts for 20.6% of the total. IOLTA funds provide 10%. The balance is made up of foundation grants (6.8%), United Way funds (6.5%), donations from the legal community (5.3%) and individuals (2.4%), and other miscellaneous sources (9.3%).

The Coalition’s Vision for the Future

The list of agencies that provide legal services in Illinois offers only a one-dimensional view of the delivery system, however. In the mid-1990’s the Illinois Equal Justice Project (which served as a springboard for both the Illinois Equal Justice Foundation and the Illinois Coalition for Equal Justice) recognized that each person who seeks help has unique needs, and that a “one-size-fits-all” approach to the delivery of legal services was neither appropriate for clients nor efficient for providers.

This realization led to the vision that clients need a range of options for resolving their problems. This vision is strongly embraced by the Illinois Coalition for Equal Justice, memorialized in the Illinois Equal Justice Act, and recognized in the funding priorities of the Illinois Equal Justice Foundation. This continuum of service options includes:

- Readily accessible **information** about legal rights and responsibilities (via pro se projects, courthouse-based information centers, web sites, community legal education events);
- Legal **advice, intake** and **referral** to appropriate resources (via telephone “hotlines”).
- High-quality **representation** to deal with more complex legal problems (from staff and pro bono attorneys);
- Mediation services and other **alternative dispute resolution** mechanisms to help resolve problems efficiently outside of the adversarial process.
- **Policy advocacy** to deal with systemic problems that cannot be resolved by litigation on behalf of individual clients.

The Illinois Coalition for Equal Justice is working toward the day when any low-income person in any part of Illinois can access this continuum of services, find the most appropriate source of help, and use that assistance to achieve the resolution they seek to their legal problem.

Access to a Full Range of Service Options

The following section will provide a brief update on Illinois’ progress toward this goal for each of the components of the delivery system noted above.

Legal Information and Self-Help Assistance

Knowledge is power, and information about legal rights and responsibilities can help prevent legal problems and can also keep “bad” cases (*i.e.*, those for which there is no solid legal foundation) from clogging up the system.

As the state planning body, the Coalition maintains a **Working Group on Pro Se Services**, which is charged with monitoring developments in this area and coordinating service delivery strategies for unrepresented litigants. The Illinois Equal Justice Foundation also has a funding category called “Legal Information for the Public,” which provides seed money and operating support for new projects.

While most legal services programs maintain some type of web site, there are two major substantive sources of legal information for Illinois residents on the web. The **Illinois Technology Center for Law & the Public Interest** (“Tech Center”) has created a comprehensive legal information site at www.illinoislawhelp.org. This easy-to-navigate site includes substantive information, instructions and forms on ten areas of law, including those problems most commonly faced by legal aid clients. The second site is maintained by the **Self Help Legal Center** (www.law.siu.edu/selfhelp) based at Southern Illinois University School of Law. (The Self Help Legal Center is run by Assistant Dean Michael Ruiz, who also chairs the Coalition’s Pro Se Working Group and is a member of the board of directors of the Tech Center.) Staff at these sites are working together to coordinate their efforts to produce new materials, including on-line video presentations.

A part of the Coalition’s vision is to take advantage of courthouses as logical starting points for people seeking help with a legal problem, and courthouse-based self-help projects are an increasingly common delivery mechanism, especially in mid-sized urban centers. In its first two rounds of grants, the Illinois Equal Justice Foundation provided seed grants for courthouse-based advice and self-help projects in Lake County (*Waukegan*), Sangamon County (*Springfield*), Champaign County (*Urbana*), and Madison County (*Alton*). To the extent resources allow, successful models will be replicated in other jurisdictions in the years ahead.

In Cook County, home of the largest unified court system in the country, the new Circuit Clerk, Dorothy Brown, is a member of the Coalition and a strong supporter of efforts to increase public access to the legal system. Her office is investigating a range of options and models from around the country, with the support and assistance of other Coalition members.

At the Daley Center, Cook County’s main court facility in downtown Chicago, there are already several successful information and self-help projects. CARPLS staffs a post-decree desk to assist unrepresented litigants who have problems relating to visitation, custody and child support issues. Chicago Volunteer Legal Services operates a pro se guardianship desk. Chicago-Kent College of Law maintains an advice desk for tenants.

Another project under discussion by the Coalition’s Working Group on Pro Se Services is the creation of standardized, court-approved forms, which would be easier for unrepresented litigants (and lawyers, for that matter) to use. This effort is currently in the exploratory stage, and will require a substantial amount of time to get buy-in from a wide range of stakeholders.

Finally, the current president of the Illinois State Bar Association is convening a statewide “Future of the Courts” conference, and access to the legal system is a high priority topic. Several members of the Coalition are participating in planning for the conference, and intend to make sure that issues such as court rules to accommodate pro se litigants and courthouse-based Internet access to self-help web sites are on the agenda. This could serve to elevate and broaden the discussion on legal information and pro se issues among the bench and bar of the state.

Legal Advice, Intake & Referral

Illinois has made great strides in making sure that anyone who has access to a telephone can have access to a lawyer. **CARPLS** was the nation’s first stand-alone legal services hotline, and now serves 18,000+ callers per year. Land of Lincoln Legal Assistance Foundation operates the **Legal Advice & Referral Center (LARC)** from its East St. Louis office, which provides intake, advice and referral services for its 65-county service area via a toll-free telephone number. Prairie State Legal Services uses its **Telephone Counseling Service** to reach prospective clients in 35 of the 36 counties it serves, including the six counties that were formerly served by West Central Illinois Legal Assistance. This number also offers toll-free access to callers. Thus 101 of Illinois’ 102 counties are now covered by a legal aid “hotline.” The exception is Will County, which is served by the Will County Legal Assistance Program, a sub-grantee of Prairie State Legal Services. Discussions between the programs about including Will County in the Telephone Counseling Service are ongoing.

