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**AN ORGANIZATIONAL ANALYSIS OF
THE COMMUNITY LEGAL EDUCATION MOVEMENT IN
THE LEGAL SERVICES CORPORATION**

A Dissertation Prepared

By

ISMAEL RAMIREZ SOTO

Submitted to the Graduate School of the
University of Massachusetts in partial fulfillment
of the requirements for the degree of

DOCTOR IN EDUCATION

September 1984

Education

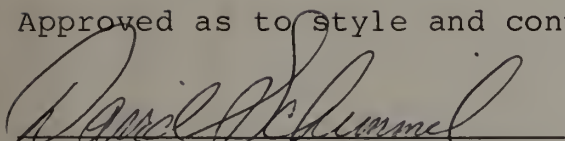
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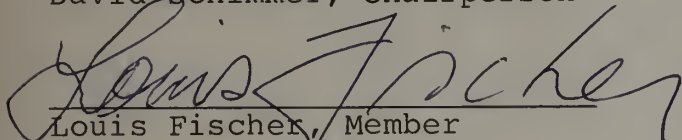
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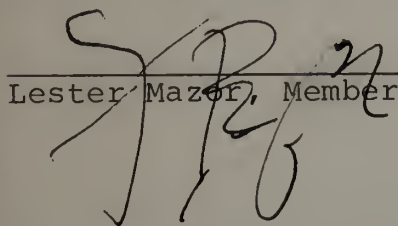
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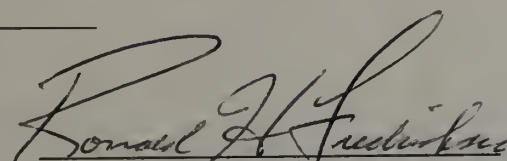
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Ismael Ramirez-Soto

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PREFACE

In 1979 I worked with the National Street Law Institute and the Robert F. Kennedy Memorial in Washington, D.C., designing a strategy to teach law to Hispanic Americans in the United States. Such strategy I believed needed to emphasize legal education in community settings. It could be implemented through a school-based outreach educational program or a service provided by a community-based organization who used education to complement its direct services. From the school-based models, I was familiar with programs for elementary and secondary schools, as well as of legal education efforts directed towards adults by adult education programs, bar associations, agricultural extension services and universities. It was then that I came in touch with the Legal Services Corporation and its efforts to promote legal education to the poor. Their experience dated back to the early 1960's when the first federally-funded legal services program was started. In the Legal Services Corporation it is referred to as Community Legal Education (CLE).

In 1979 and 1980, discussions with CLE advocates in conferences (e.g., the 1979 CLE Regional Training Conference in Amherst, MA; the Third National Migrant Legal

Services Project Conference in San Antonio, Texas) revealed an intense desire on the part of these CLE workers to strengthen this service but were frustrated in terms of getting their colleagues to see the important implications of this kind of work. Further interviews with local legal services staff in Massachusetts, particularly, those at the Holyoke Office of the Western Massachusetts Legal Services, Inc., led me to believe that CLE advocates had to operate with a sense of isolation and unconnectedness to the organizational structure in local legal services programs. Its legitimacy as a core service component was very much in doubt and many programs were resistant to its adoption. Thus, I set out both to examine CLE as a field of expertise and to legitimize the field beyond that of a mere idealistic notion.

This dissertation is the result of such inquiry. My personal experiences implementing CLE within a legal services program have also filtered into this study. These experiences include (a) designing and implementing a CLE component in the legal services office at the University of Massachusetts; (b) working as a trainer for the Legal Services Corporation, Massachusetts Law Reform Institute and Western Massachusetts Legal Services, Inc. on CLE and Multiforum Advocacy; and (c) as a managing attorney in Greater Boston Legal Services Inc. in charge of the

community services unit.

It is my belief that CLE belongs within the legal services framework. This study will illustrate both significant innovations in legal education and how it enhances the overall effectiveness of legal services work. Furthermore, it will document the various roles and objectives of CLE and the barriers to their implementation. Recommendations to change this situation will also be included.

This study was funded in part by the Office of Program Support of the Legal Services Corporation and Western Massachusetts Legal Services, Inc. Lisa Marshall (LSC), Bob Reed and Andrew Steinberg (WMLS) were very helpful with the administration of the LSC grant. Richard Morrill, from the UMASS Library assisted in the computer searches of the literature. Mary Regan and Janice Gifford helped me design the survey instrument and analyze the data. My advisors, David Schimmel, Louis Fischer, and Lester Mazor helped me organize my ideas about CLE and legal services programs. Many others were particularly helpful with the editing and printing of this study. For all of them, I would like to record my appreciation and thanks. In one way or another they materially contributed to the study.

ABSTRACT

**AN ORGANIZATIONAL ANALYSIS OF COMMUNITY
LEGAL EDUCATION IN THE LEGAL SERVICES CORPORATION**

September, 1984

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Directed by: Professor David Schimmel

This study examines how teaching about the law complements the work of legal services programs for the poor, how Community Legal Education (CLE) has been designed and implemented, what problems have programs faced implementing CLE, and what solutions have been proposed to overcome those problems. This study traces the historical foundations and development of CLE within the Legal Services Corporation (LSC). It also examines organizational characteristics of 62 legal services programs with identifiable CLE components and describes how three programs have successfully integrated CLE into their work. Finally, it sets forth a series of recommendations for the LSC and local programs to research and develop CLE as a complementary service component.

This study indicates that CLE is not well understood by many persons employed in legal services and that such misunderstanding may be attributed to the plurality of CLE functions. The study also found that CLE functions include eradicating legal illiteracy, providing alternatives to individual case aid, acting as a complementary strategy to law reform work, insuring that the program remains accountable to clients, and promoting client involvement to insure the program's political survival.

This study reveals that while CLE was one of the original service modalities for legal services programs, it has not been considered important enough to develop on a large scale. Four major obstacles to the implementation of CLE have been identified: (a) inadequate criteria to test CLE effectiveness, (b) LSC dependence on clients for political protection, (c) reliance on attorneys to design and implement CLE, and (d) the limitations inherent in assisting large numbers of clients on an individual basis. The study concludes that CLE can be an effective service if integrated into the LSC structure and made a part of other LSC activities.

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C H A P T E R I

COMMUNITY LEGAL EDUCATION: A LOST MODALITY?

Problem Statement

In 1965 the United States Government funded a program oriented towards alleviating the causes of poverty through the delivery of legal services to the poor (Note, 1971, p. 236, fn. 14). Under the Office of Economic Opportunity (OEO), the Legal Services Program (LSP) proposed a novel approach. It would provide aid based on a radical theory that stressed decentralization, geographic dispersion of services into poor communities, integration with the life of the surrounding neighborhood, maximum client participation in the program's affairs and assistance with political, economic and legal problems (Capelletti, Gordley & Johnson, 1975; Johnson, 1974).

Although priority was given to redressing individual grievances, this new approach was predicated on the belief that (a) the program's principal role was to assist the client community in obtaining social and economic justice in addition to providing minimum access to free legal consultation and representation; (b) there would never be enough attorneys to handle every legal problem that poor

people have; and (c) poor people themselves should be able to identify legal problems and develop appropriate strategies, with or without the assistance of an attorney.

This new approach sought to develop advocacy strategies that would promote the collective as well as the individual welfare of the poor and eradicate those conditions and attitudes that created opportunities for abuse. From earlier experiments on innovative approaches to legal services, this program introduced four new service modalities to the traditional services of legal advice, counsel and representation to implement this new approach. These were (1) group representation, (2) community economic development, (3) law reform and (4) community legal education. This study focuses on the experience of community legal education (CLE) as a service modality in legal services.

Adoption of these services, however, has never been the norm. On the contrary, the original concept of legal services was never fully implemented. Individual case aid remained the bulk of the work performed by legal services programs and of the original service modalities; only law reform was officially adopted and its development supported. CLE became a service that local programs should do, but the OEO-LSP would not emphasize its implementation. Emphasis was given to expand the number of

legal services programs around the country, insure that clients were represented in the local boards of directors, and promote local program involvement in law reform activities through the courts and legislative forums. Despite the lack of support for CLE from the national directors of the OEO-LSP, several local programs struggled with the idea of providing legal education services, convinced that education had its place in legal services for the poor.

Almost two decades later, and ten years after the OEO Legal Services Program became the Legal Services Corporation (LSC), the situation has remained unchanged. While the rhetoric of the original OEO approach has been maintained by the LSC, in practice CLE has never been seriously promoted, and local programs still struggle with the idea of legal education as a service modality. The various training conferences and demonstration projects sponsored by the LSC since 1977 can hardly be called support. When seen as a whole these efforts were largely the result of pressure from local CLE advocates and not the result of LSC director initiatives to return to the original OEO approach to legal services.

Despite the existence of mechanisms to collect and analyze data from local programs, neither the OEO nor the LSC have done so with respect to CLE. For the most part,

many CLE programs have also failed to document their experiences. This has been a serious loss since most local programs at one point or another have experimented with CLE services. They may have varied in their entry points, role perceptions, programmatic orientation and degree of commitment, but the fact remains that there is hardly any program today that does not claim to have experimented in one way or another with CLE. Because of the lack of documentation, little is known about the historical antecedents of CLE, what the role of legal services programs is in eradicating legal illiteracy, how legal education complements individual case aid and law reform services, what problems local programs need to address when providing educational services and what solutions have been proposed and tested to overcome these problems.

In 1981, this researcher compiled a list of 96 programs which reputedly provided CLE as part of their service work. At the time, the LSC funded 325 programs so the number of programs involved in the delivery of CLE services was not insignificant. To the extent that so many programs were involved in CLE, this researcher felt there was a need to address the above questions to fill the information void in which many CLE advocates found themselves and to set a new course in the debate over CLE legitimacy as a legal services component.

In addition, however, this researcher wanted to know the extent to which these answers were shared by local programs which provided CLE and program models of institutionalized CLE services to assist planners in designing their own. It is necessary to place current CLE efforts within a historical context that delineates how legal education was infused into the legal services movement. Also considered are CLE philosophical orientations and reasons why the OEO and the LSC have adopted a passive attitude towards research and development of CLE.

Purpose and Significance of the Study

What is the role of CLE in legal services? How has it been implemented? What are some of its major obstacles? What solutions can be proposed to overcome this problem? This study will answer these questions and make suggestions for further research.

During the mid 1980's, a time of political interference and fiscal retrenchment, the LSC may be forced to further limit its litigation and legislative advocacy activities. This has created a pressing need for client and community advocacy groups to develop legal skills that ensure self-reliance. Transference of skills must be based

on actions increasingly independent of the existing legal services program. This transference of skills requires an educational process, not a litigation process. As the need for client education surfaces, legal services programs must address the issue of how to teach law to poor people. To the extent that CLE becomes sophisticated in its approach to education, legal services programs should be in a good position to meet this need.

In the event that even these educational services are also restricted, the innovation CLE represents in the delivery of legal services is transferable to private legal aid offices. One of the three program models reviewed in chapter 4 is a private legal aid model. Although suffering from other problems, this model is evidence that a new type of legal aid office is emerging, one that also views education as a complementary service to clients.

Finally, the study documents the development of a community education movement that emerged within a social services program whose self-perceived function has always been that of providing direct services through individual case aid, not education. To the extent that other community-based institutions are also becoming involved in legal education, this study makes the CLE experience available so that others can learn from its successes and failures.

Research Strategy and Outline of Chapters

The literature review section of this chapter identifies the ways in which legal education complements the work of legal services programs. It also explains what reasons have been given for programs to incorporate CLE services and describes how legal services programs have designed CLE service components. It focuses on intended beneficiaries, coordinators of these services, instructors, programmatic orientation, instructional materials used, funding sources, and legal information provided. The literature is also examined to identify what problems legal services programs have faced in the course of implementing CLE. Finally, this review also summarizes what solutions have been proposed to develop successful CLE services within legal services programs.

Chapter 2, discusses the historical development of CLE since 1965 within the context of the legal aid movement. The history is presented in three eras: the Legal Aid Era (1920-1965), the OEO Era (1965-1975) and the LSC Era (1975-). This chapter emphasizes the foundations of CLE as a service modality and how the national offices of the OEO and LSC neglected the development of CLE.

Chapter 3 presents the results of a survey of projects done in 1981. Prior to this, the only data about CLE projects was a survey (LSC, 1977c) sponsored by the Office of Program Support at the LSC Headquarters in Washington D. C. In the 1981 survey, 62 legal services programs were asked to answer questions relative to the role CLE plays in their program, and how it was designed and implemented. The survey also includes questions relative to what was identified in the literature review as major obstacles to the implementation of CLE as well as questions relative to the solutions that have been proposed. This study collects data from the field to ascertain if there is consensus about the role of CLE in legal services, to identify patterns in the way CLE is implemented, and to gather the opinion of 62 legal services staff involved with CLE on the problems and solutions gathered from the literature.

Chapter 4 describes three program models considered by legal services staff to contain successful CLE service components. This chapter describes the organization of these components and the results of such organization. These descriptions allow for examination of factors that have been either listed as problems or as solutions within the context of two legal services programs and one legal aid program. Such examination focuses on how these programs organized themselves to provide educational

services and what adjustments they made. These program descriptions are also intended to be useful tools for policy makers and program directors interested in setting up a CLE service component within a local program.

Chapter 5 summarizes, analyzes the data in this study and translates it into a series of recommendations for the LSC and local programs to consider; the LSC to promote CLE at the national and regional level; and the local programs when designing a CLE service component or improving a current one.

Design Of The Study

Data for this study were collected in the following ways:

Bibliographical Search

Legal periodicals and related social science journals were examined to identify articles related to the teaching of law to lay people, particularly poor people in community settings. For this, five computer searches were made, all with the assistance of a librarian. The searches were made on the following data sources:

- a. ERIC Clearinghouse for Social Studies/Social Science Education
- b. Legal Resource Index (Dialog)
- c. Sociological Abstracts (Dialog)
- d. The Legal Services Corporation National Clearinghouse
- e. Community Education National Clearinghouse

In addition, the following other data sources were reviewed:

- a. International Dissertation Abstracts
- b. Index to Legal Periodicals
- c. Index to Periodical Articles Related to Law

As a whole, the following thematic areas were reviewed and cross-referenced:

- | | |
|--------------------------------|--------------------------|
| a. sociology of law | g. power structure |
| b. poverty law | h. legal profession |
| c. legal services | i. non-school programs |
| d. legal education | j. community education |
| e. political socialization | k. community development |
| f. transmission of legal norms | l. adult education |

Furthermore, a year was spent collecting and reviewing internal LSC memoranda, program reports, news articles, CLE proposals, position papers, conference and training materials, instructional materials and research reports. Most LSC files in the Office of Program Support in Washington D.C. as well as in the Massachusetts Law Reform Institute in Boston were also reviewed. Finally, general publications of the LSC that referred to CLE and the delivery of legal services were also examined.

Survey Questionnaire

The survey designed for this study was distributed to CLE projects identified in 1981 by the Office of Program Support of the LSC. In addition, a list of other CLE projects was compiled independently from other bibliographical sources and cross-referenced in an attempt to include other programs. The final list included 96 programs. All 9 regions of the LSC were represented. Seventy-six (79%) answered. Fourteen were rejected because of insufficient data, leaving 62 (64.58%) questionnaires for the data collection.

The questionnaire was reviewed four times and pilot tested twice before it was used in the data collection phase. Two groups were involved in the piloting procedure: 1) professionals competent in critiquing such instruments and 2) legal services personnel and clients who were familiar with CLE services and projects around the country. Comments and feedback from these people guided instrument revisions.

There were two mailings. On each occasion two cover letters, the questionnaire and a pre-addressed envelope were sent (see Appendix A). The packet was sent directly

from the LSC National Offices in Washington. The cover letters urged respondents to return the questionnaire as soon as possible, assured them that responses would be kept confidential and reminded them of the importance of the survey. Programs which did not respond within 30 days of the questionnaire mailing, were sent a second packet. This time, one of the letters was changed to urge respondents to mail the questionnaire by the new deadline, The second package was mailed directly from the University of Massachusetts at Amherst. In addition, these programs were contacted by phone and urged to respond.

The questionnaire included a total of 50 questions arranged in 25 question sets. Concern over the number of questions; the time required to respond; the need to codify the data for cross-referencing; and the fact that legal services staff have increasingly become resistant to completing questionnaires prompted this researcher to design the questions with pre-selected categories in most questions and leaving them open-ended by providing an "other" category whenever appropriate. The questions were designed to cover program organizational characteristics and respondents' perceptions about CLE project performance. Topics and distribution of questions were as follows:

Topic	Question Number
a. age and reasons for starting	2,3
b. program goals	4
c. population served	5
d. programmatic orientation	7,8,9,10,11,12,13
e. subject matter and curriculum development	6,15
f. personnel as staff or as instructors	1,14,16(a),17(a), 19(c,d,e), 20(e,f,g)
g. funding	16,17,18,19(a,b)
h. project performance	19,20,22
i. LSC support services to CLE projects	21

The level of detail expected from the data collected depended on such considerations as presumed importance of the issue, availability of time and information and commitment to volunteer data.

Descriptions of CLE Project Models

The primary purpose of describing CLE projects (chapter 4) was to examine organizational frameworks for possible adoption by others and to present entry points for designing other projects. With this in mind, the following criteria were set for site selection:

1. The project was in operation with a CLE component for at least three years.
2. The CLE component was a successful operation as perceived by several CLE practitioners, consultants and legal services personnel in the LSC.
3. There was an expressed willingness to become part of this study.

These three criteria were established to control the quality of the findings. Criterion #1 was set because a program is usually not evaluatable until its third year of operation. Given that only one visit could be made to each program, criterion #2 assumed that perceived success would legitimize whatever observations were made regarding factors that contribute or hinder success of a program. In order to trace the development of a program, respondents must be able to relate their personal experiences to the history of the program; thus, criterion #3 was established. Finally, criterion #4 insured that selected programs exhibit similar characteristics that affected program operations, for comparison purposes.

Selection was also made to include three program types: A centralized state-wide program, a decentralized state-wide program and a community-based legal aid program initially funded by the LSC. This approach was used to show how state-wide support services and coordination could be provided to CLE components in field programs and how CLE services could be provided by legal services organizations operating outside the LSC. The community based program was selected to explore how legal aid organizations can initiate and sustain services despite an unfavorable funding climate. Indeed, the LSC can be further restricted by Congress in any kind of advocacy oriented work.

The three programs selected were the Legal Services Corporation of Iowa, Inc. in Des Moines, as the centralized state-wide model; the Legal Services of North Carolina, Inc. in Raleigh, North Carolina as the decentralized state-wide model; and OLA RAZA, Inc. in Bakersfield, California as the non-LSC organization model. Each program was visited for three to four days. Unstructured interviews were arranged with managing attorneys, CLE coordinators, field workers, clients and lay advocates. Documents relating to CLE and program-wide operations were also reviewed, including instructional materials used. Site visits to local offices of the three programs were also made, and where feasible CLE activities were also attended.

Delimitations of this Study

This study has four major delimitations. First, it does not attempt to examine or explain either the etiology of the socio-economic problems of poor people or what has happened to the modalities of community economic development and group representation, which was part of the original OEO approach to legal services.

Second, bibliographical computer searches have the

disadvantage that their quality depends on the strategy adopted for the selection of descriptors and their cross referencing. While the searches were conducted with the assistance of a research librarian, the possibility remains that some articles may have been missed. Thus, the literature review as well as the bibliography should be regarded as a selection of the most relevant publications as opposed to the inclusion of all articles on the teaching of law to lay people and legal services.

Third, ideally this study should have included two surveys, one directed to all 325 legal services programs to ascertain their involvement in providing CLE services and another to those respondents who claimed to have an identifiable CLE service component. This would have provided a more accurate macro description of the field and measured the extent to which CLE services were provided among LSC grantees. This study had the resources for only one survey. Several experienced CLE practitioners and other legal services staff in the national offices as well as in regional and state offices, nevertheless, insisted that the first survey was not essential for this study as the compiled list reflected the vast majority of programs with identifiable CLE components and covered all the nine regions of legal services programs.

