Massachusetts Legal Assistance Corporation

MLAC Strategic Plan

Approved: March 29, 2012

Introduction

The civil legal aid system is in crisis: the need for legal assistance for the poor continues to increase while MLAC funding to legal aid programs has fallen by 56% over the past three years. According to the Census Bureau, the number of people eligible to receive service grew by 11% (94,000 individuals) from 2009 to 2010, for a total eligible population of close to one million. It is in this challenging context that MLAC has engaged stakeholders in dialogue through this planning effort.

The MLAC board has listened carefully to concerns, ideas, and hopes of stakeholders, whose insights have been gained in numerous ways, including: an organizational assessment conducted in 2009; multi-stakeholder meetings in 2010; and issue-specific task forces in 2011. These efforts involved program directors, clients, MLAC board and staff, as well as additional stakeholders. Furthermore, studies and analyses commissioned by MLAC have been reviewed and factored into the planning, including: the Tull Report (2005); TDC Consultants shared-services assessment (2005); and the Bates recommendations for succession planning (2005). Two other statewide efforts informed these planning discussions: the Access to Justice Commission, which exercises leadership over the civil justice system, of which MLAC and MLAC-funded programs are vital parts, and the MLAC Retention Task Force. The Retention Task Force has examined the disproportionate impact of the economic downturn on attorneys of color in the civil legal aid system. The importance of diversity and inclusion is a theme woven throughout this document.

All of these sources, and innumerable individual and group conversations, have helped in the effort to understand the context within which MLAC operates. They have provided information that served as the basis upon which MLAC can ground its priorities over the next few years. The MLAC strategic planning committee has endeavored to synthesize this wealth of data and opinion to create a cohesive analysis and set of goals and strategies.

The MLAC planning process has brought diverse stakeholders together to describe a number of complex issues and promoted understanding of different perspectives. Some of the most difficult issues facing MLAC and the system, as identified in this plan, have deep roots—from the founding of the system—and there are multiple perspectives on MLAC's role in solving them. Several of the recommendations in this document are intended to bring stakeholders in the system together to work on effective, shared solutions to problems identified in the planning process. In this way MLAC can better define its role(s) over time through working together with other entities in the system to address practical problems.

Given the complexity of the system and variety of views, it will not be possible to implement every recommendation quickly; instead the action steps set forth will be phased-in over the life of the plan (three years), with later accomplishments building on earlier efforts. This prioritized

approach to implementing the plan is illustrated in the Milestones appendix. The MLAC board will regularly evaluate progress on achieving the goals set out here, identify any changes in context or assumptions, and make any necessary adjustments.

Increasing and improving collaboration, a central theme in this document, allows creative solutions to be found. The ATJC makes the important point: "We do not want to ignore the role that 'culture' plays within organizations. While often the unique cultures are strengths of a particular program, the difference in cultures and allegiance to a particular way of doing business seems to us to be an impediment to innovation, planning and coordination." MLAC will strive to improve creativity and collaboration to remove the impediments created by differences in "cultures and allegiance." This plan calls for creating several forums for the civil legal assistance community to discuss and resolve difficult issues.

There is broad agreement that MLAC's essential/core functions include ensuring and increasing funding from the Commonwealth and other sources, distributing funds and assuring that they are used to provide quality services. By necessity, a considerable amount of work will need to go to continuing to respond to the economic situation, both to help raise needed funds now and to put policies in place to anticipate the next economic cycle.

To achieve the vision set out below, MLAC will continue to provide leadership for the legal aid programs it funds. Monitoring and evaluating the work of programs against standards affirmed by the MLAC board is one of the ways that MLAC ensures the delivery of high-quality legal services to eligible clients. MLAC also provides vital program support, through the Central Technology Project, the Diversity Initiative, communications, and research and policy development. These initiatives serve as the core of MLAC's work, and while it is expected they will continue to be central, MLAC staff and Board will assess the implementation and effectiveness of these functions during the life of the strategic plan. As stakeholders come together to further discuss the issues highlighted in this plan and the implementation of potential initiatives, the MLAC Board will need to give careful consideration to budgetary implications, resource allocation, and the effects new efforts might have on current MLAC priorities and staff workload.