In addition, the Legal Assistance Foundation of Metropolitan Chicago offers information through a statewide toll-free **Public Benefits Hotline**, which provides advice and referrals on issues that arise under the Temporary Assistance to Need Families (TANF) program and related public benefit programs.

As a “front door” for advice and referral, the hotlines offer many advantages. They help equalize access geographically, in that a caller in rural Lawrence County, who lives over a hundred miles from the nearest legal aid office, is just as likely to be able to speak to a Land of Lincoln attorney as a person living one block from Land of Lincoln’s branch office in East St. Louis. The hotlines are able to resolve 60-70% of cases that fall into the “advice only” category over the telephone, thereby saving staff time and client time. Collapsing the multi-stage intake process into a single step saves staff time and eases client frustration and anxiety. Finally, the hotlines yield critical data on demand for services, thus providing a valuable planning tool.

The great drawback to hotlines, however, is that they are victims of their own success. Call volume has risen steadily in the three years since the hotlines have been fully implemented across the state, and none of the Illinois programs is able to keep up with the demand. CARPLS, for example, estimates that it is able to answer approximately half of the calls it receives. Land of Lincoln and Prairie State report similar findings. This is the same song played in a different key: Legal services programs simply do not have the staff resources to serve everyone.

The Coalition recognizes that hotlines need more resources. The “front door” to the system must remain open. The Illinois Equal Justice Act acknowledges telephone advice and referral services are an important service strategy, and the Illinois Equal Justice Foundation includes these programs in a discrete funding category. In FY 2001 the IEJF gave each of the three hotlines \$47,000, or a total of \$141,000 to add attorney staff. In FY 2002, the IEJF awarded a total of \$138,000. If the *Equal Justice: Illinois* Campaign, another Coalition initiative, is successful, the hotlines will be among the greatest beneficiaries.

The hotline programs are not content to wait for this potential windfall, and have made an effort to review their procedures and find ways to increase and improve client services. In May 2000 the Lawyers Trust Fund approved a grant of \$12,500 for a joint “best practices” project proposed by Land of Lincoln, Prairie State, CARPLS, and LAFMC. The grant allowed representatives from each of these programs to visit each other’s hotlines and then to travel as a group to hotline programs in New Jersey, Hawaii and Washington State. The group then conferred as to what they considered best practices from around the country.⁵

Each of the programs continues to explore and experiment with telephone systems, software, prioritized referrals and call queuing systems, and other strategies to make the most efficient use of limited staff resources.

Attorney Representation

At the Illinois State Bar Association’s Access to Justice luncheon on February 1, 2001, Chief Justice Moses W. Harrison II eloquently summarized the challenges of facing low-income Illinoisans. Chief Justice Harrison said “American society is premised on the promise that each of us is equal under the law. Such equality is impossible if people do not have a voice to speak for them in the courts of law. Attorneys are that voice.” He noted that legal aid programs in the state had only one staff lawyer for every 6,500 low-income Illinoisans, a ratio he referred to as a “scandal.” Chief Justice Harrison challenged his colleagues in the bar to make pro bono work a part of their practice every day, a task he described as “our moral and professional duty.”⁶

Legal services staff attorneys are stretched thin. Legal services offices in towns like Freeport, Quincy and Effingham were closed in the wake of the first round of Legal Services Corporation funding cuts in 1981, and have never been reopened. Several of Illinois’ judicial circuits contain more counties than legal aid lawyers. The 1996 cuts in LSC funding, coupled with a dramatic decline in inflation-adjusted IOLTA dollars during the 1990’s, have made a bad situation worse.

Legal aid staff attorneys stand at the core of our delivery system. There are simply thousands of cases and clients each year that require the services of a trained, experienced staff attorney. The Illinois Equal Justice Act recognizes this fact, and the Illinois Equal Justice Foundation has placed great emphasis on funding new staff attorney positions.

⁵ See “From East St. Louis to Waikiki: Site Visits to Identify Best Practices,” *Management Information Exchange Journal*, Fall 2001. (Copy at **Attachment 3**.)

⁶ Text of remarks printed in the *Chicago Daily Law Bulletin*, May 1, 2001.

The IEJF made grants for new attorney positions totaling \$224,769 in FY 2001 and \$214,500 in FY 2002. These grants are especially targeted to serve vulnerable and isolated populations, and often involve extensive community outreach. For example, the IEJF gave Land of Lincoln a grant to support two staff attorneys – one based in Mattoon, the other in Springfield – who “circuit ride” to serve senior citizens in 17 rural counties. The IEJF also supported two new attorney positions at the Legal Assistance Foundation of Metropolitan Chicago. One attorney focuses on serving elderly victims of predatory lending and consumer fraud. Her work involves monthly visits to senior centers. The other grant placed an attorney in a suburban Cook County courthouse, where she assists victims of domestic violence from 22 surrounding communities. The Legal Aid Bureau in Chicago received a grant for a staff attorney position working on child support issues, an area of high demand due in part to a state system of child support collection and enforcement that is widely recognized as dysfunctional.

These projects all underscore the theme stressed by the Coalition and supported by the IEJF in its funding priorities: On those rare occasions when new resources are available, they must be deployed strategically.

Staff attorney training is another priority issue. Staff turnover is a fact of life, and new legal services attorneys are often expected to get up to speed quickly on a broad range of legal issues. The Illinois Technology Center for Law & the Public Interest has made training for staff attorneys a top priority. The Tech Center’s web-based resources will facilitate this in several ways. First, the Tech Center’s web site for advocates (www.illinoislegalaid.org) includes a calendar of training events that are open to staff from other legal aid programs – both LSC-funded and non-LSC funded. The site also includes practice materials, a “desk reference manual” originally developed for hotline attorneys, and a “discussion board” that serves as a forum for asking questions and exchanging information on topics such as housing, consumer law, disability law and public benefits. The most ambitious training effort will be multi-media “practice manuals” that include audio, video, and text presentation on high-priority practice areas for legal aid attorneys. Once completed, these training modules will be available 24 hours a day, obviating the necessity of waiting several months, traveling hundreds of miles and/or paying hundreds of dollars to attend a class.

