

TAKING CHARGE: A GUIDE FOR NEW EXECUTIVE DIRECTORS

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INTRODUCTION

Welcome! As the new chief executive officer of a civil legal assistance program, you are taking on one of the most challenging and useful jobs available. We—MIE and the civil legal assistance, and, more broadly, the people who will benefit from your work—want you to succeed. Hence this *Guide*, which is intended to alert you to the critical issues you will face during your first weeks on the job; and the more in-depth training which will periodically occur throughout the rest of your career as a legal assistance director.

As an executive director, you will wear many hats. Some of those hats will seem very familiar. Others will at first seem strange and uncomfortable. The purpose of this *Guide* is to identify the roles which you will (or should) take on when you first assume your new position, and to offer general guidance based on the experiences of other directors who have been in the same situation.

We have done our best to cover all the issues you will confront, but every program is unique, so something important is certainly missing from these materials. If you need help with an issue that isn't discussed here, or you want to discuss possible courses of action with a colleague, feel free to call any of the sources of help listed on the following pages. As you will discover, there are many resources—in the community of other directors, and in national organizations such as MIE, NLADA, the Project for the Future of Equal Justice (PFEJ) and CLASP—able and eager to help you do your job. The earlier you seek assistance, the better.

We hope that this *Guide* will be of real use to new directors. We know it can be improved. We want your suggestions about issues that should have been included, or about sections that are too long, short or obscure. Write or call with your suggestions (the address and phone number is on the facing page).

Thanks.

John Arango
LeAnna Hart Gipson
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November, 1998

MONEY

Introduction

Your first task as a new director is to understand how much money your program has; where it comes from; what you must and may do with it; whether it is being handled correctly; and what you must do to continue to receive it.

Money issues are important. People go to jail for mismanaging funds. Money surprises—an unexpected deficit, for example—can be very unpleasant. On the other hand, a well developed ability to find and use money to benefit clients can be a source of great personal satisfaction. You need to understand your money situation as soon after taking your new job as possible. And you will need well developed money management skills if you are to succeed as a legal assistance director.

Income

More than 290 legal services programs are recipients of funds from the Legal Services Corporation (LSC). An even larger number receive grants from foundations, especially those who administer interest on lawyer's trust accounts (usually abbreviated as IOLTA, although the name varies from state to state). In some states, legal assistance programs receive filing fees or appropriations from their state legislature. In other states, programs have contracts with state government to conduct special projects, such as helping people become eligible for SSI. Increasingly, programs conduct their own fund-raising campaigns, sometimes in conjunction with other legal assistance programs. A large program may have ten or more sources of income.

You should know:

The name of each source of income, and whether the funds are restricted (can be used only for purposes specified by the grantor) or unrestricted.

The relative importance of each source of funds. Where does your core, continuing funding come from?

Which sources are increasing, which stable or decreasing. If a source of core funding is decreasing: when it will hit bottom, what your income will then be, when it is likely to increase, and by how much.

What action is being taken, either by your program alone, or by a group of programs, to increase funds for your program. What role are you expected to play in these efforts? When must you start playing that role? If you face difficult or complex internal problems, can you temporarily step out of that role, or transfer your role to someone else?

If your program has a fund-raising campaign: How the campaign is structured (for example, does a special committee lead the effort?). What your role, and your board's role, will be. What the target for this year is, and how much was raised last year. Be prepared to spend considerable time on fund-raising during the campaign.

For each source you should know:

The amount of money (on an annual basis).

Reporting requirements: what must be reported, to whom, when.

Restrictions: What you can, and cannot do, with the money. Read all restrictions carefully. They are often not as limiting as you may think.

Your program's recent relations with the grantor: good? bad? smooth? contentious? personal? impersonal? reports always on time and complete?

Any outstanding issues with grantors: proposals submitted but not yet approved; any questions raised in a monitoring or other review which require action on your part; any audit exceptions; any offers to make changes (especially, to give you more money) which require follow-up.

Names of key people in grantor organizations who will have a role in deciding whether you will be refunded (get your grant again), and the nature of your program's relations with these people. Is any immediate action needed? How long can you wait to establish a personal contact without offending the grantor?

Name of the person who wrote the last application for funds. Is he or she available for consultation if you need clarification on something in a grant application?