This strategic plan recognizes that the Access to Justice Commission has been charged by the Supreme Judicial Court with overseeing access to justice throughout the entire delivery system, beyond the programs in MLAC's responsibility. This plan, therefore, does not address all portions of the delivery system. MLAC will continue to work to assist and support the ATJC in carrying out its vital role.

MLAC's Vision Statement

The following vision will inform our work:

> The core purpose of the civil legal services system in Massachusetts is to address the causes and to ameliorate the effects of poverty by pursuing equal justice for poor people. To achieve this goal, the system shall provide high-quality, strategically focused legal assistance that helps clients transform their lives and communities.

All of the participants in the system should work together to ensure that legal services are delivered in the most effective and coordinated fashion. Participants should together communicate the needs of their clients and the communities which they serve, and work toward setting collective goals.

A crucial part of MLAC's vision is supporting cultural and linguistic competence, as well as ensuring diversity of staff and volunteers, so that clients can be best served.

Financial planning and resource development

Context

The overwhelming concern expressed throughout the civil legal aid system in the course of this planning work is the dramatic decrease in financial resources due to the severe national and worldwide economic crisis. At the same time, poverty is increasing and, with it, the urgent need for legal aid. Along with reducing needed services for clients, the crisis has led to lay-offs, frozen or reduced salaries, and tremendous stress among staff throughout the system.

Unlike other economic downturns since the Great Depression, this crisis has been especially severe and long-lasting. Although this downturn is of unprecedented severity and duration, cycles of relative prosperity and downturns are historic. Many believe, however, that the extended recession and sluggish recovery will continue for the foreseeable future.

Due to changes in the IOLTA program, income from that source increased in FY06, rose rapidly in FY07 and peaked in FY08. IOLTA funds then fell by 62.5% between FY08 and FY09, an unprecedented decline in speed and magnitude. Programs, which had expanded in staff and services with increased MLAC grants in 2006-2008, had insufficient reserves. MLAC's reserves, applied to moderate the losses, were exhausted in FY09.

The IOLTA reduction, a total of 78% below FY08 levels as of December of 2011, has led to deep and painful cuts in both staff and services throughout the system. Local programs have redoubled their attempts to raise funds from lawyers, law firms and individuals, with MLAC assistance. At the same time a longer-term and system-wide perspective is necessary to explore how MLAC can be proactive in financial matters to prepare for whatever the economy brings, given that increases and downturns have occurred throughout the history of legal services.

A longer-term financial perspective

A longer view of funding and finances in the system is important. Given the length and depth of the current recession, influenced by the crises in other parts of the world, especially Europe, predictions are exceedingly difficult. It is therefore important to consider different economic scenarios: What should be done if the economy remains as it is; improves; or dips deeper into recession?

"Scenario planning" prepares for uncertainty by identifying potential scenarios and adaptive responses to each. By considering scenarios, MLAC and the civil legal aid system can be better

prepared for whatever turns the economy takes in the next few years. Examples of ideas and questions that have been raised to respond to economic scenarios include:

- Given some service cutbacks, can local and state programs, with MLAC's cooperation and support, explore ways to increase coordination of service delivery?

- What policies should MLAC put in place now regarding rebuilding reserves and related issues for the time when economic conditions improve?

- The weak economy has focused more attention on the potential value of sharing/coordination of "back-office" services, with the goal of freeing program staff time for more service delivery (potentially using the Management of Technology Committee as a model for coordination).

System-wide financial issues

Through the course of this planning effort, concerns have been raised regarding the distribution of funds to local and to statewide programs. The broad disparities in total resources per low-income person among MLAC programs have raised important questions, such as: Does MLAC have the authority to distribute IOLTA funds other than according to the poverty population? Do statewide programs exist to provide services that local programs cannot provide, to support local programs or both? Is MLAC allocating its funds in the manner that best serves the needs of clients?

Statewide funding questions are also being considered by the ATJC, which is well-positioned for this analysis. MLAC decision-making should be made in the context of the ATJC's work. As stated in the ATJC Second Interim Report (2011): "It is important for the Commission to develop and maintain its ability to spot issues in the delivery system, to turn attention toward those issues, to engage problems with candor and to solve what can be solved."