Finally, a statewide legal services conference is being planned for the fall of 2002, funded in part by a \$25,000 grant from the Lawyers Trust Fund of Illinois. The theme of this conference is “Issues Affecting the Working Poor.” The conference will include substantive training sessions on issues such as employment law, insurance, and work requirements in public benefits programs. The legal services community has not staged a statewide conference since *1989*, and we believe that this conference will be an important training event and an important opportunity to boost staff morale.

Some critical challenges remain. Many law school graduates face crushing law school debt burdens, and legal services salaries have fallen behind those of other public sector lawyers. The scenario of a legal services lawyer leaving to take a better-paying job with the state’s attorney’s office is all too common, and attracting replacements is getting more difficult, especially in rural areas. The only answers to these dilemmas are salary increases and/or

loan-forgiveness programs, but at present there is very little funding available to sustain the former and no source of obvious source of funding to create the latter.

The challenge of increasing pro bono representation is being tackled on a variety of fronts. Chief Justice Harrison followed his call for more pro bono service from Illinois attorneys by appointing a Supreme Court Special Committee on Pro Bono Service in May 2001. The seven-member committee, made up of lawyers in private practice, includes both the current board chair of Land of Lincoln, Russell Scott of Belleville, and a former board chair of Prairie State, Tom O'Neill of Peoria. Both of these men, and another committee member, Marc Kadish of Chicago, serve on the Coalition's **Pro Bono Working Group**. These committee members have indicated that they are very interested in receiving information and recommendations from the Coalition.

The Pro Bono Working Group has recognized this as a unique opportunity, and its initial efforts have focused on attempting to convince the Supreme Court Committee to advocate for a new, statewide, macro-level effort to deepen the involvement of the judiciary in pro bono. The Working Group is looking very closely at model programs in other states, most notably Florida, that include: aspirational goals for each lawyer in terms of volunteer hours and/or financial support of legal services; a reporting requirement for each attorney; and local pro bono planning committees convened by the chief judge of each circuit. Reports from Florida indicate that its rule, adopted in 1993, has led to a massive increase in both pro bono participation and contributions from the bar in that state.

Coalition chairman Timothy L. Bertschy of Peoria has been a leader in tackling the issue of the future of the Illinois Pro Bono Center, a not-for-profit initiative sponsored by the Illinois State Bar Association to increase pro bono service in "downstate" Illinois. Other Coalition members have participated in the discussion at the behest of the president of the ISBA. In the spring of 2001 a team of consultants, funded in part by a grant from the Legal Services Corporation, conducted interviews with dozens of stakeholders and concluded that it would be advisable to reconfigure the Pro Bono Center. While plans have not been finalized, it is clear that the Center will be moved from Champaign to Springfield, and that a new staff person will be brought into the ISBA staff structure and report to the ISBA's executive director. This will give the new pro bono staff person greater access to ISBA leaders and staff, obviate the necessity of extensive fundraising, and eliminate competition for resources with other legal services programs.

To further bolster efforts to increase pro bono service downstate, the Lawyers Trust Fund approved grants of \$25,000 each to Land of Lincoln and Prairie State in May 2001. The grants are to be used to hire a full-time pro bono coordinator in each program. This new staff person will work with local, part-time pro bono coordinators in Land of Lincoln and Prairie State branch offices as well as with the ISBA pro bono staff person. He or she will focus on recruitment, training and recognition of volunteers. Land of Lincoln has hired a new coordinator; Prairie State is in the process of selecting a candidate.

A noteworthy initiative in the Chicago area is the Public Interest Law Initiative's (PILI) "Pro Bono Initiative." The Pro Bono Initiative works to encourage volunteerism at large

law firms and in the legal departments of major corporations. Several companies have stepped up their pro bono involvement, including McDonalds, Bank One, Abbott Laboratories, BP/Amoco, Sara Lee, Heller Financial, Discover/Morgan Stanley, Exelon and the Northern Trust Company. According to a survey conducted by the Pro Bono Initiative, these corporate law departments contributed 1,330 hours of pro bono service in 2000, a 250% increase over the previous year.

Many Cook County programs report that recruiting attorneys is less of a challenge than securing the resources to effectively screen and refer cases, and provide training, support and personal attention that is necessary to build solid long-term relationships with volunteers. For example, Chicago Volunteer Legal Services, with five staff attorneys, supports over 2,000 volunteer attorneys and paralegals, who litigate over 4,000 cases each year. The Center for Disability & Elder Law, with four staff attorneys, has more than 500 volunteers. The Community Economic Development Law Project, with three staff attorneys, has more than 300 volunteers. The lack of money to hire more staff remains a persistent stumbling block to expanding pro bono service.

Alternative Dispute Resolution

There are some states that have made mediation and other forms of alternative dispute resolution an integral part of their civil justice system. Illinois is not one of them.

The Coalition believes many disputes that are brought to legal services programs and to the courts would be better suited to a negotiated settlement between the parties. These include many types of landlord/tenant disputes, consumer claims, and many post-decree divorce issues, such as the adjustment of child visitation schedules.

Unfortunately, Illinois has only three “community mediation centers.” One is in Chicago, one is in Kankakee, and the third is a clinical program based at the Southern Illinois University School of Law in Carbondale. All three of these programs receive funding from the Illinois Equal Justice Foundation, totaling \$55,000 in both FY 2001 and FY 2002.

The Coalition’s **ADR Working Group** has prepared a paper assessing the barriers to the expanded use of mediation in both “community” disputes and in the family law arena. The conclusion is that the limited reach of mediation in Illinois is attributable to a lack of awareness among attorneys, a lack of leadership from judges and a lack of funding to seed and sustain new mediation centers. The ADR Working Group is considering strategies to raise awareness of the benefits of mediation, but has reached its own consensus that until additional funds are available through the Illinois Equal Justice Foundation, it will be difficult to replicate existing mediation centers in other jurisdictions.