Fourth, for this researcher to have spent more time at

each of the selected program sites would have been ideal. This section of the study would have become case studies as opposed to program descriptions. While that was not possible due also to a lack of resources, this researcher opted to visit each and gather impressions from documents, personal observations, and interviews with the program staff. To the extent possible, this researcher met with the staff in their respective offices and observed CLE activities.

Literature Review

There are four questions this literature review seeks to answer: What is the role of CLE in legal services? How has CLE been implemented in legal services? What prevents CLE from being implemented and institutionalized? What solutions have been proposed? In this section we first provide a brief overview of the quantity and quality of the literature and then proceed to discuss the four questions.

Scope and Variety of the Literature

CLE has seldom been examined in the professional and popular literature. Most of the literature is in xerox form and in one journal, The Clearinghouse Review,

published by the Legal Services Corporation. The literature about CLE is focused primarily on program development issues and descriptions of successful CLE events. It seeks to establish CLE's effectiveness as an alternative strategy to current legal services work. Only one article (Youells, 1980) discusses the four questions directly but from the perspective of a local program, not from a review of the literature.

The literature related to program development is primarily focused on training personnel to conduct CLE activities such as printing leaflets, reaching the media, reaching clients, conducting pro se or lay advocacy clinics, doing radio programs, etc. There are no articles that discuss the subject matter of CLE and explain how to teach it.

There is no literature either on how to design CLE components in legal services programs addressed for program directors and managing attorneys. Even in manuals used to train them, this void is evident. There are no guidelines for developing an appropriate budget or determining adequate staffing patterns, personnel supervision, and program evaluation.

Only three national evaluations have been made about CLE services, all done in 1977 and 1978. The first was a

national survey by LSC in 1977 to all legal services programs to identify CLE projects in operation and what problems these programs were facing in the implementation process. The second was an evaluation performed by the Comptroller General of U.S. in 1978 of five legal services programs to determine to what extent were programs setting up priorities based on the needs of poor people and providing access to services. Finally, in 1978 eight programs received funds for CLE demonstration projects as part of an overall effort by LSC to examine ways by which it could improve the quality of their delivery systems. While the data and recommendations generated by these three studies support the adoption of CLE as a core service component of a legal services program, no change in policy has taken place. Nowhere in the literature are these three studies integrated and analyzed together. The only reference to the Comptroller General's evaluation is made by Youells (1980) to assert CLE's legitimacy. There is no reference whatsoever to the 1977 survey data except for the CLE Directory (LSC, 1977a, 1977b) and a LSC memorandum (Marshall, 1977b). In the former, the survey data was used to develop the directory, and in the latter the survey data was use to set forth some recommendations. Also, these two subsequent publications are not listed again in the literature.

Nothing has been written about the historical roots and development of CLE. Surprisingly, very few people in legal services have a historical perspective about CLE that predates their personal involvement. Most of the literature produced during the OEO era (1965-1974) that would have dealt with CLE was never published; thus limiting the information to references made about CLE in articles dealing with legal services programs in general.

In short, the literature about CLE is young and deficient in many areas, even in program development. The bulk of the literature has been published since 1977 and much remains unpublished. There is no office within the LSC, university center, or bibliographical data base (e.g. Dialog, ERIC/Chess, Community Education Clearinghouse) that has systematically collected or documented CLE. There is hardly any literature left on CLE in the OEO era, thus making it hard to fully appreciate involvement at the local level. Still, from what exists, it has been possible to get an idea of the experience of legal services programs in providing legal education, its roles, and historical antecedents.

The Role Of CLE In Legal Services

There are four major roles legal education has in legal services work: (1) as a tool to eradicate legal illiteracy, (2) as a tool to solve the problem of inadequate resources, (c) as an advocacy tool, and (d) as a tool for insuring program accountability to clients.

CLE as a Tool to Eradicate Legal Illiteracy. In the original OEO approach to legal services, ignorance about the law, how to use the legal system, and how to use attorneys, were considered barriers to the provision of equal justice. This created conditions that not only perpetuated the cycle of poverty but created opportunities for abuse (Cahn & Cahn 1964; Carlin, Howard & Messinger, 1967; Levine & Preston 1970; Johnson, 1974). The mission of the new program was not only to provide minimum access to attorneys; but also to assist them in obtaining social and economic justice. The new legal services program was to help eradicate legal illiteracy among the poor, (at least in those areas of the law that directly affected them as individuals and/or as a class). This entailed educating clients about their legal rights and obligations, and when, how and to whom to turn for assistance in using the legal system to their advantage. Emphasis was also placed on having clients become assertive and insist in having the

proper authorities accountable to the law (Cahn & Cahn, 1964; OEO, 1967; Carlin, Howard & Messinger, 1967; Levine & Preston 1970; Tapp & Levine, 1974).

Thus, the new program was "to further the cause of justice among persons living in poverty by mobilizing the assistance of lawyers and legal institutions and by providing legal advice, legal representation, legal counseling, education in legal matters, and other appropriate legal services." (emphasis added, OEO Act as amended in 1967, 42 United States Code 2809, 1970). Since legal education was an innovation in the legal services movement, the OEO-LSP directors set forth as one of five objectives for the program "to finance programs to teach the poor and those who work with the poor to recognize problems which can be resolved best by the law and lawyers..." (OEO, 1967, p.3). Its premise was that "... the poor do not always know when their problems are legal problems and they may be unable, reluctant or unwilling to seek the aid of a lawyer" (OEO, 1967, p.3). This required that the local programs reach out to the community and conduct educational activities designed to not only enhance their legal competence and assertiveness but also to teach them how to be efficient consumers of the services the program was offering. Further, it entailed making the programs accessible as possible.

CLE as a Solution to the Problem of Inadequate Resources. A second approach to CLE functions has been regarded as a solution to the problem of provision of services. Legal services programs ever since their inception have been organized around the fact that they lack the resources necessary to address but a small percentage of the various legal needs poor people have (Johnson, 1974, LSC 1978a). Since some of the problems can be viewed as discreet and routine, clients can be taught either to avoid or overcome these problems. Hence, projects have been implemented on the assumption that clients would prevent or resolve by themselves legal problems if they knew what their rights were and knew what was required to resolve the conflict in their favor. In a program with limited resources, reducing the incidence of legal problems should reflect a reduction in the need for legal services. This in turn should free resources that could be used in problems where the intervention of an attorney could affect the welfare of several individuals or the poor as a class.

Hence, legal education, should also focus on prevention. Such a conception is premised on the idea that information could and would be put to use by clients; at least, possession of information represented an improvement over ignorance (Youells, 1980). While clients were to be

the primary recipients of these services, staff from other social agencies in the community were also included, upon the belief that if they also understood their rights vis a vis the clients, legal problems could also be prevented (OEO, 1967).

Self-help (pro se) advocacy was legitimized in this country through the establishment of the small claims court. It was to make the court system more accessible to the poor and at the same time maximize resources. As in the small claims court, pro se advocacy in legal services is predicated on the assumption that there are legal disputes that are simple enough that clients may advocate on their own behalf to do their own advocacy after having attended one or two classes on their rights and preparation of their case in court or administrative forum.

CLE as an Advocacy Tool. Legal services programs are authorized by law to provide the full range of legal assistance permitted under the LSC Act. While it cannot "...initiate the formation, or act as an organizer of any association, federation or similar entity..." (LSC Act, section 1007(b)(7) as amended in 1977), it can assist clients in their organizing efforts.

Legal education has also been conceived as a tool to be used in advocacy activities. Its role as an advocacy

tool is three-fold: (a) to recruit and train clients to exert political pressure on targeted decision makers (Houseman, 1978; Lopez, 1979; Barret & Youells, 1981; NLADA, 1981), (b) to let clients become aware of the benefits they are entitled to as the result of a major law reform victory (Leopold, 1978; NLADA, 1981), and (c) to let clients know how to identify non-compliance of an agency or organization subject to a court order and what to do about it (Bellow, 1977; Leopold, 1978).

This perspective assumes that a specific goal has been determined (e.g., to change a particular law, regulation, or administrative practice) and that a variety of resources are brought to bear on the problem (other community groups, media). Regardless of whether the main strategy is litigation-based (class actions, test cases, or cases seeking injunctive relief), or legislative-based (in reaction to an adverse change or in defense of a change sought by clients), the role of education is that of disseminating information and coordinating the development of a political constituency (Barret & Youells, 1981). As a result of this strategy the program organizes an educational campaign in the client community not only to disseminate information but also to develop a cadre of clients who can testify at public hearings and/or help rally other clients into writing letters of support or

calling public officials to gain their support (Lopez, 1978).

CLE as a Tool for Accountability and its Political Survival. Effective interaction with the client community has been regarded in the legal services literature as an essential component insuring a successful operation (Johnson, 1974, Cahn & Cahn, 1964; Carlin, Howard & Messinger, 1967; Bellow, 1977; NLADA, 1981; LSC, 1981a; Kaimowitz, 1978; Houseman 1978, 1980). This interaction with the client community was originally meant to develop a relationship of trust, responsiveness and accountability (Cahn & Cahn, 1964, 1970; Carlin, Howard & Messinger, 1967; Johnson, 1974). Such a position was still the official policy in legal services (NLADA, 1981; LSC, 1981). Client needs are meant to dictate the direction and focus of the program's advocacy efforts (LSC Act, section 1007(a)(2)(c), 1977).

While individual case aid does establish a client-attorney interaction, it does not necessarily place it in the context of the program vis a vis clients (except on those occasions when the client complains of unsatisfactory service. Therefore, in setting priorities for program services and advocacy goals, clients must be consulted (LSC Act, section 1007(a)(2)(c), 1977) and they must be members of the program's board of directors. Legal

education services insure that such a process is maintained. In the words of Youells (1980):

...Every community has a segment of its service area population whose access to legal services is restricted, owing to great travel distance, physical disability or other circumstances such as institutionalization. These people, along with the broad client community, must be informed about how they can obtain legal advice.

Some will argue that no legal services program can handle even its current caseload and that to encourage new groups of low-income people to apply for assistance is like hauling oil to the Middle East. The simple answer to this argument is that without an aggressive and fairly distributed outreach program, program priorities and services will be monopolized by those who already know about the program and have used its services. In such circumstances, priority setting becomes a self-perpetuating charade, with staff recommendations and client input merely reflecting the pressures of the most aggressive, mobile or ambulatory segments of the low-income community. Programs that are predominantly divorce mills predictably will determine domestic relations cases to be highest in priority; those which handle a greater number of middle-aged clients will continue to do so to the exclusion of the young and the elderly; and those which draw most clients from urban centers likely will not consider the needs of clients in more rural parts of their service areas.

Thus a comprehensive, full-time community legal education effort contributes materially to a rational and fair priority-setting system because it informs new groups of low-income people about the availability of legal services and educates all segments of the poverty community about program services. With this knowledge, the profile of cases brought to the office will change as circumstances in the low income community change and recommendations on future program priorities will change as well

(p.447).

As a federal program that has been controversial from from its onset and continues to be so (Johnson, 1974; Stumpf, 1975; Chapman, 1977; Drew, Smith, Camper & Henkoff, 1980; Ehrlich, 1981), client involvement in the program has also been regarded as "... a valuable source of protection in the event that the provider is subject to political attack (NLADA, 1981, p. 49; Houseman, 1980). Legal education here plays a role similar to that of the advocacy role except that in this situation the object of the advocacy is the survival of the program itself. While in the literature there is no discussion of this role of education, in 1977, 28 programs that had CLE components in operation reported "to build community support" as one of the objectives of their educational efforts (LSC, 1977c; Marshall, 1977a). These programs understood very well the role of legal education in maintaining a political base active at all times.

Almost everybody in legal services understands this relationship of education and political survival; but it is discussed as a function of client involvement rather than of CLE (Houseman, 1978; NLADA, 1981; LSC, 1978a). Still, it is precisely on this issue of survival where legal services programs have most successfully shown the effectiveness of legal education services. Even the LSC National Board of

Directors in its planning document for the 80's and 90's (LSC, 1981a) acknowledges the relationship between client involvement and the program survival but fails to see the role legal education plays in it. In 1981, foreseeing that the LSC would once again be the object of political interference from the executive branch of the federal government, many legal services programs prepared themselves to conduct massive educational efforts across the country to rally clients in support of their survival. This experience showed how effectively legal services could educate large masses of clients, when motivated to do so.

Implementation of CLE Services

In the course of experimentation with CLE, legal services programs have varied widely in the way they have approached the roles of CLE. The majority of programs seldom design educational services cognizant of those roles. Instead, they view CLE in a fragmented fashion. Thus, CLE services have been designed as one of several means of reducing the program caseload (LSC, 1977b) as well as "to have greater social impact by greater knowledge of rights and responsibilities." (LSC, 1977c, p. 3). Implementation may be either through the initiative of only one staff person or by the majority of its staff

(LSC, 1977b). It may also be designed after a request made by a client group, a social service agency (LSC, 1977b), their board of directors, or as a result of a priority setting process (Legal Aid Society of Orange County, Inc., 1978). As a service component, it is usually staffed by attorneys and paralegals, with limited secretarial support; however, there are some who have made use of law students, community educators, community volunteers and staff sponsored by either federal programs such as CETA and VISTA. (Youells, 1980; LSC, 1978b).

CLE activities vary according to client population characteristics (literacy levels, age, language and ethnicity); geographical dispersion (urban, rural, state-wide, county); and financial resources available (within the program or from outside sources), and staff background and interest in CLE. Although not much appears in the literature to have been done with CLE for minorities, some CLE projects have been designed with minorities in mind. For example, under the Quality Improvement Project of 1978, CLE projects were funded for Hispanics and Native Americans in the southwest (LSC, 1978b). Efforts have been made to provide educational services for the under represented clients in nursing homes; mental hospital; prisons; migrant workers; juveniles; battered women; handicapped people; and persons

who are either unemployed, disabled or facing bankruptcy. In response to problems faced by the geographical characteristics of their service areas, many programs have designed part of their educational services to reach clients by telephone (LSC, 1978), electronic media (Feryl, 1980; LSC, 1977b) or direct contact. Nonetheless, printed material (LSC, 1977b) is preferable, perhaps because it is easier rather than the most effective. Local programs have largely financed the incorporation of educational services, by either reassigning existing staff or hiring new staff (Youells, 1980; LSC, 1977b, 1977c; Marshall 1977a). Still, as mentioned earlier, some programs have managed to receive funds from other government agencies (eg. VISTA, CETA, Department of Education, Administration on Aging) as well as from private foundations like United Way, and local bar associations (LSC 1977b, 1977c).

The settings in which these programs have conducted CLE services are primarily oriented towards direct contact, and vary according to the needs of the population, logistical convenience for the instructors, and type of activity that is required to meet those needs. Thus, CLE practitioners have been involved in curriculum development and instruction in high schools, adult education centers, radio education, commercial and cable television, community centers, church programs, and community festivals. They

have also experimented with the use of their offices, particularly the waiting room, as a place to teach about law. The living room of a client's home has also sufficed, particularly on those occasions when issues pertaining to tenant unions have been raised. Most instructional materials used by CLE projects are made by the programs; posters, newsletters, filmstrips, videotapes, self-help kits, and audio tapes (Tel-Law) have been produced and used in a variety of ways. Very little commercial materials have been used, possibly because of their inaccessibility, cost and general orientation to a more affluent population.

In many respects, CLE has benefitted from the experiences of other community-centered learning movements but may have also tried to "reinvent the wheel" in the process. Very little is known among CLE practitioners as well as legal services staff about the community education and non formal education movements in this country. There is no reference to either of them in the literature. Also, there is no discussion of how the subject matter should be organized for curriculum development nor how adults learn in the context of legal education.

In the process of maturing as an educational movement, however, CLE has also been original and creative in its own way. It has contributed to the teaching of law through the

development of teaching innovations such as lay and pro se advocacy clinics, people's law schools and self-instructional modules. These innovations stem from the need to develop activities that center on the needs of clients rather than on the constraints that law as a subject matter may appear to impose on teaching. Law as a subject matter is not treated as an academic discipline but rather as a mechanism to pursue the clients interests when promoting their welfare or the program's interest in solving service problems. This issue has been discussed in several articles describing programs sending law students to prisons, public schools and community settings to teach about the law (Association of American Law Schools, 1980; Macey, Singleton & Thompson, 1977; Harrington, 1969; McAuliffe, 1967).

Barriers to CLE Implementation and Proposed Solutions

Randi Youells in her article titled "Designing a Low-Cost Community Legal Education Project" (1980) thought that reliance on a program's existing advocate staff to do CLE was misplaced because: (a) many programs lacked the resources to conduct a full time community legal education unit, (b) many lawyers and paralegals, had little interest or ability in CLE work, and (c) the demands of daily

casework exert more pressure over attorneys and paralegals than the need of the client community for legal education (p. 447).

The first reason forces programs interested in pursuing CLE to take time from the staff's client representation activities; there is a reluctance to doing this (Comptroller General of the U. S., 1978). In the 1977 CLE survey, lack of money and time were listed as primary problems from the CLE projects who responded (LSC, 1977c). Secondly, CLE requires skills which lawyers and paralegals are not trained to do. The same has also been said of legal services managers. One of the conclusions of a 1980 CLE conference in Massachusetts reached by its coordinators and participants was that project directors and managing attorneys must believe in the importance of CLE work if they are to set the stage for the efficacy of other staff members (Massachusetts Law Reform Institute, 1980).

The third reason, Youells (1980) claimed is understandable because "... caseload pressures evince themselves daily in a variety of ways: the distraught client sitting across the desk; the angry, frightened telephone caller with an emergency problem; and even the monthly litigation reports from around the nation that abound in the pages of the Clearinghouse Review" (p. 447). This is further supported by the analysis on caseload in

legal services made by Bellow (1977). He proposes that the structure of the LSC has removed the focus of law reform from frontline attorneys who must handle large volumes of routine cases and placed it in the hands of specialized attorneys who do not face the same conditions. He also maintains that the enormous need for legal services and the problem of not having enough resources to meet the demand has created enormous pressure with respect to routine mass processing of cases; thus CLE falls into a service trap. Youells (1980) refers to this trap when she mentions that programs many times are forced to take time away from client representation services (p. 447). To the extent that client legal education is not translated into cases or caseload, i.e. the need cannot be quantified or deemed as concrete as individual case aid can, this service trap is likely to continue. This was acknowledged in a document prepared by the LSC (1980) on caseload management in which it presented a model to determine work load and distributing work which encompassed "non-casework activities" such as CLE and legislative advocacy. The question the LSC tried to answer was: How can a legal services program manager account for non-casework activities when determining the fair distribution of work?

In addition to the three barriers discussed above, the lack of a comprehensive approach to advocacy work and

training also acts as a barrier. Leopold (1978) and Rowan (1980) have mentioned that there is a need to look at advocacy efforts in a comprehensive manner where advocacy tools such as CLE, legislative advocacy and class action litigation could be integrated depending on the problem they want to resolve. Leopold (1978) goes further to suggest that:

" ..each job should be viewed as a part of the whole, and early on in training and orientation, staff should see the complementary relationship between, and possibilities for impact of, litigation, administrative and legislative advocacy and CLE in a comprehensive office strategy. However, this cannot be expected, if the new and old workers are neither oriented nor trained to view their individual jobs or the function of the office in this manner. Skill development training cannot be approached too narrowly, i.e., litigation skills, legislative advocacy skills, community education skills, all presented separately, with never any office strategy planning offered or integrated into the other training events. This approach almost ensures that the person being trained, particularly the new legal services worker, will view the job in a vacuum (p. 2).

Thus, there is a need to integrate CLE with other training programs and build staff expectations of work which will not to be compartmentalized by functions.

