

Policy Name: **PERFORMANCE STANDARDS FOR MLAC-FUNDED PROGRAMS**
Adopted September 24, 2020

Performance Standard One: Strategic and Collaborative Priority Setting

The program consults with its partners in the legal services delivery system, clients and other stakeholders to identify the most pressing needs of the client community. The program delivers services that are responsive to those needs, consistent with the core capacities and the program's mission, and for local programs, consistent with the decisions of the regional governing body.

Indicators:

The program:

- < incorporates the core capacities in its strategic objectives and understands and carries out its particular role in the Massachusetts delivery system;
- < conducts a comprehensive study of client needs in accordance with the MLAC Priority Setting Policy at least every five years;
- < engages with other programs in the region to assess the most pressing legal problems of its client population in consultation with clients, other social and human services providers, delivery system partners, and other entities with a stake in meeting the civil justice needs of low income people;
- < employs GIS poverty mapping and other current demographic and economic data, including from the judicial system, analysis of program case and client data, and other technological tools to identify community problems, underserved populations, emerging legal issues, and unmet legal needs;
- < based on studies of client needs and, in the case of local programs, consistent with the regional service delivery plan, defines the client priorities, goals and objectives that respond to identified legal problems and formulates these goals and objectives as measurable client-focused outcomes;
- < uses the defined client priorities, goals and objectives to develop strategies and work plans containing measurable outcomes;
- < periodically evaluates the effectiveness of strategies and work plans in achieving the client-focused outcomes;
- < at least bi-annually, reexamines the program's delivery structure, intake and case acceptance practices, staffing and hiring patterns, and scope of its impact advocacy to determine whether any changes are needed to improve the program's ability to meet its client priorities, as required by MLAC's Priority Setting Policy; and
- < adjusts strategies and work plans in response to changing and/or emerging client needs or unexpected results from ongoing advocacy.

Performance Standard Two: Development and Utilization of Resources

The program develops and uses its resources in a collaborative and strategic manner to achieve defined outcomes that respond to the most pressing individual and systematic legal needs of the client communities it serves.

Indicators:

The program works collaboratively within its region and the statewide delivery system for local and statewide programs to:

- < identify and pursue the resources needed to accomplish desired outcomes for clients;
- < develop strategic partnerships with programs and individuals who can collaborate or assist in providing legal services to low-income people;
- < create sufficient staff and volunteer resource development and fundraising capacity, and employ appropriate fundraising technology to carry out its responsibility to develop, preserve, and expand program resources;
- < create and nurture an internal organizational culture among staff and Board of shared responsibility for resource development and fundraising to enhance the long-term capacity of the program to serve its clients;
- < engage the organized bar in meeting the civil legal needs of low-income people through recruitment, training, support, case collaboration, and oversight;
- < ensure that resources are used to achieve the broadest possible benefit for its clients, through the development of a combination of impact advocacy, individual representation and advice, community education, and information technology that is appropriate for the communities that the program serves.

Performance Standard Three: Client Access

The program provides access for its client communities by coordinating with existing and emerging client access systems, minimizing barriers to persons who need access to the justice system, and expanding the capacity of clients to effectively assert and defend their rights within the civil justice system.

Indicators:

The program:

- < involves all major segments of its client communities in the design and execution of service delivery;
- < identifies and coordinates with local, regional and statewide client intake, advice and referral systems to assure comprehensive access (including at night and on weekends) and to minimize subjecting potential clients to multiple referrals, discouraging delays, and confusing or intimidating telephone or online intake procedures;
- < develops and maintains an intake system that includes: a) the capacity for in-person screening and interviews in program offices or in the community, over the telephone, and online; (b) clear and reasonable standards for promptness in conducting intake interviews, making case acceptance and case assignment decisions, and (c) continuing communication with clients about the status of their cases;

- < identifies and addresses barriers such as language, disability or lack of transportation, as required by MLAC's Revised Accessibility Policy;
- < promotes and supports the behaviors, knowledge and skills necessary for staff to work respectfully and effectively with clients and each other in a culturally diverse work environment with staff who mirror the diversity of the community being served;
- < affirms and reinforces the dignity of clients, is sensitive to individual circumstances, is responsive to the client's legal problems, and fosters clients' trust in the program's services;
- < measures the quality of its services to clients through client satisfaction questionnaires and other feedback opportunities for clients, community members, and social service providers, and promptly addresses any issues that are raised through these efforts;
- < regularly engages in a variety of outreach and community education efforts, including community meetings, written materials, the program website, and traditional and social media, to increase the clients' and the communities' understanding of their legal rights and of the resources available through the legal services delivery systems;
- < provides clinics, advice, and online and printed materials to assist unrepresented clients in asserting and defending their rights within the civil justice system; and
- < collaborates with other members of the legal services delivery system to provide clients with access to the full justice system throughout the Commonwealth.