Policy Advocacy

Chicago is home to some of the nation’s most respected research and advocacy organizations working on legal issues that affect the poor, from affordable housing to welfare reform.

Perhaps the foremost among these is the **National Center on Poverty Law**, formerly the National Clearinghouse for Legal Services. In 1996, the “Clearinghouse” lost all of its federal funding. At the same time, new restrictions imposed on LSC-funded programs prohibiting lobbying and class-action litigation sent many highly respected poverty law experts searching for a new base of operations. The National Center on Poverty Law furnished that home, and NCPL is now entirely privately funded. It remains a national resource for legal services programs, and has an Illinois-specific advocacy program focused on welfare and public housing issues. John Bouman, a nationally recognized expert in welfare issues and the 1998 recipient of the National Legal Aid and Defender Association’s 1998 Kutak-Dodds award, leads the advocacy unit.

Other advocacy groups with legal programs include the **Chicago Coalition for the Homeless**, which focuses on affordable housing and access-to-shelter issues. The **Leadership Council for Metropolitan Open Communities**, founded by the Rev. Martin Luther King, Jr., is a leader in fair housing litigation. The **Chicago Lawyers Committee for Civil Rights Under Law** handles a substantial number of discrimination cases. Chicago is home to two major advocacy groups focused on the rights of people with disabilities: **Access Living** and **Equip for Equality**. The **SSI Coalition for a Responsible Safety Net** includes experts on a wide array of federal benefit programs. The **Roger Baldwin Foundation of the American Civil Liberties Union** also has legal resources to address the rights of people in institutions, among other issues affecting the poor. In addition, the **Legal Assistance of Metropolitan Chicago** conducts some policy advocacy, notably in the areas of predatory lending, payday loans and public housing.

While all of these programs are based in Chicago, they often focus on issues at the state level and most have the resources to provide some assistance to low-income clients and communities throughout Illinois. Because most Illinois legal services providers are aware of these organizations and participate in training and other collaborative efforts with them, they have not been a major focus of Coalition activity. This is an issue that may need to be reassessed in the future.

Technology

Illinois has, at various times over the past dozen years, been a national leader in efforts to use technology to increase the efficiency of legal services delivery. In 1990, the Lawyers Trust Fund launched its Computerization Project, which in one year and for \$1 million put a computer on the desk of every legal services case handler in the state. Before being phased out in 1999, the Computerization Project provided three generations of hardware and software to legal services programs.

Current efforts to harness technology are focused on the **Illinois Technology Center for Law & the Public Interest** (“Tech Center”). To say that the Tech Center is an unprecedented collaboration would be an understatement. The idea for the Tech Center came together from several strands. An *ad hoc* “technology group” emerged from a retreat for Illinois project directors held in 1999. This group explored the idea of putting more

client resources on the web at the same time that a group of people concerned about increasing attorney volunteerism was looking at the nascent “Probono.net” project from New York. With the help of a team of consultants from Chicago-Kent College of Law, a group of legal services providers and funders conceived an ambitious plan to create a comprehensive web site that would be a resource for the public, for legal services advocates and for volunteer attorneys.

Dean Henry Perritt and Professor Ron Staudt of Chicago-Kent College of Law, which has a national reputation as a leader in technology, agreed to house the project at Kent, and to provide considerable in-kind support. The Lawyers Trust Fund of Illinois pledged \$600,000 in start-up funds over three years. The Chicago Bar Foundation pledged \$300,000 over three years. The Illinois Equal Justice Foundation made a \$20,000 seed grant, as well.

A board of directors was recruited to represent the diversity of the legal services delivery system in Illinois. This group included representatives of Chicago Kent; three funders (Lawyers Trust Fund, Chicago Bar Foundation, Illinois Bar Foundation); the three LSC-funded programs (Land of Lincoln, Prairie State, LAFMC); a pro bono program (Chicago Volunteer Legal Services); a hotline program (CARPLS); a neighborhood-based legal services program (Cabrini Green Legal Aid Clinic); a pro se program (Self Help Legal Center at SIU); and a legal research and technical assistance program (National Center on Poverty Law). After much hard work, these partners signed a formal collaboration agreement and the Tech Center was officially launched on March 8, 2001.

In September 2001, the Tech Center received an additional boost when U.S. Representative Judy Biggert (R- IL) and LSC Vice President Mauricio Vivero and came to Illinois to announce a \$501,855 grant for the Tech Center. “This grant is the federal government’s acknowledgement that Illinois is on the cutting edge in providing access to the courts for its low-income residents,” said Mr. Vivero at the September 27th press conference. “This marriage of technology and the justice system will help insure that more Illinois residents who need legal help get it.”

The Tech Center, through its web sites, will be a major resource for information, referrals and pro se materials for the public; a forum for staff attorney training and information exchange, and a mechanism to recruit, train and support pro bono attorneys. Many of these aspects of the Tech Center have been discussed throughout this report. But two other contributions of the Tech Center that are underway deserve mention.

First, the Tech Center is taking the lead in linking Illinois legal services programs into the Illinois Century Network. The Illinois Century Network (ICN) is the Illinois-sponsored leg of what used to be called “the information superhighway.” It provides *very* high-speed (T-1) Internet connections to institutions such as schools and libraries. Once legal aid programs are linked through the ICN, they will be able to take advantage of all of the audio and video features of the Tech Center at a fraction of the cost of commercially available DSL connections. This will be a giant step forward in increasing the usefulness of the Tech Center’s features, and will help further integrate the Internet into the day-to-day practices of legal services attorneys.

In addition, the Tech Center received a \$50,000 grant from the Illinois Community Technology Fund, a program of the Illinois Department of Commerce and Community Affairs. The grant will provide SBC/Ameritech DSL connections to ten pilot locations in social service agencies and community centers serving low-income people throughout Illinois. The grant also includes funds for Tech Center staff to provide training and orientation to personnel at these “public access points.”

