Legal Services Corporation Baselines: Technologies That Should Be in Place in a Legal Aid Office Today (Revised 2015)

At the NLADA Technology Section meeting during the 2013 Equal Justice Conference, a project was proposed to update the *LSC Baselines: Technologies That Should Be in Place in a Legal Aid Office Today*, which was released in 2008 and had never been updated. Following that meeting, LSC's Technology Initiative Grant (TIG) program staff (David Bonebrake, Glenn Rawdon and Jane Ribadeneyra) began working on this project with the NLADA Technology Section, led by Alison Paul and Jeff Hogue. We invited a group of legal aid stakeholders from both LSC-funded and non LSC-funded organizations to a half-day meeting in Jacksonville, FL in January 2014, prior to the annual TIG Conference. We engaged Idealware, a 501(c)(3) nonprofit that provides impartial and accessible resources about software to help nonprofits make smart software decisions, as a consultant. Idealware coordinated community input leading up to the stakeholders meeting, including posting the original *Baselines* for public comment and through a community webinar in January hosted by NLADA. Laura Quinn, Idealware's Executive Director, facilitated the detailed review of the 2008 baselines by the 17 stakeholders attending the pre-conference meeting.

Idealware reviewed all of the input from the community and the stakeholders meeting and provided proposed revisions to the *Baselines* document. LSC and the NLADA Technology Section worked together to review the suggested edits and make further modifications, and provided a draft of the revised Baselines for community review and input. Following a two month comment period, LSC and the NLADA Technology Section made final revisions and clarifications to the document. The document below shows the final version and addresses the first three columns of the Baselines – the Purpose Served, What Should Be in Place, and Needed Capacities or Functions. We will also be providing edits for the last two columns - Important Considerations, and Useful Websites, Resources, and Other Tools – in early 2015. The document, *Technologies That Should Be in Place in a Legal Aid Office Today*, is intended for any legal aid office that provides a full range of legal services.

Purpose served	What should be in place	Needed capacities or functions
OVERALL PROGRAM CAPACITY	**Planning**	• Technology planning should be ongoing and integrated into the overall planning of the program for effective service delivery. • Technology planning should include an assessment of the program's current needs and capacities in an effort to effectively position the program to incorporate new technological advances as they evolve. • Technology plan should be reviewed and updated as needed every year. • Programs should consider the benefits and risks of cloud services as useful alternatives to self-hosted applications and servers for the organization, including for back-up of data and disaster preparedness.

OVERALL PROGRAM CAPACITY	**Budgeting**	• Adequate funds should be budgeted by the Board of Directors for: 1. the ongoing maintenance and upgrade of hardware and software; 2. the personnel/consultants necessary to support and maintain the system; and 3. training in the use of technology. • Technology costs should be considered in the budget of every project, program, and initiative.
	Personnel	• The organization should have at least 2 full-time technology staff or consultants per 100 FTE staff members sufficient to: ○ Maintain equipment and networks; ○ Maintain databases and software; ○ Support and train staff in the use of equipment and networks; ○ Maintain basic knowledge of trends in technology security, nonprofit purchasing options, and technology best practices; • Adequate staffing or consultant time to maintain (or contribute content) to the statewide website and any program website.
MANAGEMENT OF CLIENT AND CASE DATA	**Case management system**	The following capacities, including reporting features and access to client and case data, should be available in real time in all offices: • Capture and retain client eligibility, case type, and other appropriate data at intake; • Securely back up data in standardized data formats and, if required, move data to alternate systems; • Screen applicants for eligibility and appropriate case type; • Perform immediate conflict check; • Enter and edit information in the CMS in real time; • Securely and ethically transfer client and case data electronically to and from other service providers, provided that they have the appropriate technologies; • Generate reports and extract meaningful data for strategic planning, program evaluation and other purposes, including comparison reports and running historical data; • Ability to assign the appropriate funding source to cases and activity records; • Allow the end user to easily configure various aspects of the CMS software application (e.g. any changing requirements on outcomes and reporting, adding/deleting data fields as needed);

MANAGEMENT OF CLIENT AND CASE DATA (cont'd)		• Have the technological capacity to check for data integrity, ideally in an automated way (which ensures that integrity checks are performed regularly and uniformly), to reduce the human factor (both with respect to time and human error potential).
PRODUCTION AND SUPERVISION OF LEGAL WORK	**Case management system**	• Record case notes electronically including facts, advice and services offered, with deadlines. • Generate simple forms and letters from the case management system. • Generate reports and extract meaningful data for case planning and organizational planning. • Provide remote access to the system, including databases as needed. • Have a strategy as to how the case management system can help with the triage process, such as phone routing, online intake routing, securely exchanging data with partner online intake tools, and future compatibility with electronic filing systems.
	Calendaring	• A calendaring/tickler function for deadlines and appointments that can be viewed by appropriate staff. • Program-wide electronic calendaring system.
	Document production	• Effective use of productivity software such as word processing, spreadsheets, and presentation software and training in their use. • Develop a strategy to automate forms and pleadings routinely used for staff and pro bono advocates that includes management of forms from a central location, with a system in place to assure they are updated for legal sufficiency. Staff should receive appropriate training in the use of the automated documents. • Provide technology tools to assist staff in working collaboratively on the production of large projects, such as major briefs and pleadings. • Capability of creating PDF documents as well as converting them to editable files. • Capability for electronic filing of pleadings when required or allowed by court systems.
	Timekeeping	• Electronic timekeeping is available and utilized.