Performance Standard Four: Quality Assurance

In planning, organizing, conducting, and evaluating its legal work for clients, the program fosters an internal culture of high standards, collaboration, support, and innovation that is focused on achieving client-based outcomes with maximum effectiveness.

Indicators:

The program:

- < consistently identifies, pursues, and achieves client-focused outcomes in individual cases and impact advocacy;
- < insures effective supervision of client service activities consistent with its applicable standards and professional responsibilities, and it provides supervisors with sufficient training and support, while limiting their other responsibilities appropriately;
- < provides a range of appropriate training opportunities for staff and management, tailored to each staff person's professional development and the overall needs and responsibilities of the program;
- < ensure the highest and best use of all resources to serve eligible clients consistent with applicable statutory and contractual requirements through periodic review of: (a) the composition of the program's staff (for example, use of paralegals, social workers, as well as attorneys); (b) the degree and desirability of specialization (individual advocates, substantive practice groups, etc.); and (c) the allocation of resources to impact advocacy;

- < provides for the effective utilization of available outside resources, expertise and other support and encourages collaboration on cases and projects with other regional programs, statewide advocacy programs, national back-up centers, and private attorneys;
- < performs annual written evaluations of all staff and management, which result in the creation of annual performance goals and work plans, and then monitors progress in achieving these goals and carrying out the work plans;
- < uses effective and innovative practices to hire and retain a competent and diverse staff, including engaging staff and Board members in recruitment efforts;
- < adopts and utilizes detailed practice and case-handling standards and regularly monitors compliance with these standards as part of its supervision and mentoring;
- < maximizes the value and efficiency of its client/case database through the development and implementation of standards for its use, ongoing staff training, and periodic review of electronic case files; and
- < evaluates program and individual efficiency and performance with effective and innovative analysis and use of internal data from its caseload data base and through comparisons to similar data from other comparable legal services programs.

Performance Standard Five: Effective Management, Administration, and Use of Technology

The program combines a culture of collaboration and transparency with effective management systems that ensure the high quality of the program's finances and technology and foster the recruitment, retention, and professional development of a skillful and dedicated staff.

Indicators:

The program:

- < has effective leaders, well-respected internally and in the community, who establish and maintain a shared sense of vision and mission, and who emphasize and model excellence in all program activities, collaboration, transparency, innovation, and the achievement of the program's goals and objectives;
- < encourages and mentors program staff and provides a range of opportunities for leadership development;
- < has an active, enduring, and deep commitment to achieving a level of staff diversity that reflects the communities it serves, and it can demonstrate that it is continuously taking action to fulfill this commitment;
- < has delineated clear decision-making responsibilities among program leaders and managers, and the allocation of these responsibilities is well-understood by staff, who are given an opportunity to provide meaningful input to significant program decisions;
- < employs effective fiscal administration and adheres to generally accepted standards for nonprofits and record keeping, including sufficient internal controls and the completion of an annual audit without findings, while also regularly undertaking long-range financial planning and projections;

- < maintains stable, secure, efficient, and up-to-date technology systems, through annual technology planning, a competent and accessible IT staff, regular training for staff, and the designation of a senior manager with overall responsibility for oversight of the program's technology;
- < periodically evaluates its compensation and benefits to help ensure that it promotes the recruitment, retention, and professional development of a highly-skilled and dedicated staff;
- < fosters the professional development and efficiency of its staff, through regular goal-oriented evaluations, appropriate supervision, training, and other support, thereby seeking to maintain the program's high standards for client service while minimizing unnecessary staff burnout and turnover;
- < has sufficient resources (including appropriate software and other technology) and personnel to effectively manage its resource development, fundraising, and grant-management responsibilities;
- < has created succession plans for key leadership positions and periodically reviews and updates them;
- < has created a disaster recovery plan and has provided appropriate training to staff and the Board about its main components;
- < has a communications plan or set of guidelines for internal and external communications, including the use of traditional media, the program website and internal electronic network, and social media, with an allocation of responsibility and resources that will help ensure that these policies and plans are implemented.

Performance Standard Six: Governance

The program's Board provides effective oversight and appropriate involvement in major policy decisions and financial management, while playing an active role in strategic planning and resource development and fundraising. Board members are committed to the program's mission and well-informed about program activities and structure. The Board's own structure and procedures are clear and it operates effectively, following best practices for nonprofit boards.