Fundraising

The long-lasting economic crisis and decreased IOLTA funds have lent great urgency to increasing fundraising capacity. Prior to the current downturn, some local programs had developed effective fundraising capacity; others have now done so in response to the crisis. The ability/success in fundraising varies widely among programs for various reasons, including: location (which affects access to potential contributors), resources available for fundraising, and experience and skill in fundraising. MLAC is assisting programs to increase their capacity; it is important that these efforts be continued and expanded.

Significantly expanding local and statewide resource development efforts requires a systematic overview to avoid competition among programs for the same, limited funds, and to encourage collaboration to obtain larger grants collectively. The 2005 Tull report found that stakeholders have different opinions about how MLAC can most usefully support program fundraising. While some were concerned with the possibility of MLAC's competing with local programs for funds, others called for technical and other support from MLAC to address the disparity in fundraising success among programs. Concurrently, it is important to examine whether larger-scale private

fundraising can be successfully pursued by MLAC, the ATJC, or other entities, without hindering local program revenue development.

Examples of effective collaboration to achieve shared benefits include the current work of MLAC's staff to support program fundraising and the Management of Technology Committee. The Equal Justice Coalition similarly is a vital collaborative effort among several stakeholders to protect the state appropriation. These examples will provide useful lessons about fostering successful cooperation, as MLAC and the programs consider expanding and enhancing fundraising efforts. Although potential obstacles to shared efforts have been previously raised, such as in the TDC Consulting report of 2005, the examples of success show that those concerns can be effectively addressed.

Having successfully petitioned the Supreme Judicial Court to institute voluntary Access to Justice fee payments, the ATJC is advocating for a variety of fee and rule changes to increase revenue in the overall system, including: requesting the Court to institute *pro hac vice* fees (which would be paid by out-of-state lawyers to appear in court on a case in Massachusetts), researching the availability of information about pending class actions that might produce residuals, and exploring ways to seek corporate contributions. MLAC plays a valuable role within the ATJC framework.

Goals & Strategies

Goal 1: To move forward proactively on the larger financial issues, MLAC will review and identify options to stabilize and increase finances system-wide, prepare for future economic swings, and ensure that funds are distributed in is the manner that is most consistent with the commitment to equal justice.

Strategies:

1. The MLAC Board will form a Financial Issues Task Force to study and make recommendations to the board. The task force will engage program directors, financial staff of MLAC and the programs, clients, the ATJC, the Massachusetts and Boston Bar Foundations, and other stakeholders in the system to ensure meaningful input into these deliberations. Representatives of these various stakeholder groups may also be asked by the MLAC board to serve on the Task Force. The Task Force's charge will include:

   a) Identify responses to potential economic scenarios: (a) a continuation of the current conditions for the foreseeable future; (b) a worsening economic situation, as well as (c) a faster and stronger economic recovery. The product of this work will be identifying "if, then" scenarios and the responses each requires. Once the task force has identified which policies need to be developed, the MLAC Board will task appropriate individuals with articulating the policy details.

   b) Consider whether and in what manner to raise private funds outside of current channels (such as major foundation grants), recognizing the need to coordinate with other entities considering statewide revenue enhancement, such as the ATJC.

   c) Explore how MLAC can best encourage and support programs to enhance financial planning (including further investing in development efforts) and, when possible,

build contingency funds, as part of a system-wide effort to increase preparedness for future economic cycles.

   d) Consider the merits of the current approach to MLAC funding of statewide programs.

   e) Consider the costs and benefits of other avenues for providing support, such as fellowships and special projects.

2. The MLAC Executive Director will request an opinion of counsel regarding whether and to what extent MLAC can distribute IOLTA funds to local programs without regard to the distribution of the poverty population. If the Board, based on the opinion of counsel, finds that it is not bound by the statutory requirement of distribution according to the poverty population, the Chair of the MLAC Board will appoint a task force that will report to the Board regarding the benefits of, and drawbacks to, alternative methods for distributing funds, including whether any alternative method would be more equitable and beneficial to the entire system and would increase the benefits to clients than does the current poverty population based method. As part of this exploration, the disparity in fundraising by programs will be one factor to be considered.

3. To ensure unified decision-making throughout the system, MLAC will encourage and support the ATJC in its exploration of revenue enhancement and statewide funds distribution policies. MLAC will do so by continuing to fund the staff for the Commission, by making supporting the ATJC a significant part of the work of the Executive Director and other staff and by considering and adopting policies proposed by the Commission. The MLAC board, through its representatives, will also make suggestions for the ATJC's consideration.

