MLAC PRIORITY SETTING POLICY
Core Values and Associated Indicators
Approved by the Board of Directors 21 November 2013

> **SUMMARY**: Per statute and MLAC grant requirement this policy requires programs to conduct a priority setting process at least every five (5) years with monitoring of service delivery towards those goals more frequently as set forth below.

The purpose of priority setting is to arrive at decisions regarding the allocation of the program's resources in a manner which meets the most pressing needs of clients. MLAC has a responsibility to ensure that grantees operate effective systems for the establishment of program priorities by Boards of Directors that appropriately identify the most important needs in a program's service area and match services to those needs. Under G.L. c. 221A, §9, MLAC is charged with ensuring the highest of professional standards including confirming that:

> Recipients, consistent with goals established by the corporation, shall adopt procedures for determining and implementing priorities for the provision of such assistance, taking into account the relative needs of eligible clients for such assistance, including such outreach, training, and support services as may be necessary, including, particularly, the needs for service on the part of significant segments of the population of eligible clients with special difficulties of access to legal services or special legal problems, including elderly and handicapped individuals, and appropriate training and support services; and, in order to provide such assistance to such significant segments of the population of eligible clients.

Below are a set of core values and indicators of success that set the contours of a priority setting plan and methodology for programs that receive MLAC general support funds. MLAC will use these factors as it evaluates programs' priority setting processes. It is neither expected nor anticipated that any given process will comprehensively account for every indicator, only that these factors will be the criteria used to determine the overall quality of any reviewed process; e.g., statewide programs should perform such priority setting as may be applicable to that program.

MLAC recognizes that programs' restricted funds are not flexible and that such funds make up an increasing proportion of programs' budgets. Clearly, commitments to the legislature and other funders regarding restricted funds must be met and are therefore high priority by definition. Yet these funds should be sought, accepted and continued only if consistent with clients' needs and the program's mission, strategic plan and service delivery system. This is not to suggest that restricted funds should be seen as a

limit or cap on a given activity. If justified, the program should provide additional resources from unrestricted funds.

1. **Priority Setting Is an Essential Component of Program Planning. --** Priority setting is a component in an overall system used to ensure that services are delivered effectively and efficiently. It informs the program's strategic planning and can, if appropriately considered, lead to changes in program service delivery methods, staffing and advocacy. Conversely, other facets of strategic planning can cause priority-based decisions to be reconsidered and changed.

   The expectation is that service delivery strategies and program goals will be periodically reexamined in light of the input received through priority setting and that decisions made through priority setting processes will be open to reexamination as a result of other strategic planning initiatives. The notion is not to promote change for its own sake but to ensure that programs are open to change and engage in the planning and self examination that makes change possible. The following are other aspects of an overall strategic planning process of which priority setting should be a component:

   a. Periodic review of program mission statement not less than every five years

   b. Development of implementation strategies that will guide intake and case acceptance processes consistent with program priorities

   c. Input from and guidance by the program's Board of Directors, as evidenced by:

      i. Board of Director level involvement in decision making
      ii. Informational materials submitted to and considered by program Boards

   d. Coordination and collaboration with other programs providing legal/social services in the area.

   e. Consideration of new or developing areas of legal need and rationale for agency's responses to those areas

   f. Assessment of impact of targeted or limited use funding on program's priorities and service delivery.

   g. Identification of additional service priorities agency would address with a 10% funding increase.

2. **Priority setting should be inclusive. – Client-eligible people's perceptions of client needs must be at the heart of priority setting.** - To establish effective priorities it is essential to gather input from outside the program as to what work is considered most important for the program to engage in.

   The integrity of the priority setting process is dependent on the inclusion of all relevant constituencies, the diversity of the constituencies from whom the information is gathered, and the means by which the information is solicited. The primary indicator of inclusiveness is the breadth of constituencies involved as information providers or

participants and the quality of the information collected to inform the priority setting decisions.

a. Priority setting processes may, and where possible should, be conducted in consultation with other legal and social services providers.

   i. Programs should consult with all other legal services providers in their service areas to help assess service priorities and unmet needs.

   ii. Programs should consult with statewide programs to determine their impact on local legal needs and priority setting.

   iii. Programs should consult with community and statewide social services providers to assess local areas of need in the program's service area.

b. The following constituencies should be considered for inclusion in the process:

   i. Different segments of the program's client-eligible or low income community including:

- clients affiliated with organized client groups

- unaffiliated low-income community residents

- very low income consumers

- the working poor and marginally poor households

- client-eligible Board members

- hard to serve and isolated constituencies

- populations with potentially distinct needs, e.g. homeless, elders, teens, immigrants, and persons with disabilities

- persons with limited English-proficiency

- racially, ethnically and culturally diverse groups and individuals

   ii. Social service providers including, for example:

- Health and mental health providers

- Shelter providers

- Battered women's service organizations

- Other housing providers

- Community Action Agencies

- Nutrition/WIC providers

- Providers serving people with disabilities

- Elder services organizations

   iii. Governmental institutions, officials and agencies

       iv.   Community based religious, ethnic and low-income controlled organizations

       v.   Representatives of the legal community including:

         − Judges

         − Legal Services program staff (LSC, MLAC and others)

         − District Attorney personnel

         − CPCS staff, defense lawyers, bar advocates

         − Attorney General staff

         − Leaders of the organized bar

         − Program attorney Board representatives

         − Attorney/Paralegal volunteers

c. In addition, the process should:

    i.   Include an analysis of demographic information about the communities served.
    ii.   Incorporate existing data from surveys of the client-eligible community by other agencies as well as community, state and national legal needs studies.
    iii.   Utilize poverty mapping or similar data to identify areas of greatest need.

d. Information should be gathered and considered on both individual legal needs and community-wide needs and concerns.