Finally, the lack of evaluative criteria for measuring the impact of CLE services has also been identified as a barrier to the implementation of CLE. In 1981, the LSC Board of Directors, adopted a plan which contained the LSC's mission statement and both the long range (1984-1990)

and short range (1981-1983) plans for the future (LSC, 1981a). In this plan, "impact" is interpreted to encompass two aspects: (a) benefits provided to the poor overall, or significant segments of the poor, as a result of the representation of an individual or group of clients; and (b) benefits that are high in relation to the resources expended. Although the LSC Board recognized that sometimes the impact work can be produced by CLE efforts (p. 13), it also stated that CLE as well as the training of lay advocates, and pro se advocacy, among others were services which rested on various assumptions; many of which remain untested (p. 23). Thus, part of the long range plan is to determine what place these services should have in legal services and what resources should be committed.

In order to make such a determination, it is necessary to trace the historical antecedents of CLE and how it has evolved within the legal services movement. Such is the purpose of chapter II.

CHAPTER II

HISTORICAL BACKGROUND

Introduction

In the practice of community organization, bureaucratic organizations usually promote planned change. These organizations are also objects of planned change. Whether change is externally or internally induced, it takes place within the structure and behavior of the organization in order to improve services to clients by establishing, modifying or more effectively coordinating programs. In doing so, organizations broadly define professional goals and provide resources while at the same time impose restrictions on how these resources are to be spent. They also determine methods and tactics to be used; the type of clients that can be served and the type of issues; needs and problems to be targeted.

Legal aid programs are no exception to this. The movement has undergone several changes throughout its history. These changes have improved services provided to the poor and have at different times involved establishing modification and more effective coordination of programs and

services. What follows is a narrative review of these changes and how CLE has evolved.

The Legal Aid Movement: 1920-1965

Until 1920, legal aid was provided by a loose, unorganized collection of independent organizations located in only a few of the country's large cities. After 1920, it emerged as a movement with a measure of organization and a unifying national mission. From the beginning, legal aid leaders worked through local bar associations to establish legal aid societies. Occasionally, they attempted to set up societies through charitable organizations or other community groups. However, these were not successful (Johnson, 1974; Houseman, 1978).

In 1950, Great Britain instituted a legal aid program. The threat of a similar government-financed plan in the United States spurred many formerly apathetic state and local bar associations to establish private legal aid societies (Johnson, 1974). Despite its comparative prosperity, the legal aid movement entered the 1960's far short of meeting the need for these services. Resources were grossly inadequate; less than \$4 million was spent in 1963 to finance the operations of legal aid organizations. This figure represented less than 0.2 of 1% of the total expenditures for

all legal services in the United States in that same year (Johnson, 1974; Carlin, Howard & Messinger, 1967).

Primarily due to meager resources, legal aid had barely managed to keep up with the expanding population. In 1963 it processed about the same number of new cases per thousand population as in 1916. Lacking sufficient funds and staff, legal aid organizations became reluctant to advertise their services as they were swamped with cases. High caseloads frequently led to mass processing of cases and to routinized perfunctory service. The situation was further aggravated by low salaries, high turnover in personnel and inadequate direction by disinterested or inactive boards of directors. Local bars and business interests were the principal supporters; consequently, the effectiveness of legal aid organizations was further limited by their vulnerability to pressure (Carlin, Howard & Messinger, 1967; Cahn & Cahn, 1964).

Many legal aid organizations operated under the premise that what deterred the poor from using the legal system to assert their rights was lack of access to the justice system. This could be resolved by securing attorneys for the poor and advocating for structural changes in the judicial system to insure an expedient way of processing cases for the poor (Johnson, 1974; Cahn & Cahn, 1964; Houseman, 1978).

Nonetheless, by the early sixties, legal aid

organizations were suspected of holding a paternalistic view of their clients, considering them incapable of knowing their best interests, and of shying away from more aggressive advocacy on behalf of the poor (Cahn & Cahn, 1964; Carlin, Howard & Messinger, 1967). The time was ripe for a change in the way these organizations provided services. After growing increasingly dissatisfied with the development of the legal aid movement, in 1963 the Ford Foundation along with other private foundations funded several experimental law programs in the hope of improving the delivery of legal services to the poor. The President's Committee on Youth Delinquency also joined them. These experiments would provide the foundations for a new approach to legal services and would signal the involvement of the federal government in such enterprise.

Neighborhood Law Offices Experiments 1963-1965

In May 1963 the board of directors of the Mobilization for Youth (MFY), in New York's Lower East Side approved the creation of a legal unit performing three functions: (a) direct service and referral; (b) legal orientation for MFY staff members who were no lawyers, clients or community leaders; and (c) achievement of social change primarily through legal research and persuasion of government administrators to change policies (Johnson, 1974). The

Columbia University School of Law was recruited to administer this unit. An advisory board was created and Edward Sparer, a labor lawyer, was hired as the director of the unit.

Sparer found the initial proposal to be largely devoid of significant and concrete direct representation. Dismissing the functions of referral and orientation training as relatively unimportant, Sparer recommended to the MFY board that the resources of the unit focus on a demonstration of the value of legal service to the poor in those very areas where the Legal Aid Society was not presently giving service. Sparer also recommended the use of legal research and test cases as strategies for achieving social change (Johnson, 1974).

In 1963, in the District of Columbia, another organization similar to MFY, called Washington Action for Youth, Inc., was formed for the purpose of developing programs to combat juvenile delinquency in the urban ghetto. This organization received a grant from the Ford Foundation for a legal services program and subsequently changed its name to United Planning Organization (UPO). Following the lessons of another Ford Foundation legal services project which was aborted soon after starting operations in New Haven, Connecticut, the program sought to (a) decentralize into neighborhood law offices; (b) insulate lawyers from the main organization (UPO) so that they would not bring cases that

were controversial; (c) recruit support in the local legal profession; and (d) cooperate with social workers and staff from other social service agencies to diagnose, refer and coordinate the legal problems of the poor. From the original MFY proposal they incorporated preventive law, representation of community groups, and legal education of poor people and staff from other social service agencies operating in the poor communities (Johnson, 1974).

In November 1964, UPO opened up with three offices and 14 attorneys. Soon after starting operations, they became overloaded with cases and client requests. Like MFY, they too, focused on the use of test cases for effecting social change. In 1964, J.Cahn and E. Cahn published an article in the Yale Law Journal arguing that the character of the programs to be sponsored by the Office of Economic Opportunity as part of their war on poverty effort would most likely turn out to be monopolistic and largely controlled by social service administrators and local politicians in order to insure their own survival. The Cahns proposed that these programs become more responsive to the needs and interests of the poor. Therefore, some balance was needed to insure that these programs would not embrace monopolistic tendencies. They proposed neighborhood law offices attached to antipoverty programs to assist local low-income communities in exerting influence over the programs and holding them accountable to both themselves and the law. With the help of

Abram Chayes, the legal advisor in the U.S. State Department at that time, the Cahn and Cahn article became influential among government officials, legal aid lawyers and social activists of the time (Johnson, 1974).

The Cahn and Cahn article, coupled with the experiences of the neighborhood law office experiments (particularly the one implemented in Washington, D.C. by UPO), was instrumental in providing the rationale and ideological content to a new type of legal aid program, the Office of Economic Opportunity Legal Services Program (LSP). With the advent of public funding, a new era for legal aid began. Development of new goals and national standards broadened the breadth and scope of legal services for the poor.

The OEO Legal Services Program Era: 1965-1975

The Legal Services Program of the Office Of Economic Opportunity took slightly over three years to construct. By the end of this period, the administrative issues were resolved, the goals established, and the course set. These policies remained essentially unchanged until 1973, when planning of the Legal Services Corporation was initiated. During the first three months of the LSP existence, guidelines for the program were developed. They were a relatively progressive statement of the ambitious goals

sought for the program as well as an incorporation of principles the government should follow when funding proposals. These were:

1. To make funds available to implement efforts initiated and designed by local communities to provide the advice and advocacy of lawyers for the poor.
2. To accumulate empirical knowledge to find the most effective method to bring the aid of the law and assistance of lawyers to the economically disadvantaged people of this nation; to encourage and support experimentation and innovation in legal services proposals to find the best method.
3. To sponsor education and research in procedural and substantive law which affect the causes and problems of poverty.
4. To acquaint the entire practicing bar with its role in combating poverty and provide resources to lawyers responding to the War on Poverty.
5. To finance programs to teach the poor and those who work with the poor to recognize problems which can be resolved best by the law and lawyers. The poor do not always know when their problems are legal problems and they may be unable, reluctant, or unwilling to seek the aid of a lawyer (emphasis added, OEO, 1967, pp.2-3).

Client ignorance about their rights and the existence of the program and its caseload policy, lack of access to the program, and distrust of lawyers were regarded as obstacles that operated to the detriment of the program and ultimately to the client population. The LSP recognized that these obstacles were a consequence of pervasive legal illiteracy within the client population and among those who worked with

them in social service agencies. Thus, they proposed as a goal (number 5 above) to finance programs that provided CLE services. Thus, CLE was considered to be an essential component of the new programs.

In July 1966 evaluation teams were sent into the field to examine legal services projects in operation at that time. They reported that programs were overloaded with client requests for services. The experience of the legal aid offices and the Wahington D. C. experiment appeared to be repeating itself. Excessive caseloads and client pressure for services were preventing programs from implementing the more progressive and innovative goals. No real solutions were proposed by these evaluation teams save that programs should increase efforts to simultaneously implement all goals. Translated into tasks, this involved handling high caseloads; undertaking test cases; improving equality of representation; educating the community about their rights; coordinating work with other social service staff to treat all the legal, social and economic dimensions of their clients' problems; and engaging in economic development for the community.

The LSP directors soon realized that broadening the scope of services and simultaneously handling a significant number of clients was unrealistic. These tasks pulled the programs in too many directions at once, thereby reducing,

its effectiveness. The directors felt that providing services to a significant number of poor people was the only way to accommodate all the new goals envisioned for the program. To provide comprehensive assistance to a few at the expense of rejecting the many was philosophically and politically unjustifiable. If any of the innovations were to be salvaged, a top priority would have to be established. After all, not all the new directions that had been recommended were of equal importance. The most heralded innovations were participation in coordinated social services efforts, community economic development designed to bring more money into the local low-income community, development of advocacy oriented community organizations, and use and development of law reform techniques (Johnson, 1974; Tapp & Levine, 1974; Carlin, Howard & Messinger 1967). The top priority would be selected from among these four. CLE was not considered to be as important (Johnson, 1974).

Three criteria were used to select LSP priorities. First, the efficacy of each innovation in providing benefits to the largest number of people were compared. Second, the relevance of a lawyer's special skills and training was determined. If a lesser trained, lower paid poverty program employee could perform the same function as well, concentration of legal services resources on that objective would be wasteful. Third, political feasibility was measured largely by how acceptable a given priority would be to

Congress and to the boards and staff leaders of local legal services agencies.

Law reform, was chosen as the top priority (Johnson, 1974). As a service modality, it posed several advantages. To begin with, it offered the possibility of benefiting many of the poor who could not be served directly at legal services offices. Legislative change or modified administrative regulation could benefit thousands of individuals more easily than what legal services could hope to provide through individual case aid. Law reform made full use of lawyer's skills and training. Moreover, the ideals of the legal profession offered a pre-existing, conservative, well-accepted rationale for law reform. Opponents in the political arena would be reluctant to challenge the right of lawyers to pursue their clients' interests. The same could not be said of the other initiatives. Finally, law reform was the only area where goals of the legal aid movement and the neighborhood lawyer experiments intersected. This made it the easiest of the four to implement.

The fact that CLE, the fifth goal of the OEO Legal Services Program, was not one of the initiatives considered as a potential top priority was not surprising. First of all, no concrete evidence had been produced to assert that providing legal education was effective at all, much less that it was more effective than the four initiatives chosen.

No research on CLE effectiveness had been done at the time. Second, CLE in most cases could get by with a lay assistant and did not use fully the skills and training of a lawyer. Because lawyers are not educators, they would have required further training. Finally, although it was not a controversial activity like the teamwork, community economic development and the law reform initiatives, CLE was never seen as the central thrust of the legal services program. Thus, CLE was regarded as tangential to the provision of minimum access to justice by advocates of the legal aid movement in this country.

Though not considered a top priority of legal services, it nevertheless ceased to be a legitimate goal deserving attention by programs. Selecting priorities among programmatic initiatives did not mean that the other initiatives were discarded as ineffective. It meant that CLE activities would not be required but law reform would be. From then on, CLE as an initiative in the OEO Legal Services Program was the responsibility of individual programs in the field. Financing of education programs, was viewed as a low priority (Johnson, 1974).

From 1965 to 1975, the Legal Services Program demonstrated the potential of a publicly funded attorney-centered community organization working on behalf of the poor. It provided individual case aid in the areas of poverty law on a massive scale, and induced structural reforms in government programs and due process through litigation and administrative or legislative advocacy (Johnson, 1974). By target advocacy toward government benefits programs, they successfully monitored compliance of federal and state programs. This decade was also significant because by 1969, with the rise of the Nixon Administration, the Legal Services Program for the first time had to fight for survival. The expansion enjoyed until that time was halted, and an attempt to "regionalize" the program under pretext of a reorganization of the Office of Economic Opportunity was successfully executed. By the beginnings of the 1970's there was also a growing interest among staff to improve their lawyering skills and to isolate the programs from political interference (Johnson, 1974; Note, 1971).

During the 1965-75 decade several legal services programs experimented with the notion of community education. Although there is little documentation related to legal services programs and community legal education, records show that by 1974 there were at least 14 projects

in operation (see chapter 3). Some programs developed curricula for public schools as well as for welfare organizations. Others developed workshops and community projects or collaborated on projects with law schools. Others simply developed leaflets and advocacy manuals for clients and community groups interested in legislative or administrative advocacy. For many of them the major focus was preventive law. Thus, the content was usually related to their legal practice. Information was determined by its practical and immediate use. By the end of the OEO era many legal services programs had had some experience with community legal education. Many people had become advocates of CLE services for their clients, while many others discounted it for lack of evident results. The dominance of litigation as the primary strategy for advocating on behalf of the poor had become firmly entrenched. The programs lacked a unifying goal except for the one of providing minimum legal access to a lawyer for the poor in their communities. Somehow the issues of community legal education and client involvement in the programs became secondary and in many instances forgotten. Most of the CLE advocates were front-line practitioners and clients who lacked power to effect changes from within their respective programs.

Legal Services Corporation Era 1975-81

In 1974 President Nixon signed a bill creating the Legal Services Corporation. This bill was intended to insulate legal services programs from the political buffeting Nixon had imposed on them since 1969 (Note, 1971; Houseman, 1980). Since the change came as a settlement, the OEO Legal Services Program personnel and organizational structure was absorbed by this new corporation. No radical philosophical or programmatic changes accompanied the transition. The change to a semi-independent corporation represented a move towards institutionalization. The newly established political support of the American Bar Association for legal services programs gave the new corporation an aura of respectability and political protection it had not enjoyed before.

Placing the former OEO Legal Services Program under the new corporation, however, failed to fully insulate it from further political assaults. Restrictions on the LSC came as a result of the creation of national litigation support centers for local programs and more vigorous efforts in lobbying at the federal level. As a corporation funded directly by Congress, it was subject to periodic reauthorization bills and the imposition of

further restrictions regarding the scope and breadth of services to be provided. Thus, the new corporation was still faced with political vulnerability in an era where it was aggressively promoting expansion to fulfill the minimum legal access goal that had been in operation by this time for more than ten years.

By 1977, officials at the LSC in Washington D. C. recognized that many of their programs were more actively involved with providing community legal education services to their clients. A national survey was authorized by the Office of Program Support to determine how widespread the practice was and how they could be of assistance. This was an era where the LSC had been successful in getting additional funds and was pushing technical assistance for programs to improve the quality of lawyering. Forty eight programs were identified as having CLE projects, 20 of them having been established within the preceding two years. This survey was recognized as a "first step towards establishing some much needed communication by and about community education efforts" (LSC, 1977b).

A directory of CLE programs was compiled and distributed through the Clearinghouse Services of the LSC. It was to be updated every year. Such plans failed. The only attempt to update it was made in January 1981 but was abandoned. The 1977 survey (LSC, 1977b, 1977c) uncovered

for the first time data that could assist policy makers at the LSC in building a monitoring and support system to address field program needs. The survey data showed that:

1. The print medium was almost without exception, the starting point for CLE;
2. most projects developed materials themselves;
3. the person who wanted CLE, usually an attorney, was often the person responsible for carrying out the CLE activities;
4. there was a strong tendency in the programs for local offices to use their own staff for the CLE efforts;
5. the average age of a CLE project was 16 months;
6. projects often lacked coordination and orientation in their operations;
7. research done to determine need almost always consisted of looking at information others had gathered;
8. participants were twice as often "persons eligible to be clients" as actual clients. Social service agency personnel and interested members of the community also substantially outnumbered clients (LSC, 1977b);
9. staff wanted "how to" manuals from the LSC the most, audiovisuals second;
10. the primary tool for evaluation was word of mouth and local agency feedback second;
11. when asked what aspects of CLE could be evaluated, programs responded "impact on their image in the community" and "impact on overall caseload";

12. most programs relied on their own funds rather than LSC, outside agency or private group;
13. local bar associations were usually indifferent while the general public supported CLE efforts;
14. lack of money, time, poor attendance and lack of prepared materials were the problems most often acknowledged (LSC, 1977b).

A follow-up report was prepared in that same year. The report recommended that (a) technical assistance was needed and should be organized to train local staff and client board members on CLE methods and materials development as well as outside funding strategies; (b) the LSC should fund direct training services and curriculum development, (c) current materials developed by the field programs should be collected and distributed, (d) the CLE Directory should be updated regularly and (e) experimental grants for development and evaluation of preventive law techniques were also needed since the LSC knew "very little about how to do genuinely preventive legal education, and even less about how to evaluate it." (LSC, 1977b, p.1).

One year later the office of the Comptroller General of the United States (1978) conducted a study on behalf of Congress. They found that out of nine legal services programs visited in five states, seven conducted limited or no community and outreach efforts citing reasons such as lack of staffing resources, concern that requests for

services would overload programs and concern that educational programs would take away any valuable time from the primary mission of providing legal representation. They also found that few of these legal services programs had assessed the legal needs of the poor to establish service priorities. The Comptroller finally recommended that the LSC should (a) expand training sessions on CLE and require grantees to submit plans for addressing CLE with their budget submissions and (b) provide individual projects with needed technical assistance in developing CLE projects suitable to their clients' needs.

As a result of these two studies and continued advocacy from staff at the LSC Headquarters and from practitioners in the field, a national conference was held in 1978 at Granby, Colorado. This conference marked for the first time in 13 years an opportunity for CLE practitioners to exchange views and set up a national agenda. Approximately 100 persons attended the conference. Views were exchanged but the conference failed to crystalize a national agenda. Still, the network was created and prospects for increased technical and logistical support looked promising. New state-wide programs such as those in Iowa and North Carolina were designed with CLE components. Other programs also explored options. Two videotapes on the conference were prepared and circulated. There were

ample discussions about the different approaches and techniques used in CLE for a variety of situations particularly for urban and rural settings.

That same year (1978), Thomas Erlich, then president of the LSC, sought a reevaluation to draft long-range plans that could give a programmatic direction once the "minimum access" goal was reached. He estimated that by 1980 the goal could be accomplished if the rate of increased funding was maintained. The issue of "presence" in the communities, espoused by the rhetoric of access, was interpreted not to be enough to convince Congress to adopt a new goal and continue to increase the current funding levels. After some preliminary discussions within the LSC and the field programs, all agreed that a new goal would be to improve the quality of services that were to be rendered in the next decade (LSC, 1978d; LSC, 1981). In this report (1978), the LSC recommended creation of a community legal education office to provide technical and logistical support for field programs. This office was regarded as sorely needed if community legal education and client involvement were to be sustained in the 1980's. The office was never created.

Nonetheless, in 1978, the LSC commissioned the Quality Improvement Project to study ways in which field programs could improve the quality of their services. Its goal was

to sponsor research and demonstration projects that could be replicated by other programs (LSC 1978c). Community legal education and client involvement were included as subjects to be studied. Eight demonstration projects on community legal education were funded. Not only did these projects vary in approach and activities but the populations they served were also diverse. There was no effort on the part of existing field programs to replicate the CLE activities.