Names of the people who will write the next application. Dates when applications are due. (If any are due in the next month, what will your role be in preparing the application? At a minimum, you should read it before it is submitted, since the application will commit your time and energy. If you have any doubts about whether a pending application should be submitted, take appropriate action *now*. In any case, assume that your role in proposal preparation will take much more time than you might expect).

If it is expected that you will write the next application, do you have the skills you need? If not, is there someone in the program who can help you? Regardless, get help well before the application is due. Grant writing always takes time. The first few will take lots of time and energy, so set aside big blocks of time, and begin to gather the information you will need now.

Expenditures

Is there a budget for each grant?

Are expenses reported against budget, so you know exactly how much money you have left in each grant? (Even if you understand the written reports, get a full briefing on each report; sometimes, reports are clear but inaccurate—items miscategorized, etc.. If you do not understand the reports, find out from your auditor if the reports meet generally accepted accounting principles; if they do, see below. If they do not, change your reports).

Are all expenditure reports accurate and timely? Over the past year, how many have been late? Why? How many have had to be corrected? Why? Are you *absolutely certain* that the information you are receiving about expenditures is correct?

Have you been briefed on opportunities and problems in each grant? Do you know how much money is available to do what you want to do? Do you know where there are problems—especially, line items running higher than expected? Is there a plan to bring all budgets back into balance? Does it seem likely that those plans will work? (If not, develop a better plan *now*).

If your program is in a deficit situation: is there a plan for balancing income and expenditures? Is it working as projected? Will it succeed? Will your budgets balance before the end of your fiscal year? If not, are your grantors aware that you will show a deficit in your annual report? Are you using funds from one grant to cover expenses in another grant? Can you do this? Are you using unrestricted funds to cover expenditures in restricted grants? What impact will this have on your ability to meet client needs? Does your board know what is happening, and have they approved, in official, recorded actions, the course of action your program is following? (If not, ask for a meeting with your board chair—or other appropriate board member—immediately).

If your program will have a surplus at the end of the fiscal year, will the surplus be within the limits permitted by your grantors? If not, do you have a sensible plan for spending down your surplus to permitted levels?

If you are in the last quarter of your fiscal year, and the amount you can “carry-over” from one fiscal year to the next is limited, check for the possibility of any large one-time payments to your program, such as attorneys fees. Is there a way to defer receiving these funds until the beginning of the next fiscal year?

How are unrestricted funds being used? Is your program taking full advantage of unrestricted money, given the conditions that apply to LSC (and, in some states, IOLTA and legislative appropriations) funds? If you receive LSC funds, has your program considered its options under 45CFR1610? (Note: always call Linda Perle or Alan Houseman at CLASP (202/328-5140) before contacting the LSC about 1610 issues).

Are your property records complete and up-to-date? Has your program sought permission from grantors when making purchases whose total exceeds amounts that you can spend without prior approval?

Look over the budgets and expenditure reports for each grant. Do you see anything curious? Anything that looks extraordinary? (You can more easily spot unusual expenditures or trends if your reports show the percentage of funds spent on each budget category.) If yes, have you received a satisfactory explanation for the unusual items?

Do the reports tell you what you need to know to make sound financial and program decisions? Do you get too much, rather than too little information? Start working with your accountant to ensure that, over the next few months, you get information in a form that is easy for you to use and that gives you what you need to make good decisions.

Requirements

Do you know the location of all documents related to program income: especially, the terms and conditions (as laid out in regulations, guidelines, contracts, grant documentation, monitoring reports, audits, etc.) governing your program's use of funds? Are the files complete and up-to-date?

For LSC recipients: Have you read and understood the LSC Act, Regulations, Guidelines and Program Letters? Similar documents (if they exist) from your IOLTA organization and/or from public agencies that give you money? Are you at least familiar with the contents of 1) the *LSC Audit & Accounting Guide for Recipients and Auditors* and 2) the *Fundamental Criteria of An Accounting and Financial Reporting System for LSC Recipients*?

If you are not an LSC recipient: are you familiar with all of the restrictions on your operation, including those originating in your own organization?

Can you instantly and accurately describe the restrictions on each of your grants? Can you explain to an advocate why an otherwise sensible action cannot be performed under the terms of one or more of your grants? Are you certain that your interpretations of limits are neither less nor more restrictive than what your grantors require? (Read the regulations and grant documentation carefully—you will almost always have more flexibility than you might have been led to believe).

Have you read your last audit report? If there were any audit exceptions, has appropriate action been taken? If corrective actions were required by the LSC, has appropriate action been taken? (Same for IOLTA and any other grantor that monitors or evaluates your program).