3. **Priority setting processes must be credible. --** The potential value of inclusiveness is only realized if the process used to collect information and seek input from varied constituencies is credible, inclusive and well-documented. Information must be gathered by methods that do not unduly restrict the nature of the potential input. For example, low income consumer input should not focus solely on current (or former) program clients to assure input on possible unidentified issues. To these ends a quality priority setting process will:

a. Occur with reasonable frequency; a full scale priority setting effort should be undertaken at least every five years.

b. Utilize valid data collection methodologies. Methodologies should permit clients to define their needs and concerns broadly. Instruments used to collect data from clients and other external sources should be designed so that the instrument makes it possible for respondents to identify:

    i.   New or different needs not included in the program's current priorities.
    ii.   Life events giving rise to legal needs.
    iii.   Their personal needs and what they perceive to be their community's needs.

c. Develop a sample in such a manner as to not unduly skew the results. For example, the sample should survey client-eligible individuals rather than only current or

former clients. Nor should the sample overemphasize particular types of service providers. In addition, the sample size should be meaningful.

    d. Consider carefully but not rely unduly on the professional interests and expertise of program staff in the ultimate decision making.

    e. Define program priorities and adopt case acceptance protocols that are sufficiently specific and clear to guide resource allocation decisions of program staff.

    f. Identify any areas of unserved need and articulate specific reasons why other areas were given a higher priority. Programs should thoroughly document information gathered, sources used and methods of analysis.

4. **To assure effective service delivery within the five-year priority setting process, programs should routinely monitor operations with an eye towards meeting priorities and identifying emerging trends for priorities by:**

    a. Engaging in at least bi-annual re-examination of service delivery systems to monitor work on established priorities, including:

        i.   Program service delivery structure
        ii.   Staffing patterns
        iii. Hiring goals and priorities
        iv. Identification of priorities, staffing and service delivery goals to be implemented over longer periods
        v.   Review of intake and case acceptance compliance with priority
        vi. Review of impact of work performed under current and past practices

    b. Measuring of outcomes and accomplishments (both direct and indirect) to evaluate the value of the services provided to the clients served

5. **Priority setting processes should build in mechanisms to reflect geographic differences and/or respond to unforeseen circumstances and emerging client needs during periods between full scale efforts.**

To that end approaches should:

    a. Recognize regional and community based differences among different parts of the program's service area and permit these to be reflected in the program's priorities.

    b. Provide a method to identify major new needs as they arise on an ongoing basis.

    c. Demonstrate a commitment to regularly gather and analyze information needed to identify emerging needs and regional events that significantly affect members of the client community.

    d. Permit the exercise of the professional judgment of program staff to respond effectively to emerging needs as they arise.

e. Ensure a capacity to respond to time-limited community, regional and national events and emergencies that have a broad impact on the client community.

f. Use updated poverty and demographic data whenever possible.

g. Identify emerging needs that have both statewide and local implications. In some instances it may be that emerging issues are best identified and strategies most effectively developed through statewide efforts. MLAC believes that a consideration of statewide priorities in local priority setting can be of great use in ensuring that both local and statewide programs' priorities and activities are responsive to unforeseen developments and emerging needs.

6. **When designing strategies to address the priorities adopted, programs should be strategic in the application of their resources to ensure that services are both efficient and effective.** -- To this end before adopting a substantive priority based on input received, programs should consider at least the following:

a. The existence of other organizations in the service area providing the same or similar services and the ability of any such organization to meet the need independently.

b. The potential to collaborate with or involve other providers to meet the need in order to reduce the resource commitment from the legal services provider.

c. The potential to develop service delivery approaches that improve efficiency and thereby reduce the actual resource commitment needed from the legal services provider, including possible impact and class action litigation as appropriate to the particular program. such as law reform and class litigation strategies.

d. The identification and utilization of internet-based legal information and client communications.

e. Whether effective strategies can be developed to achieve clients' goals with respect to the need identified. This question should be asked at the outset of the decision making process and should also be evaluated on an ongoing basis by establishing outcome expectations for the work to be performed and measuring actual outcomes against expectations to determine if the effort is successful and worth the resources allocated to it.

7. **The output of the program's priority setting process should be useful to others on a local and statewide basis. --** Results of local priority setting processes can be used more broadly to frame statewide decision making. Program priority information can also be valuable to other local and regional providers, particularly as programs across the state develop cooperative arrangements and serve overlapping or neighboring service areas. To that end, a program's priority setting process should result in a written product that, at least:

a. Describes the frequency and types of problems encountered by low-income residents of the program service area.

b. Provides information about the views of the constituencies contacted as to the relative importance of the problems identified and which of these problems should be addressed with the legal services provider's resources.

c. Describes the methodology used to gather information and explicitly states the nature, size and method of selection of those included in the sample.

8. These guidelines shall be in compliance and conformity with obligations imposed or required by any funders or government agencies.