After 1978, no national conferences or national directories were approved by the Office of Program Support in the LSC. Regional offices and their training centers sponsored some community legal education training sessions, but these activities did not arise out of the leadership initiative of the LSC officials (LSC, 1978b) Rather, they were initiated by CLE advocates whose informal networks promoted the idea of training. Training was always well received by front line practitioners. Still, no unified support services ever emerged from these regional trainings. As a result, CLE projects ended up being managed on a project by project basis, dependent on the field programs to shoulder costs and technical assistance. Many CLE practitioners soon realized that the priorities in the LSC were still in training for litigation and not in education. More money was at the time being spent on

training lawyers and paralegals for case representation and on secretaries for office support skills. In the meantime, CLE and client involvement lobbied for increased support. Clearly, no institutional commitment to CLE existed beyond what was already given. Emphasis had been placed on group representation and impact litigation as the two strategies to empower clients. The role of the attorney was again conceived as the strategist for the clients in any advocacy project that legal services programs would entertain.

In September 1980, after much pressure, another national conference was organized but it aborted while in progress. Frustration and pessimism among most CLE veterans and newcomers was widespread. They had grown skeptical of what support the Corporation was willing to provide. The eight Quality Improvement Projects were coming to an end and no plans to continue them had been secured. Despite all of these things, the growth of CLE programs was quite large now a days. By June of 1981 I identified at least 62 programs with defined CLE projects, 38 of them being less than 3 years old, and 12 being less than one year old (see chapter 3).

As of 1983, much of what remains in the field programs and some regional offices is being dismantled, victims of fiscal retrenchment and political attack from the Reagan Administration. In several programs, positions have been

merged and assigned more responsibilities. This is forcing many to do CLE under more strenuous conditions, all conducive to an accelerated burn-out. Attempts to defund the Corporation altogether or severely curtail its activities are being implemented with varied success. As a result, many field programs have entered a phase in which they are forced to reevaluate what constitutes core services in their organizations. In absence of a new goal that takes into account the original mission of the legal services program, and advocacy on behalf of the poor to advance their economic and political interests in this society, the core services will be regarded as litigation and legislative/administrative advocacy. The empowerment of clients will be absent from the minds of those who advocate on their behalf.

C H A P T E R I I I

1981 CLE SURVEY REPORT

Introduction

From May to July 1981, questionnaires were sent and responses monitored for 96 CLE projects. Seventy-six (79.0%) programs responded to the survey and 14 were rejected, leaving 62 (64.6%) questionnaires from offices reporting to have a CLE project. Twenty-two question sets were designed to collect current data and opinions about existing CLE projects relative to:

- a. the project history,
- b. project goals,
- c. population served by the project,
- d. programmatic orientation,
- e. subject matter and curriculum development,
- f. personnel as staff and/or instructors,
- g. funding, and
- h. project performance.

A sample of the questionnaire appears in the Appendix.

In this chapter, survey questions are grouped and reviewed according to the categories listed above instead of

the order they appeared in the survey questionnaire. Although several questions could have more than one answer, percentages in this report reflect a value of 100%. Whenever relevant, secondary data are interjected, in particular, the results and conclusions from the 1977 CLE survey sponsored by the Office of Program Support and the 1978 Report to Congress made by the Office of the U.S. Comptroller on Legal Services and Community Legal Education.

History

Fifty-two out of 60 programs (83.3%) that responded were initiated after 1974 when the Legal Services Program of the Office of Economic Opportunity became the Legal Services Corporation. All except one program responded to having existed for less than 10 years. Ten (16.6%) programs were five years or older. Twelve (20.0%) were between three and five years old. Thirty-eight (63.3%) CLE projects were not yet three years old and 12 (20.0%) were not even one year old. The range was from less than 6 months to 14 years with an average age of 2-3 years. In 1977, the age range was from 2 months to 10 years, while the average age was one and a half years. Since then, the range has widened and the average age has increased two-fold. This growth suggests an increasing acceptance among legal services programs of CLE as a service component.

In 1977, 23 out of 28 (82.3%) CLE projects started due to the initiative of a legal services staff member, usually an attorney (LSC, 1977c). Table 1 shows that in 1981, 28 out of 60 CLE projects (47.2%) listed the same reason. Twenty projects (33.3%) also listed requests from client groups as a primary reason for having started the program. A board of directors initiative (7-11.7%) for CLE was less noticed. Interestingly enough, 12 CLE projects (20.5%) credited their beginnings to a project director. Of these 12 responses, 8 were given by CLE specialists. Two were made by project directors themselves. Twelve other project directors did not list themselves as being responsible for initiating the programs, nor did 19 CLE specialists.

Table 1

<u>Reasons For Program Initiation (N=60)</u>		
	Number of responses	% of programs
a. local social service agency asked	1	1.7%
b. local client group(s) asked	20	33.3%
c. local board of directors requested it	7	11.3%
d. majority of legal services staff wanted it	28	47.2%
e. other		
1. the project director wanted it	12	20.5%
2. a priority setting process	4	6.3%
3. other	9	15.0%

CLE usually involves working on advocacy projects with and providing training to the staff of social service

agencies on client rights. Surprisingly enough, only one project (1.7%) began because a social services agency requested it. This is very different from the results obtained in the 1977 survey where 8 out of 48 programs (16.6%) claimed to have started because a local community agency asked for it (LSC, 1977c).

Program Goals

On the questionnaire six goal statements were listed and spaces were left open for additional goals (Table 3). Respondents could provide more than one answer. The most widely accepted goal was to help clients to become self sufficient in legal areas (56-90.3%). Only six programs did not list it. To build more community support (42-67.7%), to do better outreach (36-58.1%) and to identify legal problems most in need of prompt legal action (36-58.1%) were goals listed by more than half of the respondents. Advocacy for a resolution of a legal issue was also listed by 29 (46.8%) programs. Only 19 programs (30.6%) saw to reduce the caseload as a goal, and no program listed this by itself as the sole goal. This is particularly interesting, since concern about the impact CLE may have on caseload has often been raised by staff to undermine CLE efforts. A case in point is the one reported in the 1978 evaluation of community legal education conducted by the U.S. Comptroller

where staff claimed that CLE would cause an overload in the caseload capacity of the programs. Neither age nor any of the listed reasons for program initiation affected the responses. Of special notice is the fact that 9 out of the 12 programs that claimed to be less than one year old listed better outreach as a primary goal while only 2 recognized reducing the caseload as a goal.

Table 2

CLE Project Goals (N=62)

	Number of responses	% of programs
1. to build community support	42	67.7%
2. to do better outreach	36	58.1%
3. to reduce caseload	19	30.6%
4. to identify legal problems most in need of prompt legal action	36	58.1%
5. to advocate for a resolution on a legal issue	29	46.8%
6. to help clients self-sufficient	56	90.3%
7. other	13	20.9%

The 1977 survey asked respondents to write about the philosophy of the program. The question was left unstructured and open ended. The researcher (LSC, 1978c) concluded, after reviewing the answers, that most statements were vague and confusing. This problem made it impossible for comparing data over goals between the two surveys.

Population Served By CLE Projects

For purposes of this study, the population was distinguished as clients, non-clients, and other staff. Clients were further distinguished as active and potential. Other staff was also broken down to employees from other social service agencies and employees from other legal services offices. Respondents were asked to estimate the percentages of the participants in their CLE activities according to a breakdown of these four categories. Table 3 lists the results.

Table 3

	<u>Percentages Of Population Served by CLE Projects</u> (N= 43)		
	Programs		
	%	%	%
	0-20	21-50	51-
a. % of clients with active cases	29	8	6
b. % of potential clients	14	9	20
d. % of employees from other social services agencies	-	-	2
e. % of employees from other legal services offices	-	-	-

The client community as a whole was the primary beneficiary of CLE services. There were 26 (60.5%) projects where 50% or more of the participants were clients, mostly potential clients as opposed to active clients. Out of the 43 programs that responded to this question, 29 (65.5%) reported active clients to be less than 20% of the

participants. This suggests a strong outreach orientation among the CLE projects rather than providing educational services to clients who are currently using the program. Staff from other legal services offices and /or other social services agencies constituted a very small percentage of the population that was being reached. Only 2 projects listed it and apparently had them as participants in over 50% of their activities. This is very different from the 1977 survey which reported that social service agency personnel and interested members of the community substantially outnumbered clients.

Respondents were asked to rate project success in getting clients to come to the CLE activities. Sixteen out of 55 (29.1%) who responded felt that their project was weak in this respect. Seventeen (30.9%) projects rated themselves as being strong, while 22 programs (40.0%) gave mixed responses. Respondents were also asked to state the extent they agreed or disagreed with the view that their CLE project was widely known in their community. Sixteen out of 55(29.1%) agreed, 7 of them very strongly. Twenty projects (36.4%) disagreed, 6 of them very strongly. Twenty others (36.4%) were undecided.

Programmatic Orientation of CLE Projects

How CLE projects interacted with the target population and implemented their goals was a subject of inquiry in this study. Interaction with a target population can be person to person or through production and distribution of informational and educational materials. Five primary orientations were listed, namely, direct contact (in person or on the telephone), working with groups, printed materials, audio-visuals and media (radio and T.V.).

Table 4

Programmatic Orientation (N=62)

	Number of responses	% of programs
a. direct contact	50	80.6%
b. working with groups	41	66.1%
d. audio visuals	16	25.8%
e. media (TV, Radio)	21	33.9%

Table 4 indicates that direct contact (50-80.6%) and printed materials (53-85.5%) were selected as favorites for implementing CLE. Forty-one (66.1%) programs also reported to favor working with community groups. Only 16 (25.8%) programs claimed as an orientation the use of audio-visuals while 21 (33.9%) listed radio and television. Media and audio-visuals were always listed in conjunction with another orientation.

Over 50% of the respondents listed all five primary orientations with four goals. These were to build community support, to conduct better outreach, to identify legal problems in need of prompt resolution and to encourage self-sufficiency in certain areas of the law. At the same time, 31 (50.0%) thought that to do better outreach the orientation to follow was printed materials. Thirty (48.4%) also regarded printed materials as a suitable orientation to conduct legal advocacy.

Program Activities

A list of program activities or "tools" for each primary orientation was incorporated in question 8 of the survey. Respondents were free to choose more than one answer. Speaking engagements (55-88.7%), initial interviews (36-58.1%) and issue workshops (49-79.0%) were the preferred modes of direct contact.

The survey also revealed that the median attendance for self-help clinics, issue workshops and lay advocacy clinics was nearly the same at 19-20 persons per session (Table 5). The location varied slightly among the legal services offices (LSO), the social service agencies (SSA), the churches or other community settings.

Table 5

Average Number Of Attendees, And Location
Of Several Direct Contact Activities (N=62)

	Number of respondents	Median attendance	LSO	SSA	Church	Other
a. seminar	28	29.4	9	15	7	15
b. lecture/speech	36	25.3	7	20	21	25
c. high school or adult course	24	26.0	0	5	1	19
d. pro se clinics	17	19.3	10	3	1	18
e. lay advocacy training sessions	33	19.9	19	19	13	26
f. workshops	37	24.4	19	22	1	5

Table 6 indicates that 11 hotlines and 8 Tel-Law tape programs were listed to be in operation in 1981 as opposed to 4 in 1977. Although only 18 programs listed self-help clinics, this represented an increase since 1977 when only 10 programs reported to have them. Thirty-five programs claimed to rely on lay advocacy clinics as a mode of direct contact. Twenty-five projects helped teachers in public schools. Although small in comparison, 8 projects had "people's law schools" in operation.

Table 6

Direct Contact Tools (N=62)

	Number of responses	% of programs
a. hot lines	11	17.7%
b. Tel-Law tapes	7	11.3%
c. people's law schools	8	12.9%
d. self-help clinics	18	29.0%
e. lay advocacy clinics	35	56.5%
f. issue workshops	49	79.0%
g. adult education classes	16	25.8%
h. assisting in public schools	25	40.3%
i. initial interview with clients	36	58.1%
j. speaking engagements in the community	55	88.7%

With the exception of six projects, all had experience with pamphlets and leaflets (Table 7). Forty-three (69.4%) projects produced their own, and 38 (61.3%) distributed leaflets and pamphlets produced by others. On the other hand, buttons, comic books, calendars and public transportation advertisements were used by no more than five CLE projects (8.1%). While 38 CLE projects reported to have written articles for the local press, 25 produced their own newspaper and 31 produced their own newsletter. In 1977, only 13 had a newsletter and 15 wrote articles for newspapers.

Table 7

Printed Materials (N=62)

	Number of responses	% of programs
a. writing articles for local newspapers on law-related issues	38	61.3%
b. producing the CLE's own newspaper	25	40.3%
c. posters	32	51.6%
d. pamphlets and leaflets	57	91.9%
e. buttons	3	5.8%
f. newsletters	31	50.0%
g. comic books	2	3.2%
h. public transportation advertisement	3	5.8%

While only 16 programs listed audio-visuals as a primary orientation, 29 (46.8%) CLE projects reported to have used audio-visuals, 27 in community meetings and 8 in public waiting rooms. Something similar occurred with the use of mass media. While only 21 programs claimed it as an orientation, 38 (59.7%) used radio, particularly for public service announcements. Twenty-eight (45.2%) programs have had experience with television, particularly with public information programs. There were 6 CLE projects that had experience with cable TV.

Subject Matter

A list of 18 major topics were selected on the type of cases local programs in the LSC handle on a routine basis. Although not every legal services actually handle so many areas of the law, CLE projects were asked to indicate which ones they covered in their activities. The list was open ended to allow for topics not listed originally. Table lists the topics and indicates the corresponding results. Housing, consumer, Assistance for Families with Dependent Children (AFDC), Social Security/SSI and family law were listed by at least 43 programs out of 62. These were followed by elderly law, health, income maintenance, small claims court and energy law.

Twenty-one CLE projects focused on civil rights, 25 on public education, 20 in community economic development and 19 on bankruptcies. None of these topics are part of the traditional legal services but at least one third of the CLE projects were involved in providing legal education activities.

Table 8

Subject Matter (N=62)

	Number of responses	% of projects
a. AFDC	44	70.9%
b. bankruptcy	19	30.6%
c. civil liberties/civil rights	21	33.9%
d. community economic dvlpt.	20	32.4%
e. consumer law	45	72.6%
f. elderly (nursing homes, pensions, displaced homemakers, etc.)	37	59.7%
g. energy law (utilities, rate hikes, etc.)	30	48.4%
h. family law (divorces, custody, etc.)	43	69.4%
i. health related (Medicare, Medicaid, OSHA, etc.)	36	62.0%
j. housing law (landlord and tenant, mobile homes, rent subsidies, etc.)	57	91.9%
k. income maintenance	34	54.8%
l. labor law	8	12.9%
m. real property (titles, etc.)	12	19.4%
n. social security/SSI	43	69.4%
o. public education	25	40.3%
p. small claims court	31	50.0%
q. wills	18	29.0%
r. others	17	27.4%

Curriculum Development

Fifty-three out of 62 programs (85.5%) reported having produced materials of their own. Most of them reported using pamphlets, leaflets, posters and newsletters, and assisting in curriculum development in the schools (19-30.6%) Twenty-six produced and used materials from other CLE programs, 25 from federal agencies, 17 from the U.S.

Superintendent of Documents, 18 from private institutions, 17 from state support centers and 13 from the Office of Program Support in Washington D.C. and/or other national support centers.

At least 26 CLE projects found development of curriculum materials to be a deficient task among the programs. Sixteen felt that it was not deficient; 7 were undecided. Sixteen respondents felt that their projects were very weak while only 3 expressed that theirs were very strong. Although most CLE projects produced their own materials, they also expressed need for more materials from other sources. Fifty-three projects would like to see a resource bank of instructional materials. Although 24 thought that the Clearinghouse Service was already an adequate resource center, 27 expressed doubts, 16 stating it was not good enough.

Thirty-one projects felt there was no need for additional "how to " manuals; 16 felt otherwise. Forty-three programs wanted to disseminate more information about what other programs around the country were doing in CLE. Strangely enough, 37 programs agreed that there was no need for a newsletter devoted to CLE projects and materials. In fact, 26 respondents strongly agreed that there was no need.

Staff and Instructors

Thirty-two (51.6%) programs hired paralegals most of them on a full-time basis. Thirteen (20.9%) hired attorneys, although 11 of them worked only on a part time basis. Thirteen (20.9%) programs also hired a secretary 9 of whom were also part-time employees. Law students were rarely used, perhaps because the majority of CLE projects were not located near a law school.

In general, CLE projects relied heavily on their own legal services staff as instructors. Out of the 51 respondents to question 14 in the survey, only 6 (11.8%) did not list paralegals as instructors; 4(4.8%) did not list attorneys. At least 40 programs did not use resources available within their communities such as private attorneys, social service workers and staff from other legal services offices. Of the 32 CLE projects that hired paralegals, 25 used them as instructors. Of these 25, 11 projects hired only one paralegal. Of the 16 that hired attorneys, 11 listed them as instructors.

When respondents were asked whether all the legal services staff should be involved in CLE activities, 32 out of 54 felt strongly that they should not. Thirteen felt that they could participate in attracting non-CLE staff interest, while 23 felt theirs were neither weak nor

strong. When both sets of responses were cross-tabulated only 6 programs felt that all of the legal services staff should be not involved but felt weak in generating non-CLE staff interest. Nineteen respondents felt that their projects were neither strong nor weak. Also 8 CLE projects thought all legal services staff should not be involved and felt strong in generating non-CLE staff interest. Only 2 CLE projects felt that all legal services staff should be involved but felt weak in generating non-CLE interest. Fourteen others did not want all the legal services staff to be involved while they felt their CLE project neither strong nor weak in generating non-CLE staff interest.

Respondents were also asked how supportive they thought non-CLE staff interest was. Twenty-five felt that it was not supportive, and 12 felt it was. Of the former group, 14 thought that their CLE project was strong in attracting non-CLE staff. Of the latter, 12 felt that their CLE project was supportive. Five thought that their programs were also strong in attracting non-CLE staff's interest.

When asked if there should be a full-time CLE coordinator hired full-time, 31 disagreed and 13 agreed; 9 were undecided. Sixteen out of the 27 CLE specialists who responded to the survey felt strongly that a full-time coordinator was not essential. Only 2 out of the 14 project directors also felt likewise.

Funding

Each respondent was asked to estimate amounts allocated for each project and the percentage of the total budget that came from sources other than the annualized grants from the LSC. The amount and percentage figures were broken down in at least five subcategories, namely, salaries/wages, telephone, printing, materials and supplies, transportation and other. Only 29 (46.8%) provided enough information for analysis. The median salary allocation was of \$13,000. Fifteen CLE projects reported not having any outside funds to pay for salaries while 6 of them reported having over 50% of their funds coming from outside sources. Telephone expenditures did not exceed \$2,500. The median expenditure for printing was \$1500, with 14 projects claiming not having received any outside funding and 6 acknowledging that they did. The median expenditure for materials and supplies was \$500. Twenty-one programs claimed no outside funding. The median expenditure for transportation allocation was \$800. Twenty-two CLE projects did not receive any outside funding. Only two received over 50% of their transportation costs from outside sources.

CETA (20) and VISTA (18) were the heaviest funding sources for CLE programs along with special grants from the Legal Services Corporation. Seventeen respondents reported

to have received special grants from the Legal Services Corporation. Of these 17, 7 also received CETA funds, 6 received VISTA funds, and 3 received funds from Reginald Heber Smith Fellowships. Private foundations, United Way, and Reginald Heber Smith Fellowships were also important outside funding sources but not used nearly as much as CETA and VISTA. Neither the Community Development Block Grants, nor the Department of Education nor state-funded community agencies were listed by more than 9 programs and as low as five.