New Leadership

The Coalition, through its working groups and projects, is ~~another~~ an example of ~~this~~ a successful diffusion of responsibility and leadership. The democratic and inclusive nature of the Coalition allows new leaders to emerge, rather than waiting to be anointed. This is a recipe for getting things done.

The great promise of the Tech Center is that it will become another mechanism that ties together all of the other resources, initiatives and activities outlined in this report. A system cannot be efficient if its various components are not integrated, and it cannot be effective if the people it is designed to assist cannot find their way to the right resources. The Tech Center – along with the telephone hotlines – will be the truly “integrative” features of the Illinois legal services delivery system.

One of the interesting things to note about the Tech Center is that none of the executive directors of the three LSC-funded programs serves on its board of directors. This is not to say that they are not supportive of the Tech Center. It is merely illustrative of the way in which the burst of creativity and change in the last four years has opened up unprecedented opportunities for new leadership. The Tech Center is just one example of a place where the director of a small neighborhood program and a supervising attorney for a large LSC-funded program come together as equals to share ideas and get something done for clients.

The Greatest Remaining Obstacle

In the introduction to this report we mentioned that the diffusion of responsibility was perhaps the greatest initial obstacle to coherent state planning. As outlined above, we believe that we have found a way to turn that obstacle into a strength.

The greatest obstacle we face at this point is far more daunting, and threatens to unravel some, perhaps much, of the hard-won progress of the recent past. That obstacle is money.

Complaints about a lack of resources in legal services probably date to the founding of the Legal Aid Society in New York well over a century ago. “If only we had more money,” is a common lament. But in identifying this as the major obstacle we face we are not being glib.

When looking at combined funding from LSC, IOLTA and state government, Illinois ranks 9th out of the 10 most populous states in the U.S., and 8th out of the 9 states of the Midwest, in terms of spending per poor person. (See chart at **Attachment 4**).

LSC funds were cut in 1996, and LSC-funded programs have made heroic strides in private fundraising to compensate for those losses. Success in this realm has come at a price, in terms of the time, attention and money that must be devoted to resource development.

In FY 93, the Lawyers Trust Fund gave away \$4.3 million in grants. In FY 02, the Lawyers Trust Fund made grants totaling \$3.6 million. In inflation-adjusted dollars, IOLTA grants have lost almost 40% of their value since the early 1990's. Recent cuts in interest rates threaten further erosion.

While funding from some private sources, such as the United Way, has increased, the overall funding picture has been stagnant for several years. The recent downturn in the economy and the events of September 11 have made the situation more dire. This severely limits individual programs' (and the system's) ability to launch new initiatives and respond to emerging needs.

Conversations with program directors and key legal services funders reveal traces of a "siege mentality," including doubts as to whether the delivery system can avoid a contraction in the years ahead. The prospect of having to do more with even less is not having a salutary effect on morale.

The possibility of a drop in morale and a loss of momentum is one reason that the Coalition has made resource development *the* top priority for the coming years. In examining the experience of other states and the range of options available in Illinois, the path is clear. The Coalition and its allies must convince the State of Illinois that access-to-justice programs, like other critical social services, are in part a state responsibility, and that the current \$500,000 appropriation for the Illinois Equal Justice Foundation, while a strong first step, is *only* a first step toward meeting that responsibility.

The ***Equal Justice: Illinois Campaign*** is the mechanism through which the Coalition hopes to increase state funding. The Campaign has a goal of securing a state appropriation of **\$6,000,000** by the end of the 2003 legislative session, with the hope that the funds would be included in the annual appropriation to the Illinois Department of Human Services. Tim Bertschy, chair of the Coalition, is leading a special committee to coordinate the Campaign.

To run the 18-month Campaign, the Coalition has hired Carolyn Grisko & Associates, a public affairs consulting firm with extensive experience in running public education campaigns designed to influence decision-makers in Springfield. The actual lobbying for the Campaign will be done, as it has been in the past, by the expert legislative counsel from the Illinois and Chicago Bar Associations. Both bars are active supporters of this effort. To date \$45,000 has been raised for the Campaign, from the Chicago Bar Foundation, the Illinois Bar Foundation, the Lawyers Trust Fund, and a private foundation. Additional funds will be raised from law firms, corporations and other foundations.

Over the course of the next year, the Campaign staff will develop messages that will resonate with public officials; create materials that make the case for more resources in clear

and persuasive terms; use the media to highlight the valuable role played by legal assistance programs; and build a statewide network of supporters – judges, legislators, public officials, religious and civic leaders, *et. al.* – to advocate on behalf of increased funding.

While there are risks involved in raising funds (and expectations) for a campaign with no certainty as to the payoff, the Coalition believes that this effort can succeed, and that the risks of **not** pursuing an organized campaign are even greater.

If we are successful, the result will be a **20% increase** in the total funding available for legal aid and other access-to-justice initiatives, all directed by the Illinois Equal Justice Foundation toward the important goals identified by the Coalition: more accessible legal information and pro se assistance; greater access to telephone advice and referral services; increased availability of mediation services and more staff attorneys who can serve critical client needs and support the efforts of pro bono attorneys.

Equal Access to Services

Illinois has largely succeeded in realizing the Coalition’s goal of providing low-income residents with a full range of options to address their civil legal needs, running the gamut from basic information about the legal system to representation in complex cases in both state and federal appellate courts.

The Internet, telephone hotlines, and various courthouse-based programs make basic legal information and self-help materials readily available. Telephone hotlines now provide legal advice and guidance to almost 40,000 callers each year, up from approximately 20,000 in 1998.⁷ Representation by staff attorneys and pro bono attorneys has not increased significantly, due mainly to the fact that increases in funding from the IEJF and private sources have been largely offset by inflation and marginal adjustments in salaries and benefits at some programs. Action by the Supreme Court of Illinois to adopt a new rule on pro bono (*ala* Florida) and/or action by the Illinois General Assembly to boost funding for legal aid via the IEJF could bring about dramatic results in the future, and the Coalition is actively pursuing both of these goals.