Goal 2: MLAC will enhance and expand its work with the programs to further build fundraising capacity.

Strategies:

1. In dialogue with fundraising staff of the MLAC- and LSC-funded programs, MLAC staff will identify ways to enhance and expand its work to increase program capacity to raise private funds.

2. MLAC will continue to encourage and support the ATJC through its Revenue Enhancement Committee ("REC") to develop and implement ways to increase the funding for all parts of the legal services delivery system. MLAC will offer suggestions, as appropriate, to the REC regarding ways to enhance program fundraising.

Service Delivery: Quality and Impact

Context

The quality and efficacy of service delivery is central to pursuing equal justice for poor people. All entities in the system strive to provide the highest quality service in order to achieve the best outcomes for clients. Ensuring quality service delivery and helping to increase the positive benefits of the services provided on the lives of clients are vital concerns for MLAC. The organizational assessment conducted in 2009 affirmed that there is broad agreement that MLAC has a responsibility to assure that funds are used to provide quality services.

The ATJC in the Second Interim Report has raised the larger question of what the highest priorities of service should be. This is a multi-faceted and complex question, and brings up numerous options to consider, such as: (1) extent of service (i.e., brief advice, pro se support, extended advocacy for individuals, and/or systemic advocacy); (2) substantive areas of service (e.g., housing, family law, and/or immigration); and (3) service populations (e.g., children, domestic violence victims, and/or veterans). These are questions that involve all entities, not only MLAC-funded programs, and the ATJC is best positioned to convene stakeholders to consider such over-arching statewide issues; however it is important for MLAC to take a leadership role in these discussions.

To continue to build on the strong foundation of service that the civil legal aid system has established over many years, stakeholders should consider what has been learned about service quality and impact. Outcome measurement is becoming an expected practice throughout the nonprofit and government sectors. Working with programs and clients, MLAC should engage in an effort to establish a uniform set of desired outcomes and to clarify what indicators are appropriate and accurate measures of the desired outcomes.

An important example of stakeholders working together to ensure quality was the peer review monitoring system developed in 2006. There is strong consensus for peer review, but because this approach requires significant cost, it was suspended due to the severe financial crises. It is important to return to the peer review system as soon as feasible.

Along with monitoring of service quality and participating in larger state-wide deliberations, examining the use of technology is critical to improved service delivery. The civil legal assistance system must enhance its use of technology and stay up-to-date over time. This work is appropriately centered in the multi-stakeholder Management of Technology Committee.

Goal & strategies

Goal 3: Identify and assess options to ensure high quality service delivery and increase the positive benefits of the services provided.

Strategies:

    1. The MLAC Board will form a Service Delivery Task Force to study and make

recommendations to the Board. The Task Force will be central to MLAC's active participation in the ATJC considerations of service quality and impact (in addition to MLAC supporting the Commission through staff time and other resources). As recommended in the Second Interim Report, MLAC will engage with the system's stakeholders within the ATJC framework to:

a) Review service delivery priorities, with the intent of balancing the demands of meeting individuals' urgent and immediate needs while maximizing overall impact and making progress on the long-term vision of addressing poverty by pursuing equal justice.
b) Develop a uniform system of outcome measurements for use throughout the MLAC-funded system.
c) Work with the programs' intake task force to assess and identify options for improving client intake.
d) Work with the programs to engage with other organizations and individuals who are working to improve access to justice, such as: social service agencies, client groups, pro bono lawyers, law graduates, law students, the courts and lay advocates.

2. MLAC staff will engage program directors, clients, ATJC representatives, and other stakeholders in the system, and report to the Board regarding:

a) The feasibility of reinstituting peer review of programs on a three-year cycle. Assuming necessary factors are in place, restart peer review process in FY13.

b) Engaging the Management of Technology Committee in considering additional ways to use technology to improve service delivery.
   i. Assess the feasibility of reinstituting joint purchasing of hardware and software so that by the end of FY16, MLAC and LSC programs are on a three-year replacement cycle. To further increase economies of scale, offer MBF and BBF programs the opportunity to participate in the joint purchasing program on a self-funded basis.
   ii. Identify options for developing a robust inter-program communications network providing videoconferencing and a common VoIP telephone system.
   iii. Research the current state of case management systems with the goal of conducting a procurement process that will result in recommending by the end of FY15, a case management system to be used by all MLAC-funded programs and available to be adopted by LSC-funded programs.