Twenty six out of 56 (46. 4%) programs felt weak in maintaining funds at existing levels of operations. Sixteen were mixed and 14 felt more confident about their funding situation. Thirty-nine programs felt they were weak in obtaining funds to expand their operation. Thirteen were undecided, and only 4 felt strong. Nonetheless, when asked to estimate the chances of the project continuing, 27 answered very likely and 16 maybe. Only 4 answered that it was unlikely, and 2 felt that there was no chance at all; 7 did not know. Of the 26 programs that had mentioned they felt weak, 12 expressed very likely chances of staying in operation and 8 maybe. Only 3 programs felt that it was unlikely, 2 that there was no chance, and only 1 that did not know. Most CLE projects were optimistic about their future, but they also recognized that their operations were going to be in most cases curtailed.

Summary

Since the Granby Conference on CLE in 1978, the CLE Movement has seen unprecedented growth. Thirty-eight new projects emerged since that time. In 1981 alone, 12 new programs had begun operations. The primary focus of CLE in most programs was outreach, and the goal most advocated by the respondents was helping clients become self sufficient in specific areas of the law. Active and potential clients were the primary beneficiaries of CLE activities. Interaction with clients was primarily done on a person-to-person basis through client interviews and activities in the community such as speaking engagements, issue workshops and lay advocacy training. Involvement with public schools produced an interest in working with youth who would eventually become clients. This also suggests the preventive nature of that work. Most programs produced printed materials most of them in the form of pamphlets, leaflets, posters, newspapers, and newsletters. Audio-visuals, radio and television were also commonly used in approximately one-third of the programs.

The breadth and scope of subject matter was quite large. Housing law, consumer law, AFDC, social security/SSI and family law were the most listed. Energy law, civil

rights, bankruptcy and community economic development were relatively new topics. Although most CLE projects produced their own materials, over one-third were dissatisfied with the curriculum development and support services that the LSC provided.

While CLE projects relied heavily on legal services staff as instructors there was confusion with regard to their involvement in CLE and success in attracting non-CLE staff interest. Although the majority of CLE projects operated primarily with funds from the LSC, three major funding sources were identified. These were the LSC special grants program, CETA, and VISTA. Private foundations and the United Way were also important sources of funding but on a smaller scale. Expectations concerning the future of the CLE projects were by and large low. A similar response was registered when asked about the possibility of expanding CLE project services. Many projects believed they would stay in operation in 1982 but perhaps on a smaller scale.

CHAPTER IV

CLE PROJECT MODELS

Introduction

This chapter describes how three CLE program models reputed by legal services staff as having successful CLE service components were organized. Each program is described in terms of its goals and parameters of CLE within a legal services program as well as its administrative structure, staff responsibilities and coordination of services. Specific references are made to program history and specific experiences to illustrate purposes. Two LSC program models are Legal Services of North Carolina (LSNC), and the Legal Services Corporation of Iowa, Inc. (LSCI). The non-LSC model, OLA RAZA, Inc. is based in the San Joaquin Valley in California. These descriptions are intended to be useful tools for policy makers and program directors interested in setting up a CLE service component within a local program.

Each program was visited once for three to four days.

Site visits to local offices of the three programs were made, and where feasible CLE activities were also attended. For example, in North Carolina, this researcher visited and interviewed staff in the local programs in Durham, Wilson, and Raleigh. In addition, interviews were held with community educators from four other programs, the Executive Director and the CLE Director of LSNC. In Iowa, two community-based, client-focused training activities, one in Mason City and another one in Iowa City were attended. Interviews were held with the CLE coordinator, the Special Projects Director, the Paralegal Advocacy Director, staff from the Nursing Home Project and the Food Law Project, three Vista volunteers, and various clients as well as staff who attended the training sessions above mentioned. In California, this researcher visited the Bakersfield and Visalia's offices, as well as the California Rural Legal Assistance Program offices in Fresno. The only bilingual and minority-owned radio station in the San Joaquin Valley was also visited. Staff at all of these places were interviewed. Additional interviews were held with the Executive Director of OLA RAZA as well two of the original attorneys who started OLA RAZA and who participated in the design and implementation of the Legal Information Center and the Legal Institute.

Documents relating to CLE and the programs in general

were also reviewed, including instructional materials used and relevant memoranda. For example, in the three programs instructional materials as well as personnel-related memoranda were reviewed. Of special mention are the job descriptions for the community legal educators in the North Carolina model, the monthly newsletter and law updates sent to the CLE facilitators by the CLE coordinator in the Iowa model, and the client-produced samples of posters with Aztec motifs to advertise CLE events in the OLA RAZA model. Instructional materials used by each program were also examined and their use discussed.

Legal Services of North Carolina, Inc.

The Legal Services of North Carolina, Inc. was created in 1977 as a confederation of ten local legal services programs and four special client programs. These programs were largely funded by the LSC. Together they served 76 of the state's 100 counties. The remaining 24 counties were served by other independent legal services programs. The four special client programs were designed specifically to serve migrant and seasonal farmworkers, institutionalized and non-institutionalized persons with mental health problems, and Native Americans whether living inside or outside of the Cherokee reservation. All fourteen programs

were coordinated on a state-wide level through a central office located in Raleigh, the state capital. The central office provided a wide variety of management, support and technical assistance to these programs in the areas of legislation, litigation, public relations, community legal education, accounting, payroll and staff training. It also developed new management techniques and structures to implement on an experimental basis in field programs as well as in its central office.

The entire program was staffed by 66 attorneys. In addition, there were five staff associates, 9 community legal educators, 13 administrative assistants and 60 other secretarial or support staff. Field programs represented the poor in communities of various sizes both in rural as well as urban areas. The potential client community in North Carolina was approximately 1.4 million or one-fourth of the entire population. Included was 8,000 Native Americans living on the Cherokee reservation, 57,000 non-reservation Native Americans and 40,000 migrants each year. North Carolina has over one million adults who have less than 8 years of formal schooling and at least 80% of the population is eligible for legal services.

Foundations and Goals of CLE

The LSNL viewed CLE as a way to not only disseminate

information about legal rights and availability of legal services' but to influence behavior for the benefit of the individual and the collective community. A strong emphasis was placed on preventive as opposed to remedial or informational education. Through preventive legal education the LSNC sought to provide the community with the skills needed to avoid legal problems where possible. They also sought to enable people to handle problems not requiring legal assistance on their own, and to know when to seek legal assistance. By focusing education efforts on areas of the law that could be resolved by clients themselves or with minimal assistance from attorneys or paralegals, CLE would increase LSNC capabilities to meet the needs of a large segment of its client population.

The LSNC set the parameters for CLE within three major areas of work: (a) gathering data on demographics and resources; (b) assisting in planning and developing services and advocacy strategies; and (c) conducting outreach to the client community. Each area of work was further subdivided into specific tasks.

Through collection of demographic and resource data, the LSNC analyzed communities according to ethnic and linguistic composition, and identified the type and availability of resources, particularly those associated with social service agencies. It also provided information

about programs regarding the social, political and economic concerns of the population to be served. This information aided the development of legal arguments at administrative, judicial and legislative forums as well as improvement of the needs assessment process for the program.

The CLE component assisted planning and implementation of advocacy strategies by creating networks of client groups throughout each region of the state. In so doing, it built a community-based support network for state-wide community education campaigns. It identified organizations willing to do advocacy work and assisted these groups by training their staff in advocacy skills. It also provided follow-up community education regarding legislative and litigation victories as well as changes in laws, policies or practices. The CLE component encouraged client members to assume responsibility for developing and implementing advocacy and educational activities on their own. Also, it provided training and logistical support to staff in educational techniques, methods and strategies.

In its outreach efforts, the CLE component performed two major tasks: (a) to inform the community about the availability of legal services and the type of cases and services provided; and (b) to insure that unserved groups were identified.

Administrative Structure and Programmatic Functions

To insure that CLE was incorporated into the services of the LSNC, a CLE director for the central office and a community legal educator for each local program were hired. These community educators operated autonomously just as the local programs did in everyday operations; however, they worked in conjunction with the CLE director at the central office whenever a major advocacy campaign was underway. The CLE director worked closely with other directors in the central office and with managing attorneys of local programs to insure that CLE services were an integral part of an advocacy strategy whenever appropriate.

The central office was organized into administrative and substantive program support services. The substantive component consisted of legislation, litigation, public relations, CLE, and training and development units. These five units were each staffed by a director. The CLE and training/development units were merged.

The legislative director was responsible for the operation of the LSNC legislative and administrative advocacy service component at both state and federal levels. This involved designing and implementing a method

for determining a legislative and administrative agenda based on the expressed requirements of the client population and the field programs. It also involved the development of coalitions of interest groups to support their legislative and administrative agenda.

The director of litigation provided guidance and coordination to the field programs so that, individually and collectively, the programs could undertake major legal actions. The director identified and advised field programs on critical issues and coordinated attacks on these issues, frequently through task forces comprised of experts from each field program. The director was also responsible for overseeing training programs and provided assistance to legal staff in the field for developing better lawyering skills, practices and work habits. This person also coordinated actions of various disciplines brought together to meet goals and priorities.

The director of public relations was responsible for communications within the LSNC, media relations programs, the private bar and government officials. This director was responsible for arranging press conferences, public appearances and editing a newsletter. The public relations unit also developed potential funding sources, assisted field programs in expanding their resources, acted as a clearinghouse for distribution of

non-litigation materials received in the central office to the field programs, and established network of public information persons in each field program to obtain relevant information needed for publications and reports.

Trina Gentry, the director of community education designed state-wide plans for educating large numbers of poor people, and experimented with media and other educational techniques to determine how to best use them within the legal services context. Among her other responsibilities was to provide support to field programs by sharing information related to legal education and assist in the planning and implementation of local CLE projects and activities. By keeping abreast of developments in education for disadvantaged adults she was informed of proven strategies which could be tried within the legal services context. She, as CLE director also worked closely with the legislative and litigation directors to insure that educational strategies would be included in their work.

This cooperation became institutionalized not only during the legal issues identification process done once a year but also when major advocacy issues were confronted. For example, when the Insurance Commissioner in North Carolina held hearings to determine the abuses in Medi-Gap Insurance, the LSNC got involved and identified as a possible remedy to provide consumer information at the point

of sale. The CLE director, after discussion with the litigation and legislative directors, testified at the hearing on readability and educational problems of the elderly. A brochure was designed and submitted as part of the testimony, with the insurance commissioner signing an order to print and distribute the brochure on point of contact. The same testimony was given in the legislature, and minimum standards were approved. This collaboration among the three directors prompted merging the three units into what became known as the Coordinated Representation Unit (CRU). While each unit retained its specific functions, whenever LSNC was faced with a major crisis, the CRU was responsible for developing the final strategy.

The responsibilities of the director for training and development were the same as those of the CLE director with the additional responsibility of designing and implementing a state-wide training program according to the needs of the LSNC staff and the requirements of the LSC. This person advised and consulted with field programs on ideas, designs, programs and products appropriate to meet field program CLE goals and priorities. The training director also provided support to field programs by locating and sharing information related to legal education and developed materials appropriate for state-wide use. In addition, he coordinated the CLE task force. The task force coordinated

CLE campaigns, set up priorities for the development of CLE activities, and identified needs to be addressed by the program in relation to CLE. The education and training director also designed and administered a state-directed training program including: needs assessment, planning, scheduling, implementation and evaluation, supervision of media production for education and training, and coordinated the state-wide training committee. This director, unlike the others, served as an assistant to the other directors. As a result, this position was eliminated and training responsibilities were assigned to the CLE director. Thus, the CLE director was ultimately responsible for all state-wide training of paralegals, attorneys, secretaries and clients.

Although each local program was supposed to have a community educator, there were only nine of them at the time this researcher visited the LSNC. There were two staff levels of community educators. The Community Educator I was responsible for: (a) implementing activities designed to inform the community about available services; (b) acting as a consulting member to impact litigation team; (c) coordinating the delivery of educational services for community groups upon request; and (d) establishing and maintaining a CLE resource library. The Community Educator I was also responsible for client involvement and state-wide

coordination of CLE activities in the service area. In addition to the above, the Community Educator II was responsible for assisting the CLE director in the preparation and implementation of the CLE budget; (b) designing and implementing educational activities for the community; and (c) supervising permanent and temporary staff.

The Community Educator I position required three years of relevant experience or a bachelor's degree. The Community Educator II position required extensive practical experience in community education or a closely related field for four or more years. In this case, credit was be given for a bachelor's degree (or three years relevant experience) plus two years of experience in an LSP or equivalent program, a master's degree in a related field in addition to one year of relevant experience or a doctorate in a related field. Although no experience was required of the latter, someone with no practical experience was not likely to be hired. At the field offices visited for the purpose of this study, one Community Educator II had a Ph. D. in philosophy of education with over 12 years of relevant experience. Another had extensive experience as a community organizer, and had also worked in a community education program in New York City. Not any of the nine community educators were without relevant experience. The salaries for a Community

Educator I ranged from \$11,580 to \$13,248. For the Community Educator II salary ranged from \$13,884 to \$18,300.

As previously stated, local programs and community educators operated autonomously. Nevertheless, the concept of a confederation was evident. The community educators were hired locally by the programs although the CLE director participated in the interviewing and was influential in the selection process. As the CLE director had no supervisory powers over community educators, and the programs were far away from each other, the community education task force proved to be impractical. The community educators' first commitment was to local offices rather than the central office. Participation in some projects was more voluntary than prescribed with the exception of those in cases where a major state-wide campaign was being implemented. In cases where there was no consensus of opinion as to what approach should be taken on a particular campaign or CLE project, opinions of local community educators usually prevailed although the CLE director occasionally exerted influence through the respective managing attorneys.

Among the requests from community educators and project directors for support services in CLE from the central office were: (a) periodic summaries of proposed rules, regulations and legislation or changes in the laws; (b)

review of draft materials being developed by the local program; (c) training in CLE as well as in other areas such as trial advocacy and secretarial skills; and (d) development of radio tapes. The central office also acted as a clearinghouse for grants and potential funding sources for community educators.

Each field program submitted a budget to the central office. In that budget was a line item for CLE. The central office had a separate budget for the CRU. CRU overhead, not counting staff salaries, was \$30,000 including costs for production of materials, travel, supplies and expenses for the annual issue identification meeting. Of this \$30,000, the CLE director estimated that \$12,000 was used for CLE purposes exclusively.

Materials were produced independently by the central office and local programs. Although local offices produced their own materials, they also received other materials from the central office. The local community educator was trained in the design and development of materials by the CLE director. Materials produced by the central office always had state-wide applicability and in most cases were done commercially. Whenever campaign materials were produced, they were distributed to local programs free of charge. If the materials were too expensive, such as a calendar, the programs would bear half of the production

costs. Materials that are locally made but had state-wide applicability were also distributed by the central office. Materials that could be used only by a specific county or region, on the other hand, were distributed as models for future reference by the central office.

Program Results

The LSNC model's main strengths were (a) development of advocacy campaigns on a state-wide basis; (b) freedom of CLE director to experiment with CLE techniques; and (c) variety of technical assistance provided to CLE field staff. While the central office coordinated work of the litigation, legislation, CLE and public relations units, such efforts crystallized whenever a major state-wide or regional effort was needed for advocacy purposes or for training legal services staff. Aside from the major efforts, CLE field staff were primarily responsible for the educational services provided in their regions. After talking to local CLE staff, this researcher observed that they viewed the central office and the CLE director as a source of technical assistance, equipment, grants, and support in the annual budgetting process and personnel screening of CLE applicants. CLE field staff were left to themselves to deal with local project directors and staff attorneys; the CLE director only indirectly supported

their interests. Even though the LSNC operated as a confederation of local legal services programs, the CLE director's role was considered important by CLE field staff. The LSNC had no mechanism, however, to deal with the relative isolation of local staff. Given distances and differences among the various service areas, the CLE task force was impractical to keep in operation. After several meetings it lost focus and eventually interest dissipated. Field offices ended up operating on their own initiative except when advocacy campaigns were undertaken by the central office.

The idea of having a CLE director and a training and development director made more sense than merging the two positions. While the job descriptions were similar, the training and development director could act as an assistant to the CLE director with the primary responsibility of designing and implementing training programs for the LSNC staff, and developing funds for experimentation with CLE techniques and delivery systems. Instead, the CLE director undertook all of these tasks severely curtailing time and resources to CLE. One CLE director stated that her role towards the local offices had become passive and that a significant percentage of her time was spent on the training programs for attorneys, paralegals and secretaries mandated by the LSC. Most of them had little to do with CLE. This

researcher discovered later from local CLE staff that interaction among them and the CLE director was limited at best and that the situation was not about to change.

The central office produced written materials and videotapes, but it was not directly involved in the planning of CLE work agendas for local offices. In terms of experimentation with CLE delivery systems and techniques, the central office had become involved with the adult education movement. It tested the use of a multimedia approach to the teaching of consumer law (eg. the role of the small claims court). The funds for this project had been provided by the LSC under the Quality Improvement Project in 1978. Local offices were not involved in this project, evidence of the isolationism that pervaded when this researcher visited the LSNC.

Despite these problems, the LSNC model functioned when there was a commonality of purpose in relation to a major advocacy effort, and in relation to its behavior as a support service network coordinated centrally by a director. The model also specified detailed job descriptions for CLE staff in the local offices and demonstrated the value of having separate requirements for CLE staff for other than paralegal and attorney positions.

Legal Services Corporation of Iowa, Inc.

The Legal Services Corporation of Iowa (LSCI) maintained a central administrative office in Des Moines, Iowa, 12 field offices, and two satellite facilities to serve eligible clients in the state. Thirty percent of the eligible population was over age 60. The service area was primarily rural and delivery efforts included circuit riding. Program staff included 56 attorneys, 25 paralegals and 40 secretarial/support personnel.

Foundations and Goals of CLE

The LSCI program had four major goals. The first one was to provide preventive law training. The premise was that clients could avoid some disputes if they knew more about their rights and responsibilities. The second was to enhance the self-esteem of low-income people. This was to be done by encouraging self-reliance, rather than continued dependency on legal services workers. This goal was based on the notion that a lawyer or a paralegal may not be needed for every problem that had potential legal ramifications. The third goal was to inform the client community about the existence of the legal services program and how assistance could be obtained. Its focus was to acquaint prospective clients, particularly those whose access to legal services was restricted, with the availability of lawyers and

paralegals at no cost to help them with their civil legal problems. The fourth goal was to contribute to a rational and fair caseload priority setting system to avoid LSCI's priorities and services from being monopolized by those who already knew about the program.

Administrative Structure and Programmatic Functions

The central office was composed of an executive director, a program administrator and three deputy directors, one concentrating on paralegal advocacy, another on litigation and the other on special projects. There were also a supervising attorney for the Institutional Law Project, a food and nutrition coordinator, and a community education coordinator. These coordinators were directly supervised by the special projects deputy director. The three deputy directors were involved primarily with the identification of legal problems and issues on a state-wide level that were amenable to CLE as an advocacy tool. The special projects director had the direct responsibility of overseeing the work of the community education director. The CLE coordinator in turn had the full-time responsibility of coordinating and supervising all CLE facilitators and activities.

The relationships among staff were as follows: If a CLE campaign was adopted by any deputy director, the CLE

coordinator was called to develop a plan and strategy for the field. The coordinator delegated the appropriate tasks to the CLE facilitators to ensure that the plan was implemented within the estimated timeline. In addition, the CLE coordinator was the liason officer with the ACTION state office, and coordinated the training of the CLE facilitators for the program. In each office the facilitators were assigned to an attorney supervisor and were ultimately responsible for CLE in their service area. For each CLE facilitator in a rural county, there was a support system to ensure that the facilitators remained at their locations throughout their year of service. The support system consisted of periodic visits from regional staff, periodic meetings with other CLE facilitators, monthly substantive law updates and development of a CLE form book or guide for designing and implementing CLE activities.

History

In 1977, the LSCI discovered lack of community awareness concerning civil and legal rights and availability of legal services for the poor. LSCI was concerned that as a state-wide project, few of its regional offices had found the time or the resources to conduct legal education and outreach efforts. With the cooperation of the Iowa ACTION State Program Office, LSCI in August, 1978 initiated efforts to expand CLE techniques among its offices.