PRODUCTION AND SUPERVISION OF LEGAL WORK (cont'd)	**Supervision**	• Data to support the supervision of legal work, including case lists and activity, are available to supervisors and management. • As necessary, remote access to case files for review by supervisors.
	Online legal research	• Online tools for conducting legal research using up-to-date primary sources, including laws, regulations and cases, available from every advocate's desktop with staff training regarding its use. • Access to statewide materials, including forms and pleadings, legal education materials, brief banks, and topical email lists.
RECORDS MANAGEMENT	**Electronic records**	• Filing of all electronic records, retaining them in accordance with the program's defined retention policies, assuring their accessibility and properly disposing of them when appropriate. Potential records in question include: ○ All data files associated with program software; ○ Email messages; ○ Instant messaging (where used); ○ Transcribed or recorded telephone messages and conversations. • Policies that govern permissions or access rights to electronic files, including the right to view, edit, move or rename files. • For LSC grantees, the records management system must be compliant with LSC and all other legal requirements in the maintenance of records, including the confidentiality of client records.
KNOWLEDGE MANAGEMENT	**Pleading and brief banks, and other electronically stored data and information**	• Store and retrieve sample pleadings, briefs, motions and other documents based on content. • Program staff use an effective method for finding documents by search or logical browsing, and can purge documents. Findability may be based on a document management system or content-searchable email lists, wikis, or shared folders. • Electronic access to internal forms and procedures. • Program-wide accessible and searchable contacts management system. • Electronic access to practice guides.

INTAKE AND TELEPHONIC ADVICE	**Telephone systems**	• Programs should monitor call volume and craft a strategy as to how they will address issues around excess demand to provide information over the phone to callers. • Call routing by language, substantive and/or geographic area. • Ability to serve persons with speaking or hearing disabilities through access to TTY or relay service. • Technology to review busy signals, wait times, dropped calls, etc. • If the program does telephone call backs, they should look at technology systems that facilitate an efficient callback system. • Provide recorded information to caller while waiting or after hours. • General intake should consider online intake as well as more traditional means of application.
	Electronic desk manual	• Readily available, centrally located, and easily updated electronic guide for intake workers to provide appropriate information, advice or referral.
	Case management system	• See Case Management System capacity section.

LEGAL INFORMATION FOR LOW INCOME PERSONS	**Legal Information via Websites and Social Media**	• Programs should collaborate in providing a statewide website with the following features:
		  ○ Current information regarding the program and its services;
		  ○ Accurate and current community legal education/pro se related materials and referral information written in plain language;
		  ○ Capacity to serve persons with limited English proficiency;
		  ○ Website designed and maintained in compliance with Section 508 of the Rehabilitation Act of 1973 as amended.
		• In addition to general legal information available on a statewide website, the organization itself should have a compelling web presence that includes:
		  ○ Description of what services they offer;
		  ○ How to contact the program;
		  ○ How to apply for services.
		• Organization should have a strategy as to whether and how they should use social media to reach out to potential clients and the low income community. Should an organization use social media for outreach or legal information, they should have a policy to govern its proper use.

LEGAL INFORMATION FOR LOW INCOME PERSONS (cont'd)	**Mobile Technology for clients**	• Ability to provide information to clients who use mobile devices, such as through mobile compatible websites, mobile apps, or SMS text messaging.
	Community legal education	• Community legal education presentations are supported by effective use of technology, such as online conferencing, videos, and other appropriate technologies.
SUPPORT FOR PRO BONO AND USE OF PRIVATE ATTORNEYS	**Support for program efforts to accept, refer and track pro bono and PAI cases**	• Programs should have the following technology in place to support their pro bono programs: ○ A website that may include such features as allowing pro bono lawyers to review available cases and volunteer, posting of training and resource materials, and calendars of training opportunities; ○ A case management system that will track referred cases, time spent on those cases and work accomplished, and automate oversight of pro bono cases to promote timely case closure; ○ A strategy to share client and case data securely with pro bono volunteers using electronic means.
	Direct support for volunteer attorneys	• Program provides assistance and support in PAI representation, which may include automated documents, pleadings and brief banks. • Program provides volunteer attorney training and resource materials through the use of technology, such as web conferencing, video conferencing and hosted online trainings.
SECURITY	**Firewalls, antivirus, anti-spam, and anti-spyware applications, back-up and appropriate policies regarding use of data and computers**	• Operating systems, antivirus software, and other software applications have the most current patches and definition updates. • Maintain backup and recovery systems pursuant to grant assurances, including off-site backups. • Security policies and procedures for protecting client and case data, sensitive personal and personnel data, and all communications from loss or unauthorized intrusion. • Server equipment should be kept in a secure environment with appropriate ventilation and cooling. • Disaster recovery plan (that includes periodic testing) for mission critical technology systems. Technology is included as part of the organization's disaster plan.