Indicators:

The Board of the program:

- < is committed to its mission of equal justice well-informed about program structure and operations, understands the program's role in the Massachusetts civil legal services delivery system; is aware of the organization's key problems and challenges;
- < understands its obligation to monitor program performance and effectiveness, oversee major policy decisions, and fulfill its fiduciary responsibility to safeguard and develop the program's financial resources and assure compliance with applicable reporting statutes and regulations and accounting standards;
- < is actively engaged in developing the program's strategic plan and holds the program's staff leadership accountable for the ongoing implementation of the plan;
- < regularly evaluates the performance of the executive director in accordance with the MLAC policy that requires such evaluations as a condition of funding, and has worked with the executive

director to create a succession plan for the executive director, as is also required by MLAC policy;

- < plays an active role in the program's resource development and fundraising, and every Board member understands their individual responsibility to participate in these efforts and contribute financially when feasible and appropriate;
- < is reasonably diverse and representative of the geographical areas and low-income populations served by the program, and the Board and staff leadership are committed to developing client board members from the populations served and actively engaging them in board operations and decision-making;
- < follows best practices for nonprofit Board structure and operations, including well-attended regular meetings, enforcement of conflict-of-interest policies, active committees with clearly defined responsibilities, strategic board recruitment, orientation for new Board members, and ongoing Board training;
- < has a structure and process for considering grievances from clients and staff;
- < understands its collective and individual responsibility to serve as ambassadors and advocates for the program in a variety of formal and informal settings and receives appropriate support from the staff for these activities;
- < periodically evaluates its own operations, structure and performance and makes any needed modifications after doing so.

APPENDIX OF TECHNOLOGY-RELATED REFERENCES AND INDICATORS

Core Capacities

Effective use of technological resources for client access and education, legal advocacy, priority planning, program management, and resource development.

Performance Standards

Performance Standard One: Strategic and Collaborative Priority Setting

The program employs GIS poverty mapping and other current demographic and economic data, including from the judicial system, analysis of program case and client data, and other technological tools to identify community problems, underserved populations, emerging legal issues, and unmet legal needs;

Performance Standard Two: Development and Utilization of Resources

The program works collaboratively to:

- < create sufficient staff and volunteer resource development and fundraising capacity, and employ appropriate fundraising technology to carry out its responsibility to develop, preserve, and expand program resources;
- < ensure that resources are used to achieve the broadest possible benefit for its client community(ies), through the development of a combination of impact advocacy, individual representation and advice, community education, and information technology that is appropriate for the community that the program serves.

Performance Standard Three: Client Access

The program:

- < identifies and coordinates with local, regional and statewide client intake, advice and referral systems to assure comprehensive access (including at night and on weekends) and to minimize subjecting potential clients to multiple referrals, discouraging delays, and confusing or intimidating telephone or online intake procedures;
- < develops and maintains an intake system that includes: a) the capacity for in-person screening and interviews in program offices or in the community, over the telephone, and online; (b) clear and reasonable standards for promptness in conducting intake interviews, making case acceptance and case assignment decisions, and continuing communication with clients about the status of their cases;
- < regularly engages in a variety of outreach and community education efforts, including community meetings, written materials, the program website, and traditional and social media, to increase the clients' and the communities' understanding of their legal rights and of the resources available through the legal services delivery systems;
- < provides clinics, advice, and online and printed materials to assist unrepresented clients in asserting and defending their rights within the civil justice system.

Performance Standard Four: Quality Assurance

The program:

- < maximizes the value and efficiency of its client/case database through the development and implementation of standards for its use, ongoing staff training, and periodic review of electronic case files; and
- < evaluates program and individual efficiency and performance with effective and innovative use of internal data “mined” from its caseload data base and through comparisons to similar data from other comparable legal services programs.

Performance Standard Five: Effective Management, Administration, and Use of Technology

The program:

- < maintains stable, secure, efficient, and up-to-date technology systems, through annual technology planning, a competent and accessible IT staff, regular training for staff, and the designation of a senior manager with overall responsibility for oversight of the program’s technology;
- < has sufficient resources (including appropriate software and other technology) and personnel to effectively manage its resource development, fundraising, and grant-management responsibilities;
- < has a communications plan or set of guidelines for internal and external communications, including the use of traditional media, the program website and internal electronic network, and social media, with an allocation of responsibility and resources that will help ensure that these policies and plans are implemented.