Iowa's efforts to stimulate and coordinate legal education and law-related training at the local level relied from the very beginning in part upon the use of VISTA volunteers who functioned as CLE facilitators. The first nine volunteers came to LSCI in August 1978. These volunteers were provided a rigorous three-day training course in Des Moines on the use of legal education curricula, materials and methods, as well as on conducting local education and training programs. The new facilitators did not function as trainers themselves although some very quickly developed the capacity to perform limited training responsibilities. Rather, the CLE facilitator project was conceived as a catalytic agent to generate training activities at the local level. Following the initial training, facilitators were assigned to regional offices and then sub-assigned to a rural county served by a regional office.

At the inception of the facilitator project, LSCI agreed on concepts and definitions that would underline all the projects undertaken during the year. Accordingly, LSCI established the following definitions:

1. Community education was the process of sharing knowledge (ideas, information, resources, skills, experiences, attitudes, commitments, consciousness)

with others.

2. Legal community education was the process of sharing knowledge about legal rights, remedies, available benefits and legal/social resources.
3. Law-related training was the process of educating or training a group of individuals to increase their knowledge of substantive law, legal issues confronted by the client community, rights and remedies and to improve their advocacy skills.

Despite the problems that occurred at the beginning of this project, the work accomplished by the CLE facilitators exceeded its expectations. Needs were assessed, target audiences identified, goals and priorities established, local law-related training resources identified, communities analyzed and coalitions formed. Knowledge of the availability of legal services in the community increased in rural areas. Low-income people became aware of their legal problems, rights and remedies. Slide-tape presentations were developed, CLE pamphlets written, publicity organized, and know-your-rights seminars conducted. Locally-based tenants' rights, and patient advocacy groups were created and nurtured. Of the nine VISTA volunteers who began their year of service with LSCI in August 1978, only one terminated service early. Eight volunteers remained for the

duration of their year of service.

The facilitators were referred to as Community Legal Education Facilitators (CLEFs) rather than VISTA volunteers because VISTA often had internal problems with volunteer training, congressional criticism, etc.. Volunteers assigned to LSCI were encouraged to view themselves and be seen by others as employees of LSCI and not of VISTA. The nine original CLEFs who joined LSCI in 1978 were all nationally recruited VISTA volunteers. According to VISTA jargon, a nationally recruited VISTA volunteer was one who was recruited by the ACTION program and placed with a project for a one-year period of time. This meant that none of the nine original VISTA volunteers were either seen or interviewed by LSCI ahead of their joining LSCI. They did not come to Iowa with an understanding of Iowa's specific problems, politics and background. In 1979, and again, in 1980, LSCI applied for both nationally and locally recruited VISTA volunteers. By redeveloping the contract with the ACTION State Office to allow them to utilize locally recruited VISTA volunteers, LSCI was able to recruit aggressive and advocacy oriented clients to work as CLEFs.

In 1978, the LSC, under the Quality Improvement Project, awarded LSCI a demonstration grant of \$57,725 for 24 months to establish a community organization in a two-county rural area. This area in south central Iowa had

no legal services office, and LSCI had no plans of expanding services to cover it. The total population was approximately 21,000 with approximately 15% having incomes below the poverty level. Twenty percent of the population was elderly. Little public transportation was available and many social services usually available to a population of this size did not exist.

The Rural America Community Law Organization (RACLO) was created to serve as a resource group for these rural residents, to stimulate greater participation in an area where previously there was little interest. Specifically, the organization trained low-income clients as lay advocates, established self-help groups and promoted CLE through development of slide shows, pamphlets and brochures.

RACLO was coordinated by a full-time director from October 1978 until February 1980 out of an office in Creston, the largest town in the demonstration area. CETA and VISTA volunteers worked as staff members. By the end of the project there were 23 volunteer advocates working in the area, 11 of whom were elderly and served other senior citizens. No special criteria for selection was used to recruit the volunteers. They usually volunteered on their own initiative at CLE events.

These volunteers underwent an intensive 4-day training course given by the special projects deputy director of the LSCI and a staff attorney. The training included an introduction to the legal system, advocacy skills development, demonstration of self-help techniques and discussion of the area in which advocates most frequently would counsel individuals. Each advocate had by the end of training a manual compiled by the deputy director. This manual contained a brief guide (forms and checklist) on how to develop a CLE plan, how to assess the audience, how to evaluate CLE activities and efforts, logistical considerations in implementing CLE activities, how to coordinate publicity for CLE activities, and tips and techniques to use with audio-visual equipment. CLEFs interviewed by this researcher found this manual to be very helpful as a planning tool.

The advocates offered counseling, attended public meetings and planned CLE events under the guidance of staff and experienced advocates. They submitted information and referral records on each client's contact and on their own activities to the deputy director. The VISTA and CETA volunteers were necessary because the project found that low-income residents could not be maintained as advocates without pay. Some advocates had to leave the project due to financial pressures. Moreover, low-income advocates

preferred group activities to individual service. These advocates remained active through self-help groups.

Lay advocates or RACLO staff members organized community meetings to discuss problems identified by local residents, such as spouse abuse, local jail conditions and inadequate nursing home facilities. As a result of these meetings, self-help groups were formed with LSCI staff assistance to promote continued discussion of these problems and to encourage mutual assistance, including group representation of clients. Two groups were formed primarily for women receiving public assistance. All support groups were designed to encourage greater self sufficiency.

CLE events planned by RACLO included a senior citizens' law day, a women's law day, and assertiveness training. Legal education materials written by the LSCI staff or state agencies were distributed at community meetings, county fairs, meal sites and local institutions. Citizens were encouraged to attend public hearings when changes in state regulations were discussed, such as AFDC eligibility rules and nursing home transfers. Problems of low-income residents addressed by staff and lay advocates included spouse and child abuse, police brutality and food stamps (LSC, 1978c).

Three slide shows on educational rights of disabled

children, nursing homes and treatment requirements for hospitals receiving Hill-Burton funds were developed as educational presentations for CLE events and vehicles for discussion. The programs on the educational rights of disabled children and advocacy on behalf of those in nursing homes were used at community presentations by RACLO and LSCI staff. The presentation on Hill-Burton legislation focused on the requirement that all hospitals receiving federal funding must provide services for the indigent.

Community involvement was emphasized in all aspects of the RACLO project. Low-income residents were encouraged to develop individual and group initiative by planning, organizing, and presenting educational programs. Residents who needed legal representation were referred to LSCI. LSCI staff trained lay advocates and provided brochures and pamphlets for RACLO's CLE events. When the RACLO project ended, the LSCI did not continue providing services to the area. They lacked the funds to continue the project. Accordingly, CLE efforts dwindle due to lack of staff resources.

Program Results

The Iowa model exceeded its expectations. The needs of clients were assessed, CLE target audiences identified, goals and priorities established and law-related training

resources created. Video-tape presentations were developed, CLE pamphlets were written, publicity was organized and self-help clinics were conducted. Community and advocacy groups that contacted LSCI were provided with education and legal support. Major advocacy campaigns were successfully undertaken, primarily due to incorporation of CLE to litigation and legislative advocacy strategies used by LSCI.

The administrative structure of LSCI allowed for CLE to be insulated from the local office political dynamics and overall staff resistance to CLE. The position of a special projects director allowed for strict personnel supervision over CLE staff, including CLEFs and managing attorneys. The position insured a CLE component in the planning and development of advocacy strategies and in the contexts of food and nutrition, nursing homes, and other relevant community issues. The special projects director as part of the planning team in the central office also managed projects that represented new areas of work for the organization. This, however, required that the deputy director be knowledgeable and experienced in CLE as an advocacy strategy and in the various fields of law akin to the special projects. Indeed, this requires a special staff; in fact, both the deputy director and the CLE coordinator worked over 60 hours a week.

The deputy director (Youells, 1980) maintained that

there were clear signs of burn-out related to the demands of the work performed by the CLE coordinator and deputy director. Although a 60-80 hour week is not unheard of in legal services work, such workload is very stressful and requires job redefinition or acceptance of high turnover rates. In the Iowa case, both positions also required extensive circuit riding throughout the state. Although there was a WATS line that connected all LSCI field offices to the central office, personal contact with the staff proved indispensable. This travel requirement was an extra burden and expense for the deputy director and coordinator because it involved use of personal cars and as much as four hours per day of travel time.

At the inception of the CLEF project in 1978, LSCI underestimated the lack of understanding that the staff had about the intent and purposes of CLE. Accordingly, there was resistance towards cooperating in a large scale CLE effort. Staff, including managing attorneys, had to be reminded of their responsibilities toward CLE services on several occasions. This was particularly true of local CLEF supervisors. At first, there was a tendency for managing attorneys to assign these responsibilities to a paralegal rather than an attorney.

Although as of 1981 there was still resistance, there were always attorneys and paralegals available for CLE

activities. The major problem lied in finding staff that would have the time to initiate CLE activities on an on-going basis without depending on the facilitators. One of the original CLEFs in the RACLO project, once hired as a paralegal by LSCI, found difficulty focusing worktime on planning and implementing CLE activities outside the client group assigned to him. The problem was not lack of understanding of CLE, but inability to control the caseload and the relative comfort that individual casework provides. In traditional legal work the client comes to staff with a problem, but in most CLE activities it is staff who goes to the client; thus, the effort required is much greater.

Administrative time needed to develop the project was also a major problem. The LSCI underestimated the amount of time needed to set up the project and continue its development. The mere fact that the project relied heavily on volunteers presented an administrative problem since large portions of time was needed to train and supervise them. Staff responsibilities grew as the CLEFs developed, particularly those stationed in rural areas far away from the central office in Des Moines.

The LSCI was cost effective in terms of staffing since the CLEFs were funded by the VISTA program. The LSCI,

however, found that the volunteer without-pay approach was not reliable. Even with VISTA funding, LSCI needed to integrate the CLEFs among its paid staff, something they did not find possible. Though a benefit to the program, reliance on outside funding represented a fundamental weakness. While the deputy director and the CLE coordinator positions were the core of CLE, CLEFs were maintained as a supplementary component. To replace them with regular staff positions would require a greater cost because of a salary differential which could have some impact over the overall program budget. Nonetheless, the idea of CLE facilitators showed how clients could participate fully in legal services work and be employed by the program.

Organization for the Legal Advancement of Raza, Inc.

The Organization for the Legal Advancement of Raza, Inc. (OLA RAZA), a non-profit organization active in the San Joaquin Valley in Southern California, developed programs to increase representation of minorities in the legal profession, and to provide community legal education and legal representation primarily to Hispanics according to a sliding fee scale. It was not affiliated with any of the legal services programs operating in California or with

the LSC. It did, however, have a close relationship with the California Rural Legal Assistance, Inc. (CRLA) and other groups operating in the San Joaquin Valley. OLA RAZA's main office was in Bakersfield where it operated with a staff of eight. An office in San Francisco had been for coordinating special training sessions for minority law students to help them study and successfully pass the bar exams. In 1981, the San Francisco office was closed and a new one reopened in Visalia.

The area served by OLA RAZA was primarily Kern County, including the following communities of Greater Bakersfield, Arvin, Lamont, Delano, Wasco, Shafter, and McFarland. The city of Bakersfield is the second largest city in southern part of the valley located approximately 109 miles northeast of Los Angeles. The other communities are small farming towns within a forty mile radius of Bakersfield. All of these communities experienced a large influx of migrant agricultural workers and had a substantial population of undocumented workers who were not included in the census.

The San Joaquin Valley has a large Mexican American as well as a substantial North American Black, Filipino and Arab populations, which all have special cultural and/or linguistic needs. A large proportion of the residents with the lowest income and employment rates speak only Spanish.

Often, Kern County's low income persons had to drive to Los Angeles or Sacramento to receive legal services information due to shortage of community-oriented services and the near non-existence of bilingual professionals and para-professionals in the existing legal services programs.

The service area was socially isolated from the rest of California. Thus community-based services, social organizations and agencies lacked sufficient input from professionals to meet the needs of the poor. Existing social organizations were overburdened, and new community organizations lacked the leadership and expertise to successfully provide the needed services.

Although the student population in the local colleges shared a deep concern for working out a solution to this problem, the lack of social services deprived them of conduits for channeling their efforts. Few minority students returned to this area as professionals. Racial attitudes and antagonism made this area uninviting to most progressive professional and minority individuals with a desire to work with the poor. Only one small law school in the San Joaquin Valley, located in Fresno, approximately 100 miles from Bakersfield, had a significant number of minority students. The nearest large law schools were in the Los Angeles area. In summary, the area was burdened with social problems that turned into legal problems, yet it

failed to produce or attract social (legal) services or professionals.

Foundations and Goals of CLE

The objectives of OLA RAZA were to establish or improve social services in its service area and to increase representation of minorities and disadvantaged in the legal profession. The community legal education component had three primary objectives:

1. To develop and implement a CLE program that emphasizes self-help strategies responsive to the legal needs of low income, multicultural residents of Bakersfield and Kern, Kings and Tulare Counties.
2. To foster a continuing network of CLE.
3. To prevent unnecessary litigation and reduce the number of cases handled by local legal services.

OLA RAZA, through its CLE Institute, believed that permanent improvement in poor peoples' lives and in their communities will result only when they learn to deal effectively with their own problems (LSC, 1978c). A step in the process toward change is to increase clients' understanding of their legal problems and participation in the possible solutions. Therefore, while great emphasis was placed on providing information, advice and support, the

staff insisted that where possible, clients themselves do the work such as actually filling out the required forms or writing a letter. Clients requiring court representation were referred to one of the legal services program or to private attorneys.

OLA RAZA, Inc. viewed the concept of "community" as an identifiable segment of the population stratified according to its income-producing potential and its political power. A community in this view is a grouping of people whose function is to protect and defend each other from abuse by those who are in a position of power.

CLE was viewed as education designed to instill a sense of self reliance and advocacy and to reduce dependency on attorney services. CLE programs introduced the client community to their legal rights and helped them identify situations where their rights had been violated. Other programs taught the appropriate steps to remedy problem situations and the best approaches to defend against further violations.

History

In 1978, a law collective started operation in Bakersfield. This collective was formed by five Hispanic graduates from Hastings College of Law. It was funded initially by a grant from the Quality Improvement Project of

the LSC. The OLA RAZA concept had originated through a series of student-oriented educational law services that these five Hispanics developed prior to the grant award. With this grant money, they opened up an office in Bakersfield and created the Community Legal Information Center. They also provided a mobile unit to help them deliver services. After the end of the first grant, based on its experience with community education, OLA RAZA received another grant from the LSC to develop training materials and to train legal services personnel in its methods. Approximately 60 attorneys, paralegals and lay advocates from legal services programs throughout California attended a four-day conference. As a result, the Migrant Project of the California Rural Legal Assistance Corporation (a LSC grantee) requested a training follow-up for some of their staff and community advocates.

In 1981, shortly before this researcher's visit, OLA RAZA had opened a new office in Visalia, north of Bakersfield. The office had submitted a grant to the Department of Education for a law-related education project in the local schools and was awaiting a decision on the matter. Shortly after the LSC grant ended, OLA RAZA had to suspend service of the mobile unit because it was too costly to operate. Nonetheless, it had plans to put it back into operation as soon as funds were available.

Educational Services Provided by OLA RAZA

OLA RAZA was dedicated to the development of programs that would result in the delivery of legal services and insure the equal representation of the poor and disadvantaged in the legal educational system and the legal profession. In an effort to deal with these problems OLA RAZA developed (a) four law student programs, (b) the Community Legal Information Center to train legal services staff to provide legal education to minority Hispanic clients and the client community in general, and (c) two legal aid offices that operated on a sliding fee scale. The four programs for law students were:

1. a two-day law school admission course presented five times a year upon the request of minority students, their organizations or universities in California and Arizona;
2. a summer legal studies institute which provided entering Hispanic law students with four weeks of intensive law school preparation in four substantive law courses, moot court and community legal practice;
3. a community law apprenticeship program for second and third year law students providing an opportunity to obtain practical legal experience under the tutelage of progressive attorneys practicing poverty law, providing students with clinical experience relevant to the needs of the poor, and reinforcing their interest in practicing community law upon admission to the bar; and
4. a legal analysis and writing seminar to prepare prospective bar applicants for the general bar examination.

Each of these programs represented a self-help effort of this organization in response to the unmet needs of minority law students.

The Community Legal Information Center provided information and counseling as well as written materials in English and Spanish for lay people. Clients were interviewed and problems assessed for referral to the attorney in charge or to the appropriate legal services or social services agency. In cases where clients were monolingual, efforts were made to refer them to an agency where their language was spoken or every effort was made to translate relevant information for the clients. The Center produced a number of informational packets and made available other literature published by other programs or governmental agencies. It also produced public service announcements for presentation on local radio and TV. Leaflets were available in Spanish as well as in English, and covered topics such as pesticide contamination, unemployment insurance benefits, food stamp regulations, tenants' rights and responsibilities, immigration, uncontested divorce, women's rights and educational rights of parents in relation to the public schools system.

OLA RAZA operated a mobile unit to provide outreach services to isolated communities in Kern County. The mobile

unit made weekly scheduled visits in coordination with local community, civic and educational organizations. The unit was equipped with educational literature and its own mini resource library. It was staffed by a legal information counselor (not a lawyer but trained and supervised by one) who provided information and determined if additional counseling by an attorney was needed. If so, an appointment was scheduled for the next visit to that community.

If intake was done at the Center's office in Bakersfield, the client was given an appointment to attend one of the Center's self-help clinics. The clinics were primarily geared towards uncontested divorce, small claims court and immigration matters. Individuals with multiple legal problems were given appointments with the staff attorney. While emphasis was placed on providing information, advice and support to the client, the staff insisted that where possible, clients themselves do the work, such as actually filling out the forms or writings letters. All clients received a survival packet containing copies of the Center's educational literature.

OLA RAZA provided occasional community-oriented workshops. Each workshop focused on particular aspects of the law, and participants received instruction in the methods of resolving and preventing problems. In some of these workshops, OLA RAZA stressed research techniques,

interviewing, and public speaking skills. For other organizations, OLA RAZA provided training and technical assistance in running meetings, developing organizational structures, obtaining non-profit corporate status, using media effectively, and using the government bureaucracy to achieve results.

Administrative Structure, Staff Responsibilities and Coordination of Services

OLA RAZA was a non-profit organization with a governing board of directors. The members of this board were the directors of the program components of OLA RAZA and its executive director. The executive director was responsible for the general coordination of the organization and its various components. The components were legal education, fundraising and development, administration, and legal services. The legal education component included both law school oriented services and community legal education services; the fundraising and development component developed proposals for outside funding for both legal services and education. The administration component oversaw the accounting and personnel services of the organization. Finally, the legal services component provided the direct services of a lawyer whenever a problem could not be resolved by other means.

For each office, OLA RAZA set up an advisory board

composed of 50% clients, 25% attorneys and 25% other professionals. As new programs were funded, other advisory boards were created and disbanded, depending on the grant requirements. While the functions of each director were discreet, as members of the board of directors they all participated jointly in the decisions that needed to be made for both new and existing programs.

Program Results

OLA RAZA distinguished itself from other legal aid offices not only by its wide array of educational services, but also by its corporate structure. This structure allowed for the development of its ability to gain funding for its educational services and its focus on Hispanics as the primary target population.

Educational services provided by OLA RAZA were designed to treat the problem of legal illiteracy and the lack of minority attorneys in the San Joaquin Valley and California in general. These educational efforts should eventually benefit the legal services programs in California who recognize that the unavailability of minority lawyers hampers their ability to offer legal services to Hispanics. CLE services OLA RAZA provided were similar to those that a LSC grantee might provide. OLA RAZA may lack the militant approach of some programs of the LSC but has a clear

understanding of the preventive and self-help orientation that characterizes CLE from other forms of legal education and legal services. For example, they did not initiate legislative or administrative advocacy campaigns. When this researcher visited OLA RAZA, its staff were not engaged in test or class action litigation at the federal or state levels, despite their ability to reach large segments of the Hispanic population in the San Joaquin Valley through mass media, community and labor union networks.