The challenge of providing an equal access to legal assistance across geographic and demographic lines is being tackled in several ways. As noted previously, the Internet and toll-free telephone services go a long way toward equalizing access based on geography. The hotlines also give legal services programs in downstate areas a planning tool to help with the equitable allocation of resources. For example, a spate of hotline calls about a particular issue from a rural county that does have a legal services office might cause the program to increase the frequency of visits by “circuit-riding” attorneys based nearby. This kind of monitoring is now routine at the program level.

In terms of extended representation, low-income people who live in remote, rural counties still face tremendous challenges. The county seat can be up to a hundred miles from the

⁷ Figures provided by the Lawyers Trust Fund of Illinois based on information submitted in grant application materials.

nearest legal aid office, which means that a 15-minute court hearing takes half a day. These counties that tend to have few attorneys in private practice and very little organized bar activity, making pro bono service an option of limited utility. Legal services programs do their best to cover these counties by circuit riding, telephone contact, and, in a handful of rural counties, contracts that pay attorneys in private practice a reduced fee using Private Attorney Involvement funds.

The fact remains that in three of Illinois' 22 judicial circuits there is currently no legal services office at all. These are the 4th Judicial Circuit in central Illinois, the 8th Judicial Circuit in western Illinois, and the 15th Judicial Circuit in the northwest corner of the state. The offices in each of these circuits⁸ were closed as a result of LSC funding cuts in 1981. Without a substantial infusion of new federal or state dollars into the legal services system, reopening these offices would be impossible.

Language barriers are another set of obstacles that must be overcome to provide equal access to legal assistance. Meeting the needs of monolingual speakers of a language other than English is especially challenging in the Chicago area, which is a traditional port of entry for immigrants from around the world.

Most legal services programs have Spanish-speaking staff members, including both front-line intake workers and attorneys, and programs often attempt to find speakers of other languages common to large numbers of recent immigrants (*e.g.*, Polish, Hindi, Urdu, Arabic) when hiring new staff.

As the advice and referral program serving Cook County, CARPLS has made a special effort to increase its responsiveness to Spanish-speaking population. CARPLS has several bi-lingual staff attorneys, and has translated most of its self-help materials into Spanish. CARPLS recently conducted a survey of legal and social service agencies (and their clients) to pinpoint gaps in services offered to Spanish-speaking persons. Not surprisingly, the survey found that Spanish-speakers who are not represented by an attorney face tremendous hurdles in navigating the court system, and a committee of CARPLS staff, board and cooperating agencies is now discussing a range of options to help improve access. These options include offering more pro se "classes" and setting up a multi-issue Spanish-language advice desk at the Daley Center, Cook County's main courthouse.

Equalization of Resources

The options in terms of equalizing resources throughout the state are severely limited. This is because there are very few statewide funding sources that have flexibility in allocating their contributions. Approximately 40% of the funding for legal services in Illinois comes from the Legal Services Corporation, which allocates money based on the number of poor people within a designated service area. Other government funding is tied to specific issues (*e.g.*, domestic violence), or to specific demographic groups (*e.g.*, Title III funds for serving the elderly.) These funders are neither empowered nor predisposed to take a broader view

⁸ Effingham in the 4th; Quincy in the 8th; Freeport in the 15th

of the need for funding. Most other funding sources focus on programs serving their local communities, including the United Way, foundations, individual donors and law firms.

The two main exceptions are the Lawyers Trust Fund, Illinois' IOLTA program, and the Illinois Equal Justice Foundation, which distributes state funds. Both entities have the flexibility in their grant-making programs to target under-served areas or populations.

For example, neither of the LSC-funded programs serving "downstate" Illinois do legal work involving immigration-related issues. Seeing this as an unmet need, the Lawyers Trust Fund (LTF) supports a small, independent program called the Immigration Project, based in Granite City near St. Louis. The Project staff members, who are accredited to represent clients before the Immigration & Naturalization Service, travel throughout central and southern Illinois assisting immigrants with the citizenship process. In FY 2001, LTF boosted the Immigration Project's grant to help them hire an additional staff attorney. LTF also gave \$50,000 to LAFMC to represent immigrants who live or are being held outside of Cook County. There are many other examples of the Lawyers Trust Fund using its flexibility as a grantor to support a broad range of programs – both in terms of delivery methods and target populations.

Another example of LTF's flexibility and responsiveness came in 1998, as it phased out its Computerization Project. The goal of the "Transitional Technology Grants" program was to make sure that every legal services program that had been participating in the project received enough money not only for new hardware and software, but also for the technical assistance and training necessary to use it. These special grants, totaling over \$490,796, were distributed to organizations throughout the state based on a careful assessment of each programs' needs and capacities. These grants allowed programs to go forward with the technological upgrades necessary to take advantage of the Internet.

The Illinois Equal Justice Foundation is required by law to distribute funding in four separate categories: civil legal assistance, legal information for the public, mediation services, and telephone advice & referral services. Beyond these statutory requirements, the IEJF has the flexibility to make grants to serve areas, populations and case types that are most dramatically in need of help. As noted previously, IEJF grants have helped support attorney positions serving the elderly in 17 rural counties in central Illinois through Land of Lincoln; have helped Prairie State expand its Telephone Counseling Service to the six counties formerly served by West Central Illinois Legal Assistance, have helped create new courthouse-based self help programs in Lake, Champaign and Madison counties; and have helped support the expansion of mediation into two additional municipal district courthouses in Cook County.

The IEJF's commitment to creating and sustaining a continuum of services for clients – regardless of where they live – has helped fill gaps in the delivery system. If the *Equal Justice: Illinois* Campaign is successful, the IEJF will be in a position to support even more dramatic changes in the future.

