

PERFORMANCE STANDARDS FOR MLAC-FUNDED PROGRAMS
Adopted 25 May 2006

The Board of Directors of the Massachusetts Legal Assistance Corporation (MLAC) has adopted the following performance standards to implement its mission of providing leadership and support to improve civil legal services to low-income people in Massachusetts. These standards apply to all programs which receive or seek funds from MLAC and guide MLAC's efforts to monitor and evaluate programs. While no individual program will be required to exhibit all the core capacities, each MLAC funded program will be expected to meet the Standards.

VISION

MLAC's vision of opening doors to justice for low-income people in the Commonwealth requires a collaborative partnership among and between low-income people, public and privately funded legal assistance programs, bar associations, individual attorneys, community groups, and all those individuals and programs who seek to make the dream of equal access to justice a reality. This partnership functions collectively as the Massachusetts legal services delivery system.

CORE CAPACITIES

This vision contemplates an effective, statewide civil legal services delivery system in which each program funded by MLAC actively participates in regional and/or statewide delivery systems in order to increase the capacity of the system to respond effectively and efficiently and which, taken as a whole, contains the following core capacities:

- Provides relatively equal levels of high quality legal assistance to clients throughout the Commonwealth.
- Provides a full range of formal and informal representation of clients (individuals and groups) and client interests before federal, state, regional and local legislative, administrative, judicial, governmental and non-governmental bodies.
- Provides training, coordination and support of legal advocacy for low income people on a statewide basis.
- Has access to and effectively employs technological resources for access and advocacy.
- Collaborates through support, assistance, coordination of advocacy and training with community organizations involved in providing legal assistance, education and human services to, or advocacy on behalf of, low income people.

- Actively engages the organized bar and individual attorneys as partners in the delivery of legal services.
- Carries out high-quality client advocacy in a manner consistent with the statutes and court rules applicable to the practice of law through a diverse and culturally competent staff, and maintains the capacity to pursue forms of relief in all forums appropriate to the effective resolution of clients' legal problems.
- Ensures that legal aid providers have the skills, knowledge and resources to provide assistance to persons from the low income communities it serves in a culturally and linguistically competent manner.
- Continuously examines and responds to the highest priority needs of low income people, including serving identifiable client constituencies with distinct needs.
- Engages in client outreach, education and other self-help efforts in a culturally relevant and competent manner.
- Effectively engages in activities designed to expand and diversify the funding and resources available for the delivery of civil legal services.
- Uses all resources in a manner that makes maximum use of the system's ability to provide legal assistance that is accountable to and in service of its mission.
- Secures high levels of involvement by and commitment from private attorneys, the organized bar, the judiciary and the community at large.

PERFORMANCE STANDARDS

Performance Standard One: Strategic and Collaborative Planning Partnership

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 three to four 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;

- 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 the program will address;
- Uses the defined client priorities, goals and objectives to develop strategies and work plans containing measurable outcomes;
- Regularly evaluates the effectiveness of strategies and work plans; and
- Adjusts strategies and work plans in response to changing and/or emerging needs or unexpected results.

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 community(ies) it serves.

Indicators:

- The program works collaboratively within its region for local programs and the statewide delivery system for local and statewide programs to:
- Identify resources needed to accomplish desired outcomes;
- Develop strategic partnerships with programs and individuals that can assist in accomplishing the program's mission;
- Accept and carry out its responsibility to develop and secure resources;
- Ensure the highest and best use of all resources to serve eligible clients consistent with applicable statutory and contractual requirements;
- Engage private attorneys and the organized bar in fulfilling the mission of the program; and
- Ensure that resources are used to achieve the broadest possible benefit for its client community(ies).

Performance Standard Three: Client Access

The program provides access for its client community(ies) 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;

- Identifies and addresses barriers such as language, disability or lack of transportation;
- 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;
- 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;
- Regularly engages in efforts to increase the clients' and the communities' understanding of their legal rights and of the resources available through the legal services delivery systems;
- Assists clients to assert and defend 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

The program utilizes systems, approaches and techniques sufficient to insure that client services are carried out with maximum effectiveness.

Indicators:

The program:

- Consistently achieves and pursues client-based outcomes;
- Insures effective supervision of client service activities consistent with its applicable standards and professional responsibilities;
- Provides appropriate training opportunities for staff and management;
- Provides for the effective utilization of available outside resources, expertise and other support;
- Performs annual written evaluations of all staff and management;
- Uses effective practices to hire and retain a competent and diverse staff;
- Adopts internal systems, technology and standards for the timely, efficient and effective practice of law; and
- Utilizes a full range of technology and practices to maximize client access to legal services, information and the justice system.

Performance Standard Five: Effective Management and Administration

The program has sufficient management personnel and administrative systems to enable it to deliver services consistent with these standards.

Indicators:

The program:

- Has effective leadership which establishes and maintains a shared sense of vision and mission, and emphasizes excellence, innovation and achievement of goals and objectives;
- Mentors staff and provides opportunities for leadership development;
- Develops and maintains effective communication and technology coordination;
- Employs effective fiscal administration and record keeping, including an annual audit without findings;
- Develops good external relations and communications;
- Allocates resources in support of the regional service plan; and
- Establishes systems to insure compliance with applicable grant and contract provisions.

Performance Standard Six: Governance

The program has effective board oversight and involvement in policy decisions. Board members are committed to the program and its mission and hold program management accountable for effective performance in the areas delineated by these criteria.

Indicators:

The Board of the program:

- Is responsible for policy decisions, aware of issues in and performance of the program and effective in evaluating the executive director;
- Clearly identifies its role and responsibilities for establishing and fulfilling the program's mission and for safeguarding the program's resources and partnership obligations;
- Is actively engaged in developing the region's strategic plan and holds the program accountable for its role in the plan;
- Consists of board members who regularly attend meetings, are knowledgeable of and committed to access to justice, the mission, and the role of the program in the Massachusetts civil legal services delivery system;
- Actively and appropriately engages in program oversight and financial governance;
- Ensures the program's governance structure serves the program's mission and maintains the highest and best use of the program's resources;
- Develops client board members from the populations served and actively engages them in board decision-making;
- Is committed to the program and its mission, free from organizational and personal conflicts, and as appropriate, assists in fundraising and development activities; and
- Is reasonably diverse and representative of the geographical areas and low-income populations served by the program.