Staff leadership transitions & development

Context

Over the last few years, the Massachusetts civil legal aid system has seen considerable turnover. The ATJC noted in the Second Interim Report that "[o]f the thirteen people who were local program Project Directors in 2005, only three are still Project Directors. The new group is younger, includes more women and is more diverse." It is vital to continue to support and further develop the new generation of leaders.

There are still key transitions to come, however, including MLAC's Executive Director and senior staff in MLAC and the programs. The literature clearly indicates such transitions can be rocky and result in serious organizational problems. This effect is further complicated when the departing leader is either a founder or long-tenured executive. Leadership succession planning has become widely viewed as a best practice, which allows for as smooth a transition as possible. Organizations should have two such plans in place: one for an emergency situation and one to guide the process when there is advance notice of the executive's leaving ("anticipated transition"). A careful succession planning process provides an opportunity for an organization to assess its strengths and weaknesses and to plan its future course. The Executive Director Transition Recommendations (2005) commissioned by MLAC and developed by Kelly Bates, Bates Consulting, and a working group of MLAC staff and program directors, remains a useful resource. The succession planning process, based on best practices, will provide for input from various stakeholders regarding expected qualifications and prior experience for the candidates to be next executive. Succession planning allows for greater attention to a number of important factors, including leadership and management experience and diversity. The commitment to diversity is vitally important now, as pointed out by concerns raised by attorneys of color in 2010 and the Retention Task Force in 2011, because attorneys of color have been disproportionately affected by layoffs.

Along with having a succession plan in place, it is important to ensure that staff is ready to take on increased leadership responsibility as needed. Meaningful staff professional development helps ensure a pool of qualified candidates from within play critical roles in a transition

Encouraged and informed by the Leadership Transition Task Force, which convened as part of the strategic planning process, a board, staff, and program director task force is creating an anticipated transition succession plan for MLAC's Executive Director (an emergency plan is already in place). This task force's short term responsibility was to develop a succession plan, for the approval of the full Board.

Goals & Strategies

Goal 4:   Ensure an orderly MLAC executive transition.

Strategies:
1. The task force that is drafting the MLAC planned succession process will create an implementation work plan, identifying necessary tasks and responsible parties to carry them out. The implementation work plan will spell out that interested stakeholders will

provide input into identifying the desired qualifications and prior experience of a new executive. The MLAC board will receive periodic progress reports.

2. MLAC's Executive Director will remain in dialogue with the MLAC board to ensure that there is adequate advance notice of his leaving the position so that the succession process can be carried out smoothly.

Goal 5: Ensure MLAC staff professional and leadership development and readiness to step into new leadership positions as needed.

Strategies:

1   MLAC will ensure opportunities for MLAC staff to engage with the MLAC board through assisting board committees and task forces.

2   The MLAC Executive Director will review staff professional and leadership development. Through requesting staff input and, potentially, working with an experienced Human Resources professional, the Executive Director will:
    a) Review job descriptions for senior MLAC staff and update/revise, as necessary.
    b) Survey all staff as to their professional development needs/requests and identify cost-effective opportunities for staff training.

Goal 6: Promote staff and leadership diversity and inclusion throughout the civil legal aid system.

Strategies:

1. MLAC will identify how best to respond to the concerns of the Retention Task Force to enhance hiring and retention of diverse staff at MLAC and the system as a whole.

2. MLAC will encourage and make available coaching and consulting for programs that seek to improve inclusive hiring and retention practices.

3. In dialogue with the programs, MLAC will consider the feasibility of creating shared recruiting services to foster increased staff diversity.

Goal 7: Support proactive and orderly executive transitions throughout the civil legal aid system.

1. Starting in FY 14, MLAC should require all funded programs to have emergency and anticipated transition (non-emergency) succession plans for Executive Directors. While the specifics of each succession plan may differ according to unique local needs, the MLAC executive director succession plan as well as commonly accepted best practices may be used to inform development of local plans.