Has your board of directors instructed you or your predecessor to make any changes in the way funds are handled, or in relations with grantors? If so, has appropriate action been taken?

If there are many audit or monitoring deficiencies still uncorrected: is there a good reason for the apparent lack of action? If yes, is your board aware of the strategy your program is pursuing, and its potential consequences? If there are no good reasons for lack of action, you should 1) prepare a plan for correcting deficiencies, 2) inform your board, and your grantors, of your plans, 3) keep your board and grantors informed of progress towards completing your plan, and 4) take steps to ensure that the program promptly responds to any future deficiencies.

Does your program have a financial operations manual? If so, have you reviewed it to see what role and responsibilities are assigned to the Director? Are you capable of performing these duties? Are the demands on your time reasonable, given your other duties? If you do not have a manual, have you been briefed on your financial duties and responsibilities? Are the demands on your time reasonable, given your other duties?

Do you trust your accounting staff? If not, have you discussed the situation with key members of your board and your auditor? Do you have a plan for making changes, either in personnel or in the way financial matters are handled?

Sources of Assistance: Money

Accounting and LSC money issues: Gerry Singen, Singen and Tyrrell Associates, (617) 926-0246. E-mail: gerrysings@aol.com .

General assistance with financial management, relations with grantors, grant application writing: MIE (Management Information Exchange). Assistance and materials, free to members. Contact Patricia Pap, Executive Director at (617) 227-2686. E-mail: ppap@capecod.net .

Guidance and legal advice on interpretation of LSC regulations and relations with LSC: Linda Perle or Alan Houseman at CLASP: (202) 328-5140. E-mail: ahouse@clasp.org .

Checklist of LSC requirements: *Sample Policies for Final Regulations Issued by the LSC*. Available from CLASP, (202) 328-5140. E-mail: ahouse@clasp.org

Help with IOLTA and policies and procedures of grantors in your state: other legal services directors, or your state support center. For names and addresses, see the *Directory of Legal Aid and Defender Offices*, published by NLADA. (There's a copy somewhere in your office). For a national perspective on IOLTA, contact the ABA Commission on IOLTA, 541 North Fairbanks Court, Chicago, IL, 60611, (312) 988-5771.

Fundraising: The Fundraising Project (an organization whose sole purpose is to help legal services programs design and conduct effective fund-raising campaigns). Now part of MIE, at (617) 227-2686. E-mail: ppap@capecod.net .

PERSONNEL

Introduction

People issues will occupy a great deal of your time. Go slow at first: you will have plenty of time to deal with personnel issues. During your first weeks on the job, be especially wary of hasty decisions: many new directors are immediately “tested” by staff requests for vacation, leaves of absence, training, etc. that sound reasonable but may go well beyond what policies permit. Other new directors have had to fend off attempts to get them involved in long-standing struggles between offices, or between attorneys and support staff.

There are important differences between unionized and non-unionized programs. If you are coming into a unionized program with little or no experience with unions, seek help from MIE immediately. Unions make some management tasks easier, and others more difficult; but the cost of early errors in a unionized program is definitely higher than in a non-union program, so get help now.

In the long run, you will derive much of your job satisfaction from developing a highly productive staff whose work reflects your values. The first step in that process is simple, if often neglected: get to know the people who work for you. Set aside big blocks of time during your first weeks on the job for first meeting, and then knowing, the people in your organization. It will be time very well spent.

People

Before you start work:

Think about the way you will communicate with your employees. Will your door be open or closed? Will you encourage all employees to come to you when they have a serious problem, or would you prefer that they first speak to their supervisor? How will you handle distribution of information: do you prefer formal memos, or something more informal, such as a written personal report to the staff, a newsletter, or E-mail? (Don't use meetings to convey information. Meetings where the only thing that happens is a lot of talk from you will not be popular events). Think about where your office is located: What kind of message does it send to the staff? Would changing the location of your office (or the way your office looks, or the furniture in your office, so you can come from behind your desk to talk things over) communicate something important to your staff? Note: Don't do anything you can't live with for a long time, no matter how powerful the message.

In the first couple of weeks:

Have you met everyone— *everyone*— in each of your offices? In all but the largest programs, can you greet everyone by name?

Have you reviewed all pending grievances and scheduled timely hearings?