Use of public service announcements and talk shows through a bilingual radio station in Fresno allowed OLA RAZA to reach thousands of Hispanic clients in the San Joaquin Valley. Instead of focusing on printing and distributing leaflets, radio advertisements and talk shows served as the program's primary outreach service. The mobile unit, although effective for reaching clients who could not come to Bakersfield, was no longer financed by OLA RAZA, largely because the opening of the Visalia office required an initial capital investment.

The OLA RAZA model was designed to provide core funding for the organization and its services. In most cases, these services were initiated through grants from outside sources like the LSC or law student organizations. This was true of the law student programs and the Community Legal Information Center. As more legal aid offices open and other grant

contracts are received, the organization should generate enough income to maintain and even expand these service components. The law student programs generate income, but the Center does not. The problem may reside in OLA RAZA relying too much on grant money, and failing to institutionalize the services for which they receive the grants. The future success of the Center may be limited if all monies go into expansion of the legal aid offices and if staff are pressured to handle more cases in order to boost their financing capabilities. Although several of the directors claimed that such would not be the case, OLA RAZA was developing into a CLE consulting firm and was not as active as before in providing community-based education, with the exception of the radio shows and public service announcements.

An organization like OLA RAZA, without major capital, needs the assistance of outside sources during its first years, but too often such organizations develop in a way that they become ultimately dependent on grant monies. Their services, too, reflect the desires of the grant sources rather than the needs of the community or service area. With this caveat, OLA RAZA represents an alternative to the legal services offices funded by the LSC, an alternative to the judicare models, and a model fundable under the private bar involvement allocation of the LSC mandated by Congress.

As a private organization it also demonstrates how a legal aid office can be designed from a multi-disciplinary perspective and be operational with room for expansion in terms of size and services offered.

Contrast and Comparison of Project Models

Although the two LSC programs were centralized models, their basic organizational structure was different. In the LSCI, the program operated as one entity with the Central Office having direct managerial powers over each local office. In contrast, the LSNC operated as a confederation of local programs, each with a local board of directors and autonomy on everyday management issues. This arrangement was reflected in the roles of the CLE directors in each program. While in the LSCI the special projects director and the CLE coordinator supervised and monitored the local offices' operations on a daily basis as far as CLE was concerned, in the LSNC the CLE director did not. Nonetheless, while in the LSCI, the CLE staff were CETA and VISTA recruits, in the LSNC the CLE staff were experienced educators hired to serve as coordinators as opposed to facilitators like in the LSCI. This difference in the staff qualifications created different pressures and demands on

the CLE directors with clear implications over the nature of their role. In the LSCI, there was a need to develop a strong CLE training and supervision system due to the inexperience and turnover of the VISTA volunteers. This required a lot of travel and coordination work that accelerated burn-out. In the LSNC this was not the case. Since the CLE functions at the local level had been delegated to experienced local CLE coordinators, the major role of the CLE director in relation to the local offices was of providing logistical support. Since efforts to coordinate on-going CLE work on a state-wide basis had failed, this support function was increasingly becoming a passive one, the initiative resting on the local coordinators. This enabled the CLE director to have better control of her time and projects.

In the LSCI, reliance on outside sources to place CLE facilitators in each local office kept unresolved the issue of how far would the program go in institutionalizing CLE. The fact that the QUIP demonstration project (RACLO) was abandoned after the grant was terminated cast a doubt in this researcher's mind about the extent to which CLE had been adopted as a core service component. Would funds be diverted to hire client advocates to serve as the new CLEFs? Would the CLE coordinator job be redefined to prevent burn

out?

With the LSNC the problem was somewhat different. The relative isolation in which CLE coordinators had to operate was affecting their morale and made their work less noticeable in the eyes of the program as a whole. Each coordinator had to struggle with their respective programs to convince staff of CLE legitimacy as a service component and of their responsibility to participate in educational activities. The role of the CLE director was becoming more and more passive and other responsibilities were being assigned (e.g. staff training) making such position less responsive to the needs of the local coordinators. In fact, some of the coordinators interviewed did not see the CLE director position in the Central Office as much help anymore except to get materials or equipment.

In both the LSCI and the LSNC, the CLE coordinator actively developed major advocacy strategies along with the directors for legislative and litigation advocacy. If anything, this integrated coordination of legal advocacy work constituted, in this researcher's opinion, the key for these programs' reputation as having successful CLE components. It was in this area of work where each program could describe how CLE had been used to win advocacy campaigns. However, each program approached it

differently. In the LSCI the person who directly supervised CLE operations, also coordinated all special projects of the program. These projects were new areas of legal work suitable for legal advocacy campaigns and CLE (e.g., elderly law, food law). In the LSNC, the CLE director did not have a formal managerial role with any area of legal work or advocacy project but participated in the planning of advocacy projects and campaigns through the work of the Coordinated Resources Unit (CRU). Both models worked with the difference that in the LSCI, there was also a statewide CLE coordinator that would assist in the implementation process, while in the LSNC, the coordination would take place through the CLE director herself through the local coordinators.

The non-LSC model demonstrated how a private legal aid organization could provide CLE services and be financially self-sustaining. The model, although not a state-wide operation, was large enough to resemble the size of many legal aid offices; thus making it potentially replicable. Its approach to intake and determination of services needed by clients stressed the need for clients to participate more actively in the resolution of their legal problems prioritizing legal representation to those who needed it most. The staff, who were interviewed, firmly believed that this approach to legal services not only was more beneficial

to clients in general but also improved their own self-image as minority professionals interested in public service. While the economic feasibility of this model had not been yet fully tested by the time this researcher visited the program, this approach to legal services should stimulate others in the private bar to explore how legal education can make their services more meaningful to clients and enhance the effectiveness of their work.

In the context of the LSC, programs like OLA RAZA benefit local legal services programs in a variety of ways. First, OLA RAZA stressed cooperation instead of competition with existing legal services programs in the area, resulting in an expansion of legal services available to the poor. It helped meet the need for minority attorneys in the area by attending to the educational needs of minority law students, exposing them to the practice of poverty law and the need for professionals like them to do that type of work. It also helped legal services programs be more effective in reaching the migrant hispanic population in the San Joaquin Valley by providing CLE training to legal services staff.

CHAPTER V

THE FUTURE OF CLE

Introduction

This chapter explains the major obstacles to the implementation of CLE in legal services programs and provides recommendations to address them. The chapter starts with a summary of the data reviewed in chapters 1 through 4. This includes the review of the literature on CLE, its historical antecedents, the 1981 field survey of CLE projects and the organizational structure of three CLE projects.

Summary of Findings

In the CLE literature this researcher identified four major roles legal education has to perform. These were: to act as a tool to eradicate legal illiteracy, that being construed in terms of developing clients as intelligent consumers of legal services. The second role has been what Rowan (1978) referred to as "a sop to the problem of

inadequate resources"(p.2). From this role, CLE has been oriented towards preventive law and pro se advocacy. The third role CLE has been charged with has been to act as an advocacy tool, focusing here as a complementary strategy to law reform work. In this role, legal services programs have developed expertise in lay advocacy, mass media publicity and campaign mobilizations. Finally, CLE has also been used to insure that the program remain responsive and accountable to clients as well as to activate the client community to organize as part of the program's political constituency.

In the literature review we also described how legal services programs had designed and implemented CLE service components and what the literature revealed in terms of barriers and solutions to the implementation of CLE within local legal services programs. In it five barriers were identified and briefly discussed. These were: (a) the problem of inadequate resources, (b) the lack of interests and/or skills of of legal services staff; (c) the demands casework imposes on the staff; (d) the lack of a comprehensive approach to advocacy work and training; and (e) the lack of evaluative criteria for measuring the impact of CLE services. Among the proposed solutions, were (a) to not rely on the staff for organizing a CLE service component; (b) to persuade project directors and managers of the importance of CLE; (c) to set up adequate caseload

management systems that recognize and give credit to non-casework such as CLE and legislative advocacy; (d) to develop a comprehensive approach to advocacy work and infuse CLE training into all other training programs; and finally, (e) to determine what is the proper place of CLE services and what resources should be committed to it.

Chapter 2 pointed out that CLE origins were inherently tied to the origins of the federally-funded legal services programs of the early 1960's under the OEO. Also indicated was that in practice, the LSC through its national offices, had fallen short of clarifying the role CLE should play in community economic development, individual case aid, law reform litigation, legislative advocacy, and in securing access to the program and accountability to clients. The LSC also followed the tradition established by the OEO of not considering legal education a service that local programs were required to provide. Despite this situation, from 1977 to 1981 the LSC reacted to pressure from grantees and from within and sponsored a series of support activities which, although erratic and to a large extent unarticulated, sparked a momentum in legal services programs to experiment with CLE services. Some designed programs with built-in CLE service components while others provided CLE services on an ad hoc basis.

Data collected from the 1981 survey questionnaire is

analyzed in Chapter 3. The questionnaire was sensitive to history, goals, client population, programmatic orientation, curriculum development, personnel, funding, and project performance. Findings show that the primary focus of these programs was outreach and the ultimate goal was to help clients become self-sufficient. Most programs produced printed materials; and one third was involved with audiovisuals and mass media. Programs relied heavily on legal services staff as instructors; many indicated mixed success in recruiting non-CLE staff interest and support. Staff who responded to the survey felt uncertain about their ability to maintain current levels of operation due to fiscal retrenchment.

In Chapter 4, three model programs were examined. Two were LSC grantees (the programs in Iowa and North Carolina); the third (OLA RAZA) was a private legal aid organization. In both LSC models, the service component had a full-time CLE director. The director actively participated in the management team responsible for strategic planning of advocacy projects. In the Iowa model, services were coordinated and supervised from the central office. In the North Carolina model services were coordinated and supervised by a community educator in each office, except during state-wide campaigns where the central office controlled operations. Both models used a CLE resource

person stationed in a local office, but their personnel status and role differed.

In the OLA RAZA model, a legal aid program integrated CLE services into their delivery system. An intake system was designed to screen clients in educational services by ability, caseload priority and type of service needed. One of those services was legal education geared to teach clients how to represent themselves in court and to sensitize minority law students about poverty law and general public interest law work.

Major Obstacles to CLE Institutionalization

There are four major obstacles that prevent CLE from becoming institutionalized as a service component. These are: (1) A lack of criteria for effectiveness. (2) The relationship between clients and the LSC which was characterized by the LSC promoting client involvement in order to insure its political survival, rather than to perform tasks mandated as a federal program. This is compounded by the monopoly that legal professionals have over the public who are in need of their services. (3) Attorneys who are limited in providing educational services by the nature of their profession and training. (4) A direct-service orientation which imposes limitations on

educational services. Each of these obstacles is described in detail below.

Criteria for Effectiveness

CLE as a mandatory service component was abandoned by the OEO-LSP national leadership in 1967 when faced with the need to prioritize the types of services local programs were to provide (see chapter 2). The continuation of CLE activities was left to the discretion of individual programs. Implementation of CLE was not a necessary prerequisite to obtain funding. Three criteria emerged from this process to assess the different service components in legal services programs. A component would be considered effective if it (a) provided the most benefits to the largest number of people; (b) was relevant to the attorney's special skills and training; and (c) was politically feasible.

Programs which still opt to experiment with CLE unavoidably face these standards of effectiveness. These standards place CLE at a disadvantage in relation to the more traditional legal services if evaluated as a separate service component: CLE has not been able to produce the statistically favorable results of legal representation or law reform, nor managed to break the structural dependency

on lawyers. Therefore, as long as CLE is seen as a separate component and its complementary relationship to the other legal services components is not considered these three effectiveness criteria will act as an obstacle for the adoption of CLE; debates are likely to ensue over competition for resources rather than on the improvement of services already being provided (Comptroller General of the U.S., 1978, Youells, 1980).

LSC's Bilateral Monopoly and Client Involvement

The LSC as a government program operates a service monopoly. Poor people have access to a lawyer primarily through a legal services program. On the other hand, the LSC through its local programs enjoy a client constituency capable of exerting strong political pressure over legislators and administrators. In order to develop that capacity among its constituency, client involvement has been oriented in part toward maintaining a cadre of client leaders in positions of nominal importance, such as on the board of directors of local programs. When the time comes to activate its constituency, the LSC is certain of client representatives knowledgeable about the program and the political dynamics that will in all likelihood take place. In order to do this, legal services programs have resorted

to massive educational campaigns where clients are trained or "educated" in politics. In this respect, client education becomes an instrument by which the structural dependency on lawyers is maintained.

The original conception of client involvement (Cahn & Cahn, 1964; Carlin, Howard & Messinger, 1967) entailed developing among clients an ability and attitude to initiate, and successfully carry out their own advocacy strategies. This proved to be easier to say than done. For one, to develop advocacy skills would take time and practice; it would require that resources go to client education as opposed to individual case aid. Legal services programs would have to seek structural changes in the judiciary to insure that clients would not be barred from advocating by themselves. Such a position would also require that programs recognize and advocate for the development of alternative dispute resolution forums, not necessarily of an adversarial nature. Adoption of such a position would most likely erode the political support the LSC has enjoyed from the organized bar and would certainly place them at odds with the judiciary. This, coupled with the fact that a preventive approach to legal education will not materially reduce the caseload since legal services programs barely meet one fifth of the estimated legal needs of the poor (LSC, 1978a, Levine & Preston, 1967), does very

little to create an incentive to devote resources to this orientation.

Attorney Limitations

Attorneys are limited as educators by the nature of their profession and specific training in law. Exclusive reliance on judicial, quasi-judicial forums, and legislative bodies have served to perpetuate monopolistic practices of attorneys. The law and legal institutions have also been mystified to some extent. Lawyers inherently assume that legal justice can secure social and economic justice, thereby securing legal justice through access to legal expertise.

The role of the expert is limited to the development of technical arguments and procedural strategies to win cases. Extensive course work is devoted to legal advocacy, research skills, and mastery of basic areas of substantive law during law school. However, human relations training and alternative dispute resolution techniques are virtually ignored. Consequently, implementing CLE in a legal services program would necessitate training of staff to compensate for this deficiency. Even still, this may not suffice to eliminate preconceived ideas of problem solving and social change which attorneys have developed in the course of their

profession and in the practice of their careers.

Legalism is promoted by forcing procedures to become complicated and mysterious to the lay person. Mastery of law has become more voluminous and complex. Attorneys tend to specialize, professionalize the services they provide, and be concerned with expediency and economy. This generally results in client interests being undermined. The client may be denied a participatory role when resolving conflicts that affect him most (Moore, 1978).

CLE advocates for a change in the client-attorney relationship. A desire for a unified conception of what constitutes social change is not unique to CLE advocates. However, CLE advocates consider eradication of legal illiteracy among the poor, and eradication of structural dependency on attorneys to be an important way of improving their situation. There is an implicit recognition that attorneys are indispensable in this industrial society. The legal services programs, however, have a responsibility to their client community to advocate for the creation of alternative dispute resolution forums, and to simplify those legal processes where the poor are most affected, and the law is unnecessarily complex.

Direct-Service vs. Education

The volume of service work within the LSC is a measure of the corporation's performance. The funding formula is based on a cost allocation for each poor person in the country. This places the programs in a cost-benefit framework which requires a high volume of casework, particularly, individual case aid. Thus, while there is nothing in OEO nor the LSC Acts that make high volumes of casework a requirement, such pressure evinces itself as a philosophical issue as well as a performance standard (Bellow, 1977, Johnson, 1974).

Education entails setting up conditions for clients to do things for themselves, while providing a direct service means doing things for clients. To set these conditions, besides knowing how to, time is of essence. In the context of legal services, individual case aid is more than half of the time, limited to brief service and advice, referrals or negotiation without settlement (LSC, 1978, 1979) All of these services, in the vast majority of situations barely necessitate clients to see the attorney or paralegal more than one time and in any event, the interaction may be restricted to a matter of minutes (Bellows, 1977).

General Recommendations

The reconceptualization of legal services with a focus on CLE to empower clients as a way to expand access to the justice system is an idealistic concept that needs to be put in its proper perspective. Access does not insure justice or social reform. The eradication of those conditions that create and perpetuate poverty are not only a problem of ignorance but also of an economic system that sustains structurally an unequitable distribution of resources. Thus, the problem of equal justice is not only one of access, eradication of legal illiteracy, and acquiring more "entitlements" but also that of eradicating poverty and restructuring the present economic system to insure an equitable distribution of resources (Houseman, 1978). In the context of access and the legal system, it should therefore be understood that the problem of access is not only a problem of legal illiteracy but also of a system designed to deny precisely that access to the vast majority of the people. It is a system that prioritizes the administration of justice by the impact a problem may have on society, by virtue of the money involved, or its nature.

In the context of legal services for the poor, CLE is a service modality based on what has been termed as a "post-conventional legality approach" (Tapp & Levine, 1974). This approach aims to identify and help resolve social,

economic and political issues in the best interest of all while at the same time develop a reciprocal sense of rights and competence to utilize the law. Legal education is a way of developing that competence and identifying the areas for legal advocacy. It should provide for ample client participation in the setting of policies for the program. Thus, CLE should provide for effective priority setting processes, consumer evaluations and surveys to complement staff's perceptions (Legal Aid Society of Orange County, 1978).

CLE is an umbrella term for a variety of functions important for the effective operation of a legal services office. As such it should be recognized and examined in detail to assess what specific tasks are required to implement each. For example, while the outreach function related to access may require media skills, the training of clients on lay advocacy or in pro se may require strong group dynamics skills. To engage in strategic planning in an advocacy campaign, certain managerial skills may be needed as well as knowledge of the law and the political process. These skills may not be found in one person or it may not be advisable to have a person coordinate so many tasks. Those decisions have to be taken into account at the time of designing a CLE service component. Otherwise, the planner may run into the burn-out situation exhibited in the

Iowa model in Chapter 4. Job descriptions should reflect these differences in skills and tasks to minimize the need for job redefinition.

The various ongoing responsibilities of CLE should be intertwined with an advocacy agenda. This agenda need not necessarily emerge from intake or from contemplating a law reform case in court. It can also surface from an awareness of a problem that may require early intervention in the form of public exposure before its consequences magnify. It is in this way, that this researcher recommends that preventive law be conceptualized. In some cases, awareness in the community of a condition, issue or future change will suffice but in other occasions it will require a surgical approach, requiring injunctive relief or political advocacy to prevent irreparable harm.

Legal services programs operate under a very tight budget. These programs cannot afford to deliver services that do not complement each other. CLE is no exception. Thus, educational activities that are not part of an overall advocacy agenda will most likely not be an efficient use of resources since the other service components will not be able to follow-up on what was taught to clients. For example, legal education for housing tenants makes sense when there are plans by a group of clients to organize as a tenant union or association but not when legal services sets

up a housing workshop open to the entire community, particularly if no major housing issues affect the community. In the former situation, such educational activity will enhance the future client-attorney relationship while in the latter the information bore no relation to the work other staff in the program were or could be doing. This does not mean that informational activities do not have a place in legal services. It means that as a whole these activities should have a low priority and should be oriented towards the identification of issues in the community or as part of assistance provided to a new community group.

In this context, CLE efforts should: First, focus on clients presently receiving services. They are already in interaction with the programs and something is known about them upon which to plan educational interventions. While the direct service limitations are relevant here, the legal services office should be looked at as an educational environment. As such, the waiting time a client usually spends in an office should be put to use. For example, there are CLE projects that have audio-visual equipment in the waiting room with continuous tapes on legal issues or other related topics. Another option is to prepare self diagnostic questionnaires similar to those in health clinics on certain issues of the law for clients to use before an

interview with the attorneys or paralegals. These two ideas have already been put to use in CLE projects (LSC, 1978c, Marshall, 1977a). Second, the potential client community should be reached through the network of community groups or during all-out advocacy campaigns in the community. The goal here should be dissemination of information urging potential clients to join in efforts that affect their interests.