2. MLAC will ensure the provision of technical assistance as needed to create the succession plans.

Board Leadership Development

Context

Overall board development

This plan will help set the MLAC Board's agenda over the next few years and will require all board members to be actively involved. The board will be called on to consider challenging financial issues, assess options for improving service delivery, implement a leadership succession plan, promote diversity and inclusion, and more. These efforts will then serve as resources for local programs that engage in similar work. At the same time, the MLAC board has recognized areas in which it can strengthen its functioning and has identified action steps for its own development. The value of this board development work is underscored by surveys and interviews done as part of the 2009 organizational assessment that indicate gaps between MLAC board and staff assessments of the board's effectiveness, as well as concerns about MLAC raised by other stakeholders.

At the same time that the MLAC board strives to improve its effectiveness, boards throughout the system can further develop members' understanding of their roles and skills. Board members are hard working and committed, yet some MLAC and program board members may have limited awareness of, or contact with, other programs or the system as a whole. Many boards strive to improve effectiveness regarding: recruitment and retention of board members; clarifying roles and responsibilities; communication; and diversity and inclusion. Through its own board development efforts, the MLAC board will strive to exemplify practices that other boards may choose to adopt.

Enhanced client board member engagement

One area in which there continues to be a need for improvement is client board member engagement. Client engagement has been considered important since the formation of the legal services system. Client board members can not only represent the interests of other clients, they can also provide important information, knowledge, and insight about the needs and concerns of the communities served by legal services. Historically, however, client board members have felt ill-equipped to participate fully in board decision making.

Client participation in the various stakeholder discussions that informed this plan, as well as involvement on the planning committee itself, has been essential to developing a more complete understanding of the effectiveness of and needed improvements in service delivery and organizational functioning. MLAC and programs have provided training and support, but more is needed to ensure that clients can fully participate in planning and decision-making. One challenge identified was the culture of the system in which lawyers predominate in board work, leaving clients not fully engaged. Clients' unique experiences, having experienced the system first-hand, are valuable and complementary to that of legal professionals, Further, the differences in education and training between lawyers and many clients may add difficulty when more technical issues are being considered. At the same time, individual clients have personal perspectives and don't necessarily represent client views broadly. Clients' satisfaction with their

participation varies among programs. Finally, several client board members called for increased opportunities to support and learn from each other and from experts in the field.

Goals & strategies

Goal 8:   Continue to enhance and expand MLAC board members' skills and engagement in governance.

Strategies:

1. Establish an ongoing board governance committee to replace the ad hoc nominating committee. Governance committees provide a more comprehensive approach to ensuring board membership and effectiveness than temporary nominating committees. The overall responsibilities of the governance committee should include ensuring effective recruitment, retention, orientation, training, client engagement, and self-assessment of board effectiveness.

2. The governance committee will pursue the board development work identified in this plan, including the following:

   a) As discussed during the 2011 board retreat, review and make recommendations regarding: the MLAC board committee structure; how to ensure that work is shared equitably among board members; improving orientation, training, mentoring, and support for all board members; the frequency and timing of full board and committee meetings; and ensuring that board members feel knowledgeable about MLAC staff efforts and local programs.
   b) Increase emphasis on diversity and inclusion to further diversify MLAC board membership, attorney and client alike. Support this effort through MLAC staff resources and anti-racism and cultural competency training. Widely share best practices in recruiting diverse board members.
   c) The MLAC board governance committee will have responsibility for fostering full client engagement and assessing the board's effectiveness in reaching this goal. The Committee will assess current client board member recruitment tactics and recommend improvements where needed.
   d) Examine the board meeting culture to ensure that all members have the necessary information and encouragement to contribute, given that some individuals, due to training or personality, are more likely to assert themselves in meetings than others.
   e) Consider whether an annual or biannual meeting of all board members from MLAC and LSC programs would be helpful for education about the legal system, training as a board member, and networking. The meeting can also be an opportunity to plan participation in the annual legislative campaign and in joint fundraising efforts. At such a meeting, training and models on best practices for board governance can be disseminated.

Goal 9: MLAC board members will build on existing efforts and increase engagement with entities throughout the system.