In the first three to six months:

Do you know what everyone's job is, and what they actually do? Do you understand how work really gets done, as opposed to what the Operations Manual says ought to happen?

In small programs: have you spend enough time with each employee to have a clear idea of her or his strengths and weaknesses?

In medium sized programs: have you spend enough time with each advocate, and each manager, to have some sense of her or his strengths and weaknesses?

In big programs: have you spend enough time with each manager to have a clear idea of her or his strengths and weaknesses?

Do you sense that you are gaining the trust of your staff? If so, now may be the best time to make major personnel decisions, such as firing truly ineffective staff, reassigning tired managers, or promoting newly emerging stars. Major personnel actions, taken too early in your tenure, will seem arbitrary, since you will be unable to demonstrate personal familiarity with the issues. On the other hand, wait too long and the honeymoon will be over: decisions delayed beyond their time will seem arbitrary, even when everyone recognizes their merit.

Examine your program's informal rewards (things, other than salary increases or promotions, that happen when employees perform exceptionally well). Are there any? Does the office celebrate everything irrelevant to its real work, such as birthdays, and neglect the important, such as a major victory in court, a big push to get a major filing out the door, or a long string of successes by paralegals? How often are people who do good work told that they are doing a good job? A well developed set of informal rewards can have a major impact on office morale and productivity.

Procedures

Before you start work:

In a unionized program, get a copy of the contract and read it carefully. Learn the history of the contract: who negotiated it, in what kind of atmosphere? How was it received by union members, managers, and the board of directors? What works, and what does not? When will the contract be renegotiated, and what are the issues likely to be? A union is a separate organization within your program. Do not personalize the issues. The behavior you choose will escalate or diffuse tension, conflict and personalization of the situation. Note: If negotiations are scheduled to begin soon after you arrive on the job (or worse, are underway at the time you are hired), seek guidance from other directors who have faced the same situation before you start work. You are entering a tricky situation which must be handled with care.

In a non-union program: read the Personnel Manual. Is it clear and reasonable? Is there anything in it that surprises you? If so, find out how those policies were developed, what others think of them, and why they have not already been changed.

In the first month or so:

Check the personnel files. Are they up-to-date? Orderly? Secure? Have personnel evaluations been performed as scheduled? Is there evidence in the files that effective workers have been rewarded, and ineffective workers punished? Read each employee's most recent evaluation (or more, if the last evaluation was exceptionally positive or negative). Do the evaluations seem fair? Are negative evaluations supported with specific, verifiable information? During your interviews with staff, ask them about their last evaluation: Did it seem fair to them? Were the consequences of the evaluation appropriate? Compare your first impressions with the information in the personnel files. If there are big differences (positive or negative), proceed with caution. First impressions contain very valuable information, but they can be wrong. Finally, make your judgment about information in the personnel files: it is essentially correct, or it is not reliable; it can help you, or it is (with some exceptions) useless.

Review your program's wage and salary plan. How does your pay scale compare to other legal assistance programs of comparable size in the your area? When was the last time your attorneys received a salary increase? Your paralegals? Your support staff? Do your salaries and wages make sense? If not (and many do not), how and when did they get off course? What will it take to make your program competitive, at least within the legal assistance community?

Identify all vacancies. Do you have the money to hire now? If your income is likely to drop next year, will you be able to keep new hires?

Look at the composition of your staff. Is it diverse? If you have an affirmative action plan, is it working? If you do not have a diverse staff, why not?

Develop a tentative staff hiring plan based on your vacancies, your income projected at least through the end of the next fiscal year, and your affirmative action plan. Keep your tentative plan in mind while you review your program's work (see the next section): in the light of your program's plans and priorities, does your tentative plan make sense? If so, begin recruiting. Be patient. Wait for the right person. This is your first opportunity to have a major effect on the future of your program: use it wisely.

After a few months on the job:

Reread the personnel policies. Identify changes that need to be made. Create a process that involves all the staff that will be affected by the changes you recommend. Give them a draft of the recommended changes, and the power to make changes, subject to your veto. Keep the process moving: development of new policies can drag on for months. Once you have a reasonable policy, get board approval and move on.

Deal with personnel matters quickly and decisively. Firing someone is very unpleasant, but it gets worse, not better, the longer you hold off making the obvious decision. Be direct and honest: pussy footing around issues that need to be confronted only further muddies already murky water. Fairness does not mean doing exactly the same thing to and with every employee; it means understanding, and taking into account, the special needs and talents of each individual.