In terms of recommendations on programmatic issues this researcher has divided them in two sets: the first set are recommendations addressed to the LSC to reverse their neglect of CLE services and assume its responsibility of providing leadership and programmatic support. The second set are recommendations for local programs to consider in the event they plan to design a CLE service component or would like to improve the one they currently have.

Regardless of the type or orientation of a CLE project or activities, legal services staff should record experiences about CLE and develop a case study literature just as law, business administration and community organization and other fields have been doing for some time in hopes that theoretical constructs on legal education as advocacy and its role in social change can be developed.

Recommendations for the Adoption of CLE at the National and Regional Level

First, create a national office for CLE and Client Involvement whose primary function will be to:

- a. Develop, implement and monitor a research and evaluation project to test the effectiveness of pro se advocacy and lay advocacy trainings.
- b. Provide funds for demonstration projects but with a guarantee from the legal services program that at the end the program will have to reimburse most of the funds expended. The idea is that demonstration projects, from providing valuable research data, should only be given to programs which have a definite interest in developing and institutionalizing a CLE service component instead of agreeing to do the project because it represents more revenues for the program.
- c. Infuse CLE into all litigation and legislative advocacy training as well as develop a series of seminars for project directors on managing CLE services.
- d. Develop models of caseload management system that contribute to the identification of needs in the community, as well as recognizes the work of staff in activities like CLE or legislative advocacy.
- e. Serve as a national clearinghouse for CLE materials and in conjunction with the Clearinghouse Service, organize the distribution of materials to CLE projects who subscribe to this service.
- f. Provide small grants for technical assistance for project directors who are in need of a consultant to help them design a CLE service component compatible with their program.

Second, a CLE plan should be required from each legal

services program every year as required for litigation services. This requirement should be a condition for refunding. In this way it will be possible to diagnose efforts in the field and assess the variety of approaches and designs. The idea is not to be punitive about it but rather to target effectively those programs most in need of technical assistance as well as those that have developed a sufficient track record so as to be eligible for a demonstration grant.

Third, develop a set of preliminary criteria to assess development, adoption and institutionalization of CLE services as well as effectiveness criteria, with the understanding that the latter can only be developed after some research and controlled experience in the field has taken place.

Fourth, set up a new advocacy agenda at the national level in the area of pro se advocacy to generate structural reforms in the administration of justice, with emphasis on developing alternative dispute resolution forums and procedures.

Fifth, lobby aggressively U.S. law schools to experiment again with the clinical approaches to CLE developed in the 60's and evaluate the use of law students in teaching law to lay people as an educational tool for

subject mastery and human relations skills development. This would also sensitize future lawyers of corporate America to poverty and its effect on the delivery of legal services as well as to develop a general interest in public interest law and a future disposition to engage in pro bono practice.

Recommendations For Local Programs To Consider

First, hire a CLE Coordinator with the necessary skills in CLE management as well as for the functions that CLE is going to have in the program.

Second, have this coordinator be part of a management team for comprehensive advocacy planning. The North Carolina and Iowa models should provide the reader with an idea of how such arrangement should be organized.

Third, hire CLE facilitators for each local office to coordinate the different educational services to be provided from the offices. In this way, the legal staff role will be that of instructors and not of coordinators also. Ideally, these facilitators should be qualified people from the community, because in that way time is not wasted in trying to win the community, something that is very true of rural areas in this country.

Fourth, adopt a caseload management system that takes into account CLE work and other non-casework. The problem of ascertaining precisely how much time is being spent between preparation and actual teaching time will help evaluate CLE from a cost-benefit analysis and will help determine what educational efforts are wasteful or effective.

Fifth, at the beginning of a CLE project, concentrate on developing the capacity to orchestrate a state-wide educational campaign geared towards a particular issue. In this way local programs will be able to test their program capabilities to engage in advocacy at that level. In the meantime, it is an excellent arena to train staff on the different skills that may be needed to do CLE.

Sixth, provide regular intervals of training on CLE and updates on substantive law and set up a strong supervision system, particular at the beginning of the project to insure that the staff is actually implementing CLE according to the original plans. Allow for CLE staff to visit each other and share work experiences by working on joint projects whenever possible.

Seventh, develop a strategy for a consumer evaluation mechanism in the program to complement whatever other efforts are made for the setting of priorities.

Concluding Statement

Within the past twenty years, many communities across the country have witnessed the development of alternative legal services which have substituted or complemented the traditional services of counsel, advice and representation. To some extent, these efforts have been an attempt on the part of front-line professionals to provide services which are responsive to the immediate needs of the people they serve. They are however, unable to provide these services due to inadequate resources. These efforts are an attempt to reconsider and reconceptualize the delivery systems which have become overly formal and specialized. In practice, if not by intent, these alternative efforts have broadened the theoretical base of legal services by emphasizing the need for their clients to (a) become aware of their rights and obligations, (b) be able to prevent legal problems, (c) develop an ability to advocate on their own behalf and (d) recognize when the assistance of an attorney is required. These alternative efforts have been largely dependent on dissemination of information and the provision of legal education.

The changes in legal services have frequently been met with a great deal of resistance particularly from within the

organization. Many of the legal services programs funded by the LSC are trapped in the daily process of reacting to clients problems, with few opportunities for reflection and long-range planning. There is also predilection for conservative approaches to the delivery of legal services. Consequently, many staff who advocate for CLE have experienced a great deal of difficulty convincing their colleagues of the effectiveness of CLE techniques and strategies and implementing relevant and successful educational activities. Despite this situation, in the late 70's the LSC has witnessed the diffusion of CLE as a service modality in as many as one fifth of all of the local programs.

In the 1980's this growth has been endangered. Attempts to create alternative approaches to services have been frustrated by economic cutbacks and a resurgence of traditional approaches to legal services in response to it. Legal Education is again called upon to prove its effectiveness but is without the means to do so or appropriate criteria from which to measure its effectiveness. This study concludes that CLE as a concept is not well understood by many in legal services programs and the LSC itself. In the literature review we identified four ways in which CLE has been called to perform, all different in purpose and requiring different means and

strategies. Thus, it is necessary to make a distinction between CLE in reference to the cohort of educational services required for the successful implementation of various program functions required by law and CLE as an educational program whose function is to teach law to lay people as a separate and additional function of legal services programs. While at first instance, people refer to CLE in the latter form and have experimented with it within the context of isolated educational efforts, the provision of legal education as a legal services modality has not been fully explored yet.

The potential benefits of doing so are great as the multiple roles CLE has in legal services. Even with all the problems legal services programs exhibit in relation to implementing CLE, it should be noted that the work of CLE advocates with legal services programs has truly been unique. Perhaps it is too soon to feel the impact of their work; but this researcher has observed how their pioneering efforts in legal education keeps sprouting among front-line professionals; it is a reflection of the need for a balance between satisfying the demand for legal representation by the poor in a cost-effective way and the need for more structural reform in the administration of justice and in securing permanent changes to eradicate those conditions that tend to perpetuate poverty. Intrinsic to this balance

is the promotion of legal awareness and competency skills among lay people as well as the creation of greater opportunities for direct access to justice. It is not this researcher's intention to minimize the quality of the present judicial system; rather it is to urge recognition of a need to create alternative, non-adversarial forums in which reciprocal rights can be established and a new ethical legality developed.

Although this may appear to be almost an impossibility it should not deter legal services from striving for such changes. Instead, it should be seen as a challenge. That is what CLE represents in legal services, a challenge to reconceptualize what their work is all about. It already happened once in the early 60's; it could happen again in the 80's.

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APPENDIX

**LEGAL SERVICES CORPORATION**

Dear Community Legal Educator:

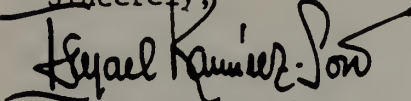
The Office of Program Support is conducting a survey of CLE programs around the country. The purpose of this survey is to collect current and comprehensive data on the status of CLE programs. The data will be used by both developers and evaluators to assess and increase support for the future of Community Legal Education. As federal funding for legal services is being severely cut, it is essential that contingency plans be developed for CLE. The information compiled through this survey should be useful for this planning effort.

You have been selected to participate in this survey. In order to facilitate monitoring of returns and to increase response rate, the questionnaire has been coded with an ID number. This number will be used to determine if your questionnaire has been returned. No record of either the number or your name will be kept. No individually identifiable data will be released.

It has been our experience that this questionnaire should take you 30-45 minutes to complete. Please return your completed questionnaire to us in the enclosed envelope by not later than JUNE 22.

The findings of the survey will be published soon after its completion. You will be duly notified when results are ready. Don't leave it for later. Please answer now. Otherwise, it is very likely to get "buried" under your junk mail. We understand what a pain it is to be filling out questionnaires, especially when there are so many of them circulating. Nonetheless, it is important that there be a record of the organization and activities of CLE programs. Let us not waste all these years of building up CLE. Let's start documenting what has happened and build a case to continue supporting it.

Thank you for your participation.

Sincerely,


Ismael Ramirez-Soto
Project Coordinator
OPS - CLE Study
(413) 253-2157 or 545-2155

IRS/kf

Enclosures:

Questionnaire
Return Envelope



LEGAL SERVICES CORPORATION

Dear Friends --

These are hard, uncertain times, and filling out more questionnaires
I know is not something that has much appeal. Your work, however, has
never been as important as it is now. And Ismael's efforts to document
it will give us a basis for providing support during the era of reduced
resources that lies ahead. Please take a few minutes now to fill the
questionnaire out and put it back in the mail. We can't support you
without support from you!

Yours in the struggle,

Lisa J. Marshall

Lisa J. Marshall
Office of Program Support

**LEGAL SERVICES CORPORATION**

Dear Community Legal Educator:

Approximately four weeks ago I sent you a CLE questionnaire for a survey of CLE programs around the country. Somehow, we have not received yours yet. The deadline has been extended to July 13 so that your program has enough time to respond. Enclosed you will find a new copy of the original questionnaire and a self-addressed envelope for your convenience. PLEASE ANSWER IT NOW. Don't leave it for later. It has been our experience that this questionnaire should take you 30-45 minutes to complete. It is important that there be a record of what has happened in CLE for the future. No record of your name will be kept. Let us know what your CLE program has done and is doing.

Thank you for your participation.

Sincerely,

Ismael Ramirez-Soto

Project Coordinator
OPS-CLE Study

(413) 253-2157 or 545-1995

IRS/kf

Enclosures:

Questionnaire
Return envelope

OFFICE OF PROGRAM SUPPORT
LEGAL SERVICES CORPORATION
COMMUNITY LEGAL EDUCATION SURVEY
1981

no. _____

NAME _____

POSITION _____ Tel. _____

DIRECTIONS: The following questions have been prepared to gather data on the organizational characteristics of CLE programs from around the country. This questionnaire is part of a study that seeks to identify factors important for the improvement of planning and implementation of CLE programs in the future. Please respond to each item and return the questionnaire to the following address in the attached envelope:

Louise Ramirez-Soto
253 Hills South, EPRA
University of Massachusetts
Amherst, MA 01003

Please note that this questionnaire should be returned not later than JULY 18, 1981. Your assistance is most appreciated. Thank you.

1. List all part and/or full time staff members assigned to work on the CLE program:

full	+	part	=	total	
_____		_____		_____	paralegal(s)
_____		_____		_____	attorney(s)
_____		_____		_____	secretary (ies)
_____		_____		_____	law student(s)
_____		_____		_____	community volunteer(s)
_____		_____		_____	other(s) List by job category _____

2. The CLE program has been in operation:

- _____ for 6 months or less
- _____ between 7 months and 1 year
- _____ between 1 and 2 years
- _____ between 2 and 3 years
- _____ other _____ years

3. The CLE program started because:

- _____ a local social service agency asked for it
- _____ a local client group(s) asked for it
- _____ your Board of Directors requested it
- _____ the majority of the Legal Services Staff wanted it
- _____ other _____

4. The CLE program seeks to:

- _____ build community support
- _____ reduce caseload
- _____ do better outreach
- _____ identify legal problems most in need of prompt legal action
- _____ advocate for resolution of a legal issue
- _____ to help the clients become self-sufficient in certain legal areas
- _____ other _____

3. What percentage (%) of the participants in the CLE program activities are:

- clients with active cases
 potential clients
 interested persons from the community but not eligible as clients
 employees from other social service agencies
 staff from other legal services offices
 other _____
 Do not know

4. Indicate what subject matters the CLE program covers:

- | | |
|---|---|
| <input type="checkbox"/> AFDC | <input type="checkbox"/> Income Maintenance |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Labor Law |
| <input type="checkbox"/> Civil Liberties/ Civil Rights | <input type="checkbox"/> Real Property (titles, etc.) |
| <input type="checkbox"/> Community Economic Development | <input type="checkbox"/> Social Security/SSI |
| <input type="checkbox"/> Consumer Law | <input type="checkbox"/> Public Education |
| <input type="checkbox"/> Elderly (nursing homes, pensions, displaced homesteaders, etc.) | <input type="checkbox"/> Small Claims Courts |
| <input type="checkbox"/> Energy Law (Utilities, rate hikes, etc.) | <input type="checkbox"/> Wills |
| <input type="checkbox"/> Family Law (Divorces, custody, etc.) | <input type="checkbox"/> other(s) _____ |
| <input type="checkbox"/> Health related (Medicare, Medicaid, OSRA, etc.) | _____ |
| <input type="checkbox"/> Housing Law (Landlord/tenant relations, mobile homes, rent subsidies, etc.) | _____ |

7. The CLE program is designed primarily to reach participants through:

- direct contact with the participant in teaching/training
 printed materials
 audio-visual aids
 mass media
 working with client groups

8. Check all of the following activities which the CLE program has used as tools:

- hot-lines
 call-law
 people's law schools
 pro se clinics
 lay advocacy clinics
 issue workshops
 teaching in adult education classes
 assisting teachers in public schools
 developing instructional materials for public schools or social service agencies
 educating clients about their rights during initial interview
 writing articles for local newspapers on law-related issues
 producing the CLE program's own newspaper
 speaking engagements in the community

	Produced by		Distributed by	
	CLI prog.	other	CLI prog.	other
posters	_____	_____	_____	_____
pamphlets and leaflets	_____	_____	_____	_____
buttons, bumper stickers	_____	_____	_____	_____
newsletters	_____	_____	_____	_____
comic books	_____	_____	_____	_____
calendars	_____	_____	_____	_____
public transportation advertisement	_____	_____	_____	_____
public services spots	_____	radio _____ TV _____	_____	cable TV _____
information programs	_____	radio _____ TV _____	_____	cable TV _____
audio-visuals shown in:	_____	public waiting rooms _____	_____	community meetings _____
other(s) _____	_____	_____	_____	_____

9. Check all of the activities used to teach and estimate average number of people who attend:

	Avg. number of attendees
_____ seminar	_____
_____ lecture/speech	_____
_____ high school or adult course	_____
_____ pro se clinic sessions	_____
_____ lay advocacy training sessions	_____
_____ workshops	_____
_____ other(s) _____	_____

10. Where do these activities take place?

	in the LSC office	in a social service agency	in a church	other
_____ seminar	_____	_____	_____	_____
_____ lecture/speech	_____	_____	_____	_____
_____ high school or adult course	_____	_____	_____	_____
_____ pro se clinic sessions	_____	_____	_____	_____
_____ lay advocacy training sessions	_____	_____	_____	_____
_____ workshops	_____	_____	_____	_____
_____ other(s)	_____	_____	_____	_____

11. Does the CLI program evaluate participant achievement? _____ always _____ sometimes _____ never

12. Does it follow up evaluation? _____ always _____ sometimes _____ never

13. Does it follow up training? _____ always _____ sometimes _____ never

14. Specify by category the number of CLE instructors available in the CLE program:

- _____ paralegals
- _____ staff attorneys
- _____ community volunteers
- _____ local private attorneys
- _____ professional trainers from the Legal Services Corporation
- _____ staff from other social service agencies
- _____ attorneys or paralegals from other legal services offices
- _____ other(s) _____

15. What instructional materials does the CLE program use for teaching?:

- _____ none
- _____ materials developed by:
 - _____ the CLE program
 - _____ other CLE programs
 - _____ the LSC's National Support Centers
 - _____ the LSC's Office of Program Support in Wash. DC
 - _____ the LSC's Regional Offices
 - _____ the State Support Office
 - _____ the local schools
 - _____ other Federal Agencies (eg. ED, ERS, FDA, etc.)
 - _____ Consumer Information Catalog: Suppl. of Documents
 - _____ Private institutions (eg. Street Law, Nat'l Paralegal Inst.)
 - _____ other(s) _____

16. Estimate amount allocated for CLE in your program:

17. Estimate the percentage (X) of total CLE budget that comes from sources other than the annualized operating grants from LSC.

\$		X
_____	salaries/wages of CLE staff	_____
_____	telephone	_____
_____	printing	_____
_____	materials & supplies	_____
_____	transportation	_____
_____	other(s) _____	_____
_____	_____	_____

18. Check any of the non-LSC sources which have provided funding for your CLE program:

- | | |
|---|--|
| _____ LSC special grants (eg. QUIP, LINC) | _____ Department of Education |
| _____ CETA | _____ Community agency funded by the State |
| _____ VISTA | _____ other(s) _____ |
| _____ United Way | _____ |
| _____ Foundations | _____ |
| _____ Regis Fellowships | _____ |
| _____ Community Development Block Grant | _____ |

19. Indicate how weak or strong you think the CLE program is in the following areas:

very weak	→					very strong
1	2	3	4	5		
---	---	---	---	---		obtaining funds to keep present level of operations
---	---	---	---	---		obtaining funds to expand the CLE program
---	---	---	---	---		attracting non-CLE staff interest
---	---	---	---	---		maintaining CLE staff interest
---	---	---	---	---		training CLE staff
---	---	---	---	---		developing curriculum materials suitable to your community
---	---	---	---	---		evaluation of the participants learning from CLE activities conducted by the program.
---	---	---	---	---		evaluation of the CLE program in general
---	---	---	---	---		getting clients to come to the activities
---	---	---	---	---		other _____

20. To what extent do you agree or disagree with the following statements?:

Strongly N/A disagree	→					Strongly agree
1	2	3	4	5		
---	---	---	---	---		this program runs smoothly
---	---	---	---	---		this program is fulfilling a major need in my community
---	---	---	---	---		this program has aroused controversy in my community
---	---	---	---	---		this program is widely known in the community
---	---	---	---	---		the non-CLE staff is very supportive of this program
---	---	---	---	---		all of the legal services program staff should be involved in CLE activities
---	---	---	---	---		it is essential that there be a CLE coordinator in each legal services program working full time.
---	---	---	---	---		The Clearinghouse is an adequate distributor of CLE materials to your program.
---	---	---	---	---		there is a need for more "How to do it" manuals on CLE methods.
---	---	---	---	---		there is no need for a newsletter devoted to CLE programs and materials.

21. What forms of support do you feel would be useful for the LSC to provide to CLE programs?

- ___ instructional materials
- ___ CLE fund-raising workshops
- ___ workshops on instructional techniques that could be used for CLE
- ___ workshops on curriculum development
- ___ workshops on managerial aspects of CLE programs such as planning and evaluation
- ___ disseminating information on what has been done and is being done by other CLE programs
- ___ establishing a resource bank of instructional materials for free distribution to those CLE programs who request them
- ___ developing forums for the discussion of various political and strategic questions related to doing CLE in your community, county and/or state
- ___ other(s) _____

12. Is there anything that makes your CLK program unique? _____ Yes _____ No
EXPLAIN:

13. What is the likelihood that your CLK program will continue in your community next year?

_____ very likely _____ maybe _____ unlikely _____ no chance _____ don't know

EXPLAIN:

14. Please make any additional comments you would like: For example, about the overall effectiveness of the CLK program, your thoughts as to what CLK programs like yours should be doing in the coming years, and/or about things we forgot to ask or that you wish to expand. PLEASE MAIL THIS QUESTIONNAIRE BY JULY 13, 1981.