Strategies:

1. The Governance Committee will recommend efficient ways for MLAC board members to enhance their knowledge of individual programs and local circumstances and further build rapport with program directors, boards, and staff, such as through site visits and holding board meetings in different parts of the state. The Committee will also consider whether an annual or biannual state-wide meeting (see above) can be helpful here. Increasing MLAC board knowledge of, and contact with, programs should enhance and not interfere with formal communications, reporting, and decision-making.

2. Identify improved methods of eliciting input from program directors to ensure that consideration and input are not rushed.

3. The MLAC Board shall ensure there is as much MLAC board involvement and visibility on MLAC initiatives and fundraising as possible, including efforts such as the legislative campaign and the Walk to the Hill.

Goal 10: Ensure client board members on the MLAC and program boards are engaged meaningfully in their boards' work and that they reflect the interests of the client population.

Strategies:

1. The MLAC Board in consultation with the boards of MLAC-funded programs will create a task force of client and lawyer board members and staff who will make recommendations on enhancing client engagement. The charge of the task force will include:

    a) Assessing current client board member recruitment tactics and recommend improvements where needed. Include, as a priority, identifying client-eligible persons who are leaders in their community or who represent and understand the needs of important constituencies. Also the task force will consider the requirements of who can serve on the board to represent client interests.

    b) Developing a systematic approach to mentoring, where mentors—either other board members or program staff—help client board members with understanding the board member role and how they can fully make their voices heard. As mentioned above, mentoring should be available to all board members, client and lawyer alike.

    c) Identifying ways for MLAC and program client board members to communicate regularly. Consider whether an annual or biannual meeting of client board members would be useful, and if so, whether this meeting should be held in conjunction with a statewide meeting of all board members (client and lawyer), as suggested above.

    d) Considering how best to establish a structured system to provide opportunities for training and peer support. In making its recommendations, the task force will utilize

lessons learned from previous training efforts and the Client Council regarding what worked well and what could be improved (for example, improving communication with program directors, as indicated in the Tull report).

e) Identifying community leaders who can also provide insight into the needs of client-eligible populations and potentially innovative opportunities to collaborate on providing services. These persons may help to identify potential client or client-eligible board members.

f) Where possible and needed, providing assistance for client board members to attend relevant state meetings and national conferences.

Goal 11: Encourage and support MLAC-funded programs to engage in systematic board development.

Strategies:

1. MLAC will engage in dialogue with program boards of directors, executive directors and other stakeholders to determine how to best include a meaningful assessment of board functioning as part of the monitoring process.

2. Based on the dialogue, MLAC will identify how to enhance assessment of board effectiveness as part of the monitoring process without placing undue burdens on programs. One outcome of the dialogue may be the requirement that individual program boards put board development plans in place beginning in 2014. The specifics of each board development plan may differ according to unique local needs. The MLAC board development plan (to be completed in 2012) as well as commonly accepted nonprofit organization best practices may be used to inform development of local plans.

3. MLAC will make available support and technical assistance for board development efforts.

Milestones Chart

This chart indicates when key milestones will be achieved during the three-year life of the plan. The plan's strategies necessarily must be phased-in; work undertaken any year must build on the foundation of the prior year's efforts. Each task force created as part of this plan will need to develop a specific action plan and timeline for assessing progress. The MLAC board will regularly evaluate overall progress implementing the plan.

Phase 1	Phase 2	Phase 3
Goal 1: To move forward proactively on the larger financial issues, MLAC will review and identify options to stabilize and increase finances system-wide, prepare for future economic swings, and ensure that funds are distributed in the manner most consistent with the commitment to equal justice.		
• MLAC board-level financial issues task force formed; begins scenario planning and explores sources of increased funding. • Task force engages with ATJC to consider private statewide private fundraising. • Opinion of counsel regarding distribution of IOLTA funds is obtained and considered by MLAC board. • Special projects funding distribution reviewed.	• Financial issues task force makes recommendations to full board regarding policies needed for different economic scenarios. • Policies identified as necessary by task force are drafted and considered by the MLAC Board. • If agreed to as part of ATJC process, private statewide fundraising initiated.	• Policies adopted by the Board are implemented. • If agreed to as part of ATJC process, private statewide fundraising implemented. • Following results of ATJC service delivery discussions, consideration of distribution of IOLTA funds initiated.
Goal 2: MLAC will enhance and expand its work with the programs to further build fundraising capacity.		
• Work with program staff initiated to identify immediate opportunities to expand local fundraising assistance. • Implementing agreed-to local fundraising assistance begun.	• Fundraising assistance continued.	• Fundraising assistance continued.
Goal 3: Identify and assess options to ensure high quality service delivery and increase the positive benefits of the services provided.		
• Service Delivery task force formed and, in conjunction with the ATJC, begins review of issues identified in the plan. • Peer review of programs reinstituted if feasible under budget approved. • The Management of Technology Committee begins review of technology issues identified in the plan.	• Service Delivery task force work continued. • Technology issues identified, assessed, and options proposed to the Board.	• Service Delivery task force presents recommendations. • Approved technology recommendations implemented.