Sources of Assistance: Personnel

Policies and procedures, especially for unionized programs: the MIE Resource Library, which has copies of recent union contracts; salary schedules, lists of holidays, etc. The library also contains materials on recruitment, orientation, EEO policies and procedures, evaluations, and conflict resolution. See index and order form in the MIE Journal (publication from MIE) or call Patricia Pap, Executive Director, at (617) 227-2686. E-mail: ppap@capecod.net .

The MIE roundtable, convened twice a year—during the NLADA conference in the fall, and the ABA Pro Bono conference in the spring—to allow directors to share problems and find solutions to personnel and other problems. See the MIE *Journal*, and the NLADA and ABA conference announcements for details on time and place of the roundtable.

MIE Employment Practices Training. Review of current developments in public sector labor law and relations. Generally held annually. See the MIE *Journal* for announcement of time and place.

Consultation from MIE. Contact Patricia Pap at (617) 227-2686.

YOUR PROGRAM'S WORK

Some of the most complex issues you will face arise from the simplest questions about your program: Who is served? Why them and not someone else? What does the program do with and for its clients? What responsibility does the program have for eligible people it does not directly serve? How have the lives of poor people been changed by your program?

At this point in your career, you should aim for familiarity with what your program does. Later, with the help of training events and conferences, and assistance from your colleagues, you will have the knowledge you need to begin making changes.

In your first weeks on the job:

Track a client through your entire service process, from an initial call seeking help through a case closing:

- If your program (rather than a centralized intake program) handles applicants: Who answers calls from potential clients? How does that person explain what the program does, and does not do? When a potential client is turned away, are referrals to other agencies made? Does the program know what happens to callers who are referred elsewhere?
- If another program handles applicants: Visit the program, and walk through the entire process. Make sure you understand what the program does, and does not, do for applicants and for your program.
- What is your waiting room like? How long do people wait for an appointment, and what do they do while they wait?
- Who does the initial interview? How thoroughly are issues probed? Are other potential problems raised, perhaps using some kind of legal needs checklist? (Studies have shown that poor people that have a legal need are likely to have more than two legal needs). If a case acceptance meeting is used, how accurately is information conveyed to the group that will decide to take the case?
- What factors are used when the decision is made to accept a case? to select the advocate who will handle the case? to refer the case to a private attorney?
- When does the client first talk to an attorney? To what extent is the intake process repeated when the client first sees an attorney?
- Overall, how are potential clients treated from the time they seek help until the lawyer-client relationship is established?
- Observe at least one case for each advocate. Does the advocate show good professional judgment? How would you characterize the relationship between the attorney and her or his client? (If you see serious problems, look at more than one case). Can the attorney control “difficult” clients? Is there a sense of partnership, or is the relationship one-sided?

- Observe the decision-making process (usually, a negotiation). Is the lawyer or paralegal an effective advocate? What role did the client play?
- How is the relationship between advocate and client severed?
- Check the records of the case. Is essential information preserved?

Repeat the process for your program's larger cases. Where did the cases come from? How rigorously were they reviewed before they were taken? What priorities were really used when the decision to take the case was made? Does the issue merit the resources being invested? Does the program support advocates working on big cases (especially if they go off regular intake), or is there constant pressure to do routine work? Are other resources (other advocacy organizations; state and national support; the private bar; etc.) being leveraged to reduce the cost to the program? Are these resources being used effectively? If experienced advocates are handling the case, are they simultaneously training less experienced advocates? Are time records being kept in cases where attorneys fees might be available? Is it likely that the program will follow-through on a final favorable decision? Does the program periodically review the effect of its biggest cases to determine whether its work is having the desired effect on clients' lives?

Look at your advocates: Are they engaged? excited? flat? just putting in their time? Who leads, on what issues? Is excellent legal work valued and rewarded? Are young advocates nurtured, or are they left to sink or swim? If an advocate has a special interest in an issue of importance to poor people (whether or not it is a program priority) does the advocate get to work on that special interest?

Look at legal work supervisors. How are they using their time? Who is paying attention to program and case strategy? Who ensures that every client gets high quality representation? How are advocate weaknesses handled: is there some kind of plan (written or not) for helping advocates overcome their weaknesses, and for fully developing the talents of each lawyer and paralegal?

Meet the judiciary to get a feel for whether judges respect your lawyers.