SECURITY (cont'd)		• Policies regarding the use of the Internet and social media. • Policies to ensure the security and integrity of passwords. • Policies regarding the retention and deletion of data. • If an external instant messaging system is used to communicate confidential client data, encrypt it. • Policies for security of tablets, mobile devices, flash drives, and laptops including remote wipe and/or encryption. (See Mobile for Staff Use) • Where a program allows remote working, programs should have policies in place for security, data integrity, and data storage in remote workspaces.
	Cloud Computing	• Programs should have policies addressing staff use of program-controlled cloud services and staff use of personal cloud services accounts not controlled by the program. • Programs moving applications or data to the cloud should consider terms of use, privacy policy, data ownership, security, and data portability.
	Mobile for Staff Use	• Organizations should establish policies to govern the use of organization-owned mobile equipment and • Organizations should establish policies to govern when employees can bring their own devices (BYOD) and what they can do with them. Policies should address who may access what services, level of support, remote wipe, cloud-based backups, and termination/revocation.
TRAINING	**Training and technology**	• Assessment of organization-wide and individual technology training needs. • Training and support for all personnel in the use of appropriate systems, software and security best practices. As organizations develop new tools for clients, staff should be adequately trained to provide support on these tools. • Ongoing training for IT staff to leverage existing and new technology. • Train IT on existing policies for technology use and ABA ethical standards on technology. • Effective use of technology to deliver training, including, where appropriate, screen casting, video on-demand training, web chat and web conferencing, and hands on/in-person training. • Set technology standards for new hires and incorporate technology training as part of an employee orientation process.

TRAINING (cont'd)	**Use of technology to deliver training on substantive law, legal skills, and administrative policies and procedures**	• Technologically supported skills, substantive, and administrative training, such as access to on-demand training packages, including on-line trainings, DVDs and podcasts.
COMMUNICATION	**Email, email lists, and other technologically supported communication methods**	• Universal capacity to communicate through program provided email accounts. • Policy for proper use of email and other electronic communication tools. • Email lists by substance and administrative function, as appropriate. • Develop and use collaborative work environment tools such as blogs, wikis, real-time group editing tools, and web conferencing for internal and external communication.
	Internal communication mechanisms	• An internal communication mechanism for communications to staff (email, email lists, blogs, web conferencing). • Have a system for tracking technology issues.
ADMINISTRATION	**Accounting**	• Accounting systems should have the capacity to manage these functions: ○ General ledger, payables, receivables and fixed assets; ○ Payroll; ○ Maintain client trust accounts; ○ Track and report budgeting and expenditures; ○ Generate all needed internal and external reports.
	Human resources management	• Maintain all appropriate personnel records electronically, including: ○ Payroll; ○ Timekeeping; ○ Benefits administration. ○ Maintain confidentiality of personnel data. ○ Advertise positions and accept applications electronically. ○ Generate appropriate and necessary personnel reports.

DEVELOPMENT/ FUNDRAISING	**Grant maintenance**	• Grant maintenance system that can track each grant, including:
		  ○ information on grant requirements, restrictions and commitments;
		  ○ tracking of expenditures and activities;
		  ○ management of reimbursables;
		  ○ indirect cost calculations;
		  ○ control of expenditures against budget;
		  ○ generation of reports and tracking of deadlines.
		• Maintenance of contact information.

	Fundraising and marketing	• In addition to general legal information available on a statewide website, the organization itself should have a compelling web presence that includes:
		  ○ Description of what services they offer;
		  ○ Information about volunteer and donation opportunities, as appropriate
		  ○ Ability to donate online;
		  ○ Use of a modern content management system to enable staff to quickly and easily update it;
		  ○ Website should be hosted off-site.
		• Organization should have a strategy as to whether and how they should use social media to reach out to potential supporters, volunteers, and donors. Should an organization use social media for outreach, they should have a policy to govern its proper use.
		• Electronically track the contact information, donation and contact history for each individual donor, if the organization has individual donors.
		• Ability to generate reliable reports of donors that meet specific criteria, such as interests and giving history.
		• Generation of letters, reports, and other appropriate documents.