Goal 4: Ensure an orderly MLAC executive transition.		
• Succession plan for MLAC Executive Director with implementation work plan completed.	• MLAC board receives periodic progress reports regarding succession plan implementation.	• MLAC board continues succession plan implementation.

Goal 5: Ensure MLAC staff professional and leadership development and readiness to step into new leadership positions as needed.		
• Opportunities for MLAC staff to engage with MLAC board through assisting board committees and task forces identified. • Staff identifies and proposes to the Board, staffing configuration for sustainability of services and for achieving the goals of the Strategic Plan. • Staff supervision, assessment, and professional development practices reviewed and recommendations made.	• Survey of staff professional development requests carried-out • Professional development opportunities explored. • Staff professional and leadership development recommendations implemented.	• As needed, staff job descriptions updated and professional development opportunities identified.

Goal 6: Promote staff and leadership diversity and inclusion throughout the civil legal aid system.		
• Response to the Retention Task Force considered and decisions to adopt the recommendations made. • The feasibility of creating shared recruiting, professional development, and retention services to foster diversity discussed with programs.	• Coaching and consulting for programs that seek to improve inclusive hiring and retention practices offered. • If feasible, create recommendations for shared recruiting, professional development, and retention activities for consideration by Board.	• Coaching and consulting for programs that seek to improve inclusive hiring and retention practices continued. • If approved, implement recommendations for shared recruiting, professional development, and retention services to the full Board.

Goal 7: Support proactive and orderly executive transitions throughout the civil legal aid system.		
• MLAC Executive Director succession plan shared with programs as an effective example.	• Requirement for program succession plans introduced. Support and training offered, include consulting in inclusive hiring and retention practices.	• Requirement for succession plan included as part of monitoring starting this year.

Goal 8: Continue to enhance and expand MLAC board members' skills and engagement in governance.		
• MLAC board governance committee begins working with appropriate staff members to review issues identified in plan. • MLAC board development plan drafting begun.	• MLAC board development plan completed. • Governance committee recommendations presented to full board. • If approved, annual meeting of all board members and senior staff from around the State planned.	• (If approved) Annual meeting of board members and senior staff throughout the State held.

Goal 9: MLAC board members will build on existing efforts and increase engagement with entities throughout the system.		
• Ways to enhance board member knowledge of and contact with programs determined. • Improved methods of ensuring program director input in decision-making implemented. • Opportunities for increased MLAC Board involvement in fundraising identified. • Increased MLAC board involvement in the Walk to the Hill realized.	• MLAC board member engagement with entities throughout the system continued.	• MLAC board member engagement with entities throughout the system continued.

Goal 10: Ensure client board members on the MLAC and program boards are engaged meaningfully in their board's work and that they reflect the interests of the client population.		
• Client engagement task force created and begins work on issues indicated in the plan, including assessment of recruitment efforts.	• Client engagment task force continues work. • Whether to hold a state-wide meeting of client board members, potentially in conjunction with state-wide all-board member meeting, is decided. • Systematic board member mentoring developed.	• Recommendations of client engagment task force presented to board. • (If approved) State-wide meeting of client board members held, potentially in conjunction with state-wide all-board member meeting. • Systematic board member mentoring continued.

Goal 11: Encourage and support MLAC-funded programs to engage in systematic board development.		
• Dialogue with programs regarding how to best assess board development as part of the monitoring process is started.	• Approach to assessing board development as part of the monitoring process identified.	• Requirement for program board development plan as part of monitoring is decided-upon by MLAC board. • Education and support for programs to create board development plans offered.