Statewide Coordination/Regional Delivery

After four years of development and change, Illinois now has a regionally based delivery system that is coordinated on a statewide level. This is in keeping with the recommendations of the Illinois Equal Justice Project and the vision of the Illinois Coalition for Equal Justice.

The three regions correspond to the service areas of the three Legal Services Corporation-funded programs: Land of Lincoln (65 counties); Prairie State (36 counties) and Cook County, which is home to the Legal Assistance Foundation of Metropolitan Chicago, CARPLS, and more than a dozen other independent programs. Each of these regions has its own advice and referral hotline, capable of tracking client needs and available services in that region, and sending prospective clients to the right place to get help.

Changes in the Configuration of the Delivery System

The major change in the configuration of the delivery system since 1998 has been the consolidation of five LSC-funded programs into three. In 1999, after a performance audit by the Legal Services Corporation, the Cook County Legal Assistance Foundation, which served suburban Cook County, was forced to merge with the Legal Assistance Foundation of Chicago. This merger created the Legal Assistance Foundation of Metropolitan Chicago.

The merger has been beneficial for both staff and clients, in terms of the resources and support that are available to both. The Cook County Legal Assistance Foundation had persistent problems in terms of management and resource development, and its staff members were unnecessarily isolated from their Chicago-based colleagues. Now Cook County, home of the nation's largest unified court system, is home to one of the nation's largest LSC-funded programs.

The second consolidation was the merger of Galesburg-based West Central Illinois Legal Assistance with Prairie State Legal Services in 2001. West Central was a four-attorney program serving a six-county rural area. The program's staff was isolated by both geographic distance and organizational boundaries. Aside from the executive director, who resigned effective July 1, when the merger took place, the remaining three staff attorneys have stayed to form the nucleus of the Galesburg office of Prairie State Legal Services. The attorneys now have access to fundraising, litigation and technological support from Prairie State, and preliminary reports indicate that morale is high and there have been some improvements in client services and program efficiency.

The Coalition does not feel that further program consolidation is necessary. Both Land of Lincoln and Prairie State are excellent programs with experienced leadership and strong identities in the communities they serve – with clients, social service providers, and the private bar. Any attempt to create a single LSC-funded program covering all of Illinois 102 counties would lead to conflicts and disaffections that would distract from the mission at hand (increasing services to clients) and, we believe, negate any savings from reducing administrative costs. This is especially true in light of the success of Prairie State and Land

of Lincoln's efforts to build support – both financial and for pro bono involvement – among members of the private bar.

Further consolidation of programs in Cook County is simply not an option, except through a natural evolutionary process. This does occur from time to time. For example, the Chicago Legal Clinic has absorbed two independent legal services programs (Austin Christian Law Center, Association House Legal Services) that were facing severe financial difficulties. However, most programs in Chicago have committed boards of directors, a diverse base of funding, and strong supporters within the bar. The Coalition believes that this independence is a source of strength, stability and innovation for the legal services delivery system.

Duplication and Coordination of Services

The current structure of the delivery system does lead to some duplication of services and administrative structures, but given the geography of Illinois and the history of legal services in our state, we feel that the duplication that exists is far less burdensome than might be expected.

In downstate Illinois, for example, there is a great deal of coordination and very little overlap between the services provided by the two main programs, Prairie State and Land of Lincoln, and those offered by other legal services providers. For example, the SIU Legal Clinic serves people over the age of 60 in a 13-county area in southern Illinois; the Murphysboro office of Land of Lincoln, which covers the same 13-county area, uses the SIU clinic as its main referral source for people 60 or older, and concentrates its limited resources on serving people under the age of 60. In DuPage County, which is adjacent to Cook County and is the second most populous county in the state, the local bar pro bono program (DuPage Bar Legal Aid Service) concentrates on family law matters, while the Carol Stream office of Prairie State focuses on housing, consumer and public benefits issues. The Immigration Project, which was mentioned previously, serves immigrant clients in both programs' service areas, which obviates the necessity of either program devoting scarce resources to immigration-related legal matters.

In Cook County, a certain amount of service overlap is inevitable, due in large part to the overwhelming number of eligible low-income persons needing assistance. Historically, new legal services programs have been created to meet an unmet need, serve an underserved group, or to take advantage of a new delivery strategy. A few examples:

In 1964, a group of lawyers interesting in doing pro bono work founded Chicago Volunteer Legal Services (CVLS), which is now one of the largest pro bono programs in the nation.

The Legal Assistance Foundation of Metropolitan Chicago is itself an example of this, in that grafting federal funding onto the exiting Legal Aid Bureau was not judged to be in the best interests of either organization or the client community.

In 1988, a handful of lawyers and activists saw a need for legal services to assist people affected by AIDS/HIV, and saw an opportunity to harness the energies of lawyers and others concerned about the effects of AIDS. Thus, the AIDS Legal Council was born.

In 1993, as a result of a recommendation of the Illinois Legal Needs Study, the Lawyers Trust Fund and the Illinois and Chicago Bar Foundation's created CARPLS to serve as an efficient source of legal advice and accurate referrals.

These are only a few examples of Chicago programs that have been created as independent entities over the years. The great challenge is to insure that multiple programs do not lead to uncoordinated services that are not focused on meeting the most critical clients needs.

CARPLS is an important mechanism for addressing advancing the coordination of services. For example, in October 2001, CARPLS attorneys and supervisors noticed that family law cases, including divorces, custody cases, and domestic violence matters, were getting much more difficult to place with its affiliated legal services programs. CARPLS organized a meeting and brought together five programs (LAFMC, CVLS, Chicago Legal Clinic, Life Span, Cabrini Green Legal Aid Clinic) that handle family law cases to discuss the situation. These programs have since taken steps to insure that they are able to respond to CARPLS referrals. In addition, there have been ongoing discussions about starting a family law consortium. This is an example of how multiple programs can coordinate their response to a problem for the benefit of clients.