Review the program's statistics. (For LSC recipients: CSR (case service reports) and PAI (private attorney involvement) reports). How do your caseloads compare to other similar sized programs? Are your program's priorities evident in your statistics? Are most advocates carrying about the same workload? If not, is there a good reason for the disparity?

Overall: Is the program controlling its caseload? Is there an occasional opportunity to do more than simply deal with routine issues? Are advocates always overwhelmed by their cases? Do advocates do anything other than handle their cases, such as meet with client groups, participate in state support task forces, or appear before public policy-making bodies?

Overall: Is the program connected to the community it serves, or is it isolated? Is it in touch with other advocates? Does it have some sense of what is happening in poor neighborhoods?

Think about what you have seen: Are you satisfied with the work being done? Quantity? Quality? Impact on the community? Are clients well treated? Is there a sense of excitement in the program? Do advocates like to come to work?

Sources of Assistance: Your Program's Work

The Project on the Future of Equal Justice. Martha Bergmark at NLADA: (202)452-0620, ext. 46. E-mail: mbergmark@nlada.org. Website: www.equaljustice.org.

State and national support centers. See the NLADA *Directory of Legal Aid and Defender Offices* for descriptions of services provided, and names and addresses.

Training for managers (managers of legal work; managing attorneys; and you):

- MIE: roundtables, training for new directors, continuing training for managers: See the *MIE Journal* for announcements of training events. Call Patricia Pap, (617) 227-2686. E-mail: ppap@capecod.net .
- NLADA: annual conference (with events for advocates and managers) in the fall; substantive training on a wide variety of issues in the summer; and a joint conference with several other national organizations on innovations on delivery systems in the spring. See the NLADA *Cornerstone* (published quarterly) for announcement of events, or contact Don Saunders at (202) 452-0620. ext. 19. E-mail: d.saunders@nlada.org . Website: www.nalda.org .

National Clearinghouse for Legal Services, Chicago, IL. A treasure trove of materials on every aspect of civil legal assistance, and every substantive issue imaginable. See the NLADA Directory for a brief description of the services offered by the Clearinghouse. E-mail: ncls@interaccess.com . Website: www.povertylaw.org .

Private Attorney Involvement (PAI). The ABA Center for Pro Bono. Contact Greg McConnell, Director, 541 North Fairbanks Court, Chicago, IL 60611, (312) 988-5768.

LAPP (Litigation Assistance Partnership Program): links legal service programs with large law firms looking for important pro bono cases. Based in NLADA. Call Guy Lescault at (202) 452-0620, ext. 18. E-mail: g.lescault@nlada.org .

ABC (A Business Commitment). Links advocates and community based organizations seeking assistance with economic development issues to pro bono attorneys in the ABA's Section on Business Law. Based in NLADA. Contact Guy Lescault at (202) 452-0620, ext. 18.

Handsnet: subscription website (accessible directly or through the web) with up-to-date information on a wide variety of substantive issues, many maintained by national support centers. Contains a special section devoted to legal services. Links to many other useful sites. Website: www.handsnet.org.

YOUR BOARD OF DIRECTORS

A good relationship with your board of directors is critical to your success as an executive director. A strong board can have many different roles, including (in addition to the what state law and grantors' require) sounding board, link to the private bar, fundraisers, political force at the local, state and national levels, counselors, protectors, mediators, and boss.

Early (ideally, before you start on the job):

Why were you hired? What does the board expect you to do? Can you do what they expect? Can anyone? Who voted for your hiring, who against? What criteria are likely to be used to judge your performance? Is there something you must do to satisfy the board?

Shortly after you start:

Meet with each board member (say, for lunch), starting with the chairperson. Find out something about each person's background, interests, and reasons for serving on your board. Talk to them about strengths and weaknesses in the program. Get a sense of what they think is really important. Find out what they think of board meetings, and how they might be improved. Do not make any commitments to individual board members (especially on hiring). Simply say that you understand what they are looking for, and that you are not making commitments to anyone during your first months on the job.

Look over board minutes for the past several years. What issues were addressed by the board? Who led the board? What issues (if any) pushed one or more board member's buttons? How were meetings conducted: committee reports? Robert's Rules of Order? Lots, or little, discussion? How long were the meetings? Did they end on schedule? What role, if any, did staff (other than the Director) play at the meetings? Are there patterns that should be broken (excessively long meetings; late mailings of materials for board members; disputes over mileage, or, in a large program, per diem; poor communication between lawyers and client representatives; inability to tell precisely what the board decided, or habitual revisiting of issues).