Another mechanism for coordination is consortiums of legal services providers that serve a discrete population or focus on similar legal issues. Chicago now has a disability rights consortium that includes the Center for Disability & Elder Law, Equip for Equality, Access Living, LAFMC and other organizations. The group meets on a monthly basis to discuss legal developments, client needs and service coordination. The housing law consortium, which includes representatives of the LAFMC, the Lawyers Committee for Better Housing, CARPLS and other groups meets regularly to discuss legal developments and coordinated strategies to respond to the overwhelming number of tenants facing eviction.

Evaluation

The process of evaluating the impact of the changes that have occurred over the past four years is in itself a complicated process, one that is being undertaken cooperatively by several entities.

On the macro level, the Illinois Coalition for Equal Justice is responsible for monitoring changes and developments in the delivery system. The Coalition's working groups play a leading role in this effort, and report on a quarterly basis to the full Coalition membership on major successes and setbacks in the areas of pro se and public education, state planning and state government, pro bono, alternative dispute resolution, and resource development.

The Illinois Technology Center for Law & the Public Interest has a strong built-in evaluation component, in that it was designed to be accountable to a group of collaborative

partners that make up the board of directors. The majority of these partners are legal services providers, who are well positioned to evaluate its usefulness. They are able to collect both formal and “water cooler” feedback on the Tech Center’s web resources from staff and volunteer attorneys, and can evaluate whether low-income callers or clients referred to the web site find it useful. The Tech Center also prepares quarterly progress reports for its Illinois-based funders, the Lawyers Trust Fund and the Chicago Bar Foundation. These reports provide for an additional layer of accountability.

Funders, especially funders with a statewide mandate like the Lawyers Trust Fund and the Illinois Equal Justice Foundation, play an important role in monitoring both the overall effectiveness of the delivery system and the strengths and weakness of individual programs. Each year, as part of its grant process, the Lawyers Trust Fund collects data on budget expenditures, funding sources, staff levels, and client services, including case types and levels of service. This data is collected from all applicants, both LSC-funded and non-LSC funded programs.

The Lawyers Trust Fund uses this data, along with narrative proposals, site visits, and interim grant reports, to evaluate the effectiveness of individual programs. There is no formula for distribution of IOLTA funds, and the Lawyers Trust Fund has, in the past, reduced or eliminated funding to some programs based on poor performance. This is an important accountability mechanism for the legal services delivery system.

An important example of this type of accountability as it relates to the larger delivery system is LTF’s intention of tying recent grants to Prairie State and Land of Lincoln for program-wide pro bono coordinators to specific performance data. As a condition of the grant, these two programs are required to submit “baseline” data about current pro bono services, and renewal of funding will be based on performance goals mutually agreed upon by the programs and the Lawyers Trust Fund.

The Lawyers Trust Fund also assembles aggregate data on funding, staffing levels and client services. In the past, this data has been used mostly for internal monitoring and planning purposes. However, LTF is willing to collect and synthesize this data into a series of annual “benchmark” reports that can be shared with the Coalition members. The first such report, on aggregate funding for legal services in 2000, was completed in November 2001.

The Illinois Equal Justice Foundation also performs a valuable service in monitoring the success of individual projects it funds as a way to add capacity and fill gaps in the delivery system. The IEJF does this through annual grant applications, interim progress reports, and site visits. This competitive process means that innovative plans and ideas must prove themselves useful in practice, not just in theory.

Qualitative evaluation of legal work, is, of course, a much more subjective process than measuring the overall “outputs” of a system, and it is an issue that funders, executive directors, board members, and consultants have struggled with for many years. Various programs have developed a number of different strategies to deal with this challenge. Some programs that receive United Way funding – most notably Prairie State – have been

encouraged to move toward a system of “outcomes evaluation” that attempts to measure the beneficial results of legal intervention. Other programs use client satisfaction surveys, while others rely on an informal system of feedback from colleagues, clients and peers. While the Coalition is interested in learning more about programs’ efforts in this area, the qualitative evaluation of legal work has not been a top priority thus far. This is in large part because there is no consensus on the best way to measure it.

We are pleased that there are national efforts underway to develop systems for evaluating statewide delivery systems and/or important elements of those systems. CARPLS, for example, is participating in the National Hotline Outcomes Assessment Study, and the Coalition will review that study, when it is available, to see what changes or improvement it might suggest for Illinois-based hotlines.

Finally, there have been some very preliminary and informal discussions about an effort to update the 1989 *Illinois Legal Needs Study*. Several programs have conducted needs assessments in their service areas, but the last statistically valid survey of the legal needs and priorities of the poor in Illinois was conducted in 1988. Given the changes in the law, the economy and the demographics over the past 14 years, a new survey would be an important tool to use in evaluating the responsiveness of the current delivery system and in planning for the future.

Unfortunately, this type of research is expensive. The Legal Needs Study cost \$250,000 in 1987-89, which is more than \$380,000 in current dollars. Limiting the new study to a telephone survey is one way to reduce its cost, but the allocation of resources for this type of research project must be weighed against other system-wide priorities.

We are pleased that the Legal Services Corporation is working to develop its own system for measuring progress toward the goals of state planning, and we are eager to work with LSC staff members and consultants to see what we can learn from this process.

Conclusion

Illinois’ legal services delivery system has made substantial progress since 1998. The Legal Services Corporation’s call for “state planning” has been a catalyst for identifying and bringing together a wide-range of stakeholders to develop new initiatives, experiment with new ways to deliver services, address unmet needs, and advocate for the additional resources needed to make the system work more effectively.

The Illinois Coalition for Equal Justice is committed to continuing to serve the function of a statewide coordinating body, with financial and staff support from the Illinois State and Chicago Bar Association, and in cooperation with judges, legislators, public officials, funding sources and legal services providers.

We look forward to the opportunity to report on our continued progress in the years ahead, and we welcome your feedback on Illinois’ state planning efforts and the activities detailed in this report.