Work with your board chair to have an effective first meeting. Get materials out well in advance of the meeting. Prepare an agenda that clearly identifies what kind of board action is desired: decision, discussion, briefing on important developments, etc.. Pay attention to comfort issues: Will the meeting be held in a pleasant and accessible environment? Are coffee, soft drinks and a light snack provided? If board members must stay overnight, plan to have dinner with them. Make sure the meeting ends at the announced time. A successful initial meeting will do much to solidify your relations with the board.

Sources of Assistance: Your Board of Directors

MIE. Call Patricia Pap, (617) 227-2686. E-mail: ppap@capecod.net .

Materials: National Center for Non-Profit Boards, Suite 510-L, 2000 L Street, MW, Washington, DC 20036-4907. E-Mail: ncnb@ncnb.org. Web-site: www.ncnb.org.

YOUR ROLE IN THE STATE AND NATIONAL LEGAL ASSISTANCE COMMUNITY

There has rarely been a time in the last 35 years when local civil legal assistance programs were not buffeted by events at the state and national level. Networks of legal assistance programs and directors are not a convenience; they are an absolute necessity.

Your first few months should be devoted to learning everything you can about your program. Intense involvement in state and national affairs should, ideally, be a second step. Unfortunately, you will probably not have the luxury of a long period of exclusively local involvement: state and national events are likely to intrude into even the most carefully planned first phase in the most remote rural program.

Hence, you should plan to devote some time during your first few weeks on the job to developing your contacts at the state and national level. At a minimum, you should:

- Participate in the new executive director training offered by MIE.
- Participate in your state planning process (whose purpose is to design and then put in place, a system of legal services in your state). An effective state planning process should involve a broad cross section of state leaders, and all of the directors of civil legal assistance programs, whether LSC funded or not.
- Participate in any state meetings of executive directors.
- Establish links to NLADA, a membership organization composed of managers, advocates, support staff and clients, and which, among many services, represents civil legal assistance programs in Washington
- Establish links to MIE, a network of managers of civil legal assistance programs, and a source of invaluable assistance to new directors.
- In the longer run, you should set aside money in your budget to:
 - Belong to NLADA, MIE and your state and regional executive directors' associations.
 - Regularly attend: state and regional meetings of project directors; training for project directors (figure on at least one event a year); the NLADA Conference in the fall; and the innovations conference (co-sponsored by NLADA, the ABA, and other organizations) in the spring.
 - Optionally, attend other events such as NLADA substantive law training (usually in August).

Sources of Assistance: Your Role in the State and National Community

NLADA: Don Saunders, (202) 452-0620, ext. 19. E-mail: d.saunders@nlada.org . Website: www.nlada.org .

MIE: Patricia Pap, (617) 227-2686. E-mail: ppap@capecod.net

State and regional executive director associations: contact other directors in your state, or your state support center, for times when your executive directors association meets.

State planning. For reports on what is happening in other states and names of contacts, call Guy Lescault at SPAN (State Planning Assistance Network—A Joint ABA-NLADA Project), based at NLADA: (202) 452-0620, ext. 18. E-mail: g.lescault@nalda.org

IS YOUR PROGRAM EFFECTIVE?

All of the preceding sections assumed that you know something about civil legal assistance. This may or may not be true. Some boards have hired seasoned private attorneys—or even non-attorneys — with little or no legal services experience as program directors. If that is your situation, then this section is intended especially for you. But even if you know legal services well, read on.

Legal services is in a state of flux: Partly, because of the impact of major changes in our clients' lives, such as welfare reform, Medicaid Managed Care, and changes in housing programs. And partly because our community is in the process of rethinking its purpose and strategies.

This is a time for a thorough re-thinking of what it means to be an excellent civil legal assistance program. The ABA's *Standards for Providers of Civil Legal Services* (published in the mid-1980's) gives a good sense of what must be done to ensure that a program is reasonably effective, but it does not distinguish between the merely good and the truly excellent. Dialogue with your colleagues, and experimentation in your program and in your state, will help you find the real meaning of excellence.

This is a very exciting time to be a legal services director. While resources are less than they were in the past, and restrictions have been imposed on LSC recipients, there are still many opportunities to develop effective ways to address the problems of our clients.

Good luck, and keep in touch.