

**Report of the Task Force's Working Group
on Technology**

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REPORT OF THE TASK FORCE'S WORKING GROUP ON TECHNOLOGY

Executive Summary

Technology can transform the delivery of civil legal services to low-income New Yorkers. Yet, the lack of technology staff, coordination across programs and dedicated funding continue as barriers to the adoption of technology that could dramatically enhance direct client services.

Last year, the Working Group on Technology (“Working Group”), undertook the following tasks: (1) assessment of the technology needs of civil legal services providers and identification of steps that providers could take to address the technology gaps that exist; (2) development of a guide for civil legal services providers that identifies free and low-cost technologies relating to training, collaboration, cloud computing, information-sharing, mobility and security; and (3) an initial exploration of whether law firms could provide *pro bono* technology assistance.

This year, the Working Group delved more deeply into how technology can assist with the coordination of civil legal services. First, we gathered information from national and New York State leaders at the forefront of integrating technology into client service delivery. Next, we identified leaders from law firms to partner on the development of a *pro bono* technology project. Based on these efforts, the Working Group offers the following recommendations to the Task Force:

- 1. Online Screening and Intake Pilot:** Create a coordinated online screening and intake pilot project within the discrete area of consumer credit law, targeted at low-income New Yorkers in designated geographic regions.
- 2. Pro Bono Law Firm IT Initiative:** Create an initiative whereby law firm IT staff offer *pro bono* assistance to the New York State civil legal services community. This initiative should include the creation and piloting of a comprehensive, standardized IT assessment tool.
- 3. Statewide Technology Conference:** Convene the first New York State technology conference with the goals of (a) educating civil legal services leaders across the state on how technology can improve the delivery of legal services and the efficiency of their operations; and (b) promoting more collaborative use of technology among providers.
- 4. Technology Baselines:** Recommend that, in connection with their technology planning and day-to-day operations, New York civil legal services providers review and consider the LSC Technology Baselines Report, including the Working Group’s annotations regarding New York-specific information and resources.

Background and Research

In 2013, the Working Group focused its efforts on examining the state of the technology infrastructure in New York State’s civil legal services community and reported extensively on certain “pressing needs of concern.”¹ This year, the Working Group delved more deeply into how technology could assist with, and improve, the delivery and coordination of civil legal services.

First, we gathered information from national and New York State leaders at the forefront of integrating technology into service delivery. The Working Group devoted significant resources to exploring and reviewing national reports and consulting with technology innovators in the access-to-justice community within New York State and across the United States.

The LSC Summit Report

The Working Group closely reviewed the December 2013 Legal Services Corporation Report of the Summit on the Use of Technology to Expand Access to Justice (the “Summit Report”), which offers a vision of how technology can advance an integrated service-delivery system. The Summit Report is the culmination of a two-year effort and “reflects the results of a process involving 75 leaders in legal services, the private bar, courts, libraries, IT development, legal academia.” The Summit Report sets forth an ambitious proposal with five components:

- create documents assembly applications to support the self-represented and those with limited scope legal representation;
- take advantage of mobile technologies to reach more persons more effectively;
- apply a business-process analysis to all access-to-justice activities to make them as efficient as practicable;
- develop “expert systems” to assist lawyers and other services providers better deal with essential civil legal needs; and
- “create in each state a unified ‘legal portal’ which, through an automated triage process, directs persons needing legal assistance to the most appropriate form of assistance and guides self-represented litigants through the entire legal process.”

The vision articulated in the Summit Report helped inform the Working Group’s efforts this year.

Legal Technology Initiatives Across the U.S.

The Working Group also conducted detailed interviews with access-to-justice leaders in Massachusetts, Michigan, Texas, Illinois, Washington, and New Mexico. These discussions revealed a number of strategies for harnessing technology to strengthen existing service providers and to improve service delivery to clients and potential clients. For example, the

¹ The “areas of pressing need” related to (1) technology staffing, (2) technology policies, (3) core technology supports for advocates, (4) community resources, (5) training, and (6) social media.

Working Group learned of the following efforts to improve provider infrastructure, some of which facilitate, or would facilitate, centralized client screening or intake:²

- Centralized Servers, VoIP (MA): Massachusetts provides a centralized data server bank for providers to store client data, emails, and common software. This state also offers low priced voice-over-internet phone service.
- Centralized IT Support (MA, MI, TX): Through central staff, third-party contractors or *pro bono* IT volunteers, Massachusetts, Michigan, and Texas provide centralized help desk support for all users working with civil legal services providers. Supported technologies include case management systems, Microsoft Office applications, common software applications, and others.
- Uniform Case Management Systems (MA, IL, TX, WA): Owing to a grant requirement or historic circumstance, most or all of the providers within Massachusetts, Illinois, Texas, and Washington use the same case management system.

In addition, the Working Group learned about these initiatives to improve legal service delivery:

- Coordinated websites (MI, IL): Working with providers and the court system, statewide entities in Michigan and Illinois develop and maintain content for websites offering legal information, document assembly, and other tools for the public and advocates.
- Online Screening/Intake (WA, NM, IL): With strong centralized coordination and buy-in from providers, Washington, New Mexico and Illinois have or are developing online screening or intake systems. The goals include creating a seamless and cohesive portal for the public, efficiently matching eligible clients with providers, and diverting ineligible people to high quality legal information, forms, and other resources.

Legal Technology Initiatives in New York State

The Working Group met with several, but by no means all, technology innovators in the New York State civil legal services community. We learned more about current and planned projects by Pro Bono Net and LawHelpNY, including:

- websites providing the public with legal information, such as www.lawhelpny.org and www.nycourthelp.gov;
- document assembly tools, such as those that assist with orders of protection, consumer law matters, and citizenship; and
- efforts to reach clients via their mobile devices.

Additionally, we met with a group of providers in New York City that are coordinating intake and referral services and are in the process of releasing legal education videos to aid unrepresented litigants in the consumer law field.³

² Members of the Working Group are assisting with a national survey to learn more about trends in technology support and coordination and will report on further information gathered through that process.

³ MFY Legal Services, CAMBA, the Feerick Center for Social Justice at Fordham Law School, and ProBonoNet.

Findings and Recommendations

1. Online Screening and Intake Pilot

Findings

Despite the great number of civil legal services providers whose core mission is to provide skilled, direct advocacy for low-income New Yorkers and other vulnerable populations, the number of people who struggle to access legal information and services remains unacceptably high. The Working Group recognizes that New York's established civil legal services providers—due to their number, diverse service models, and locations—pose more significant coordination challenges than are present in smaller states or in those states served primarily by statewide providers. Nevertheless, the civil legal services community must begin to think about other ways in which their services can be accessed by more low income New Yorkers in need of legal services. Further examination is warranted on how the existing self-help, referral, and online information aspects of all current service delivery models could lend themselves, with increased coordination, to unduplicated, more efficient collaborative efforts.

Recommendations

The Working Group recommends the creation of a coordinated screening and intake pilot project within a discrete subject matter in limited geographic areas. This pilot project should aim to match low income New Yorkers with an appropriate level of information and assistance from a range of sources. Since a significant number of litigants either lack access to technology or are not proficient in its use (i.e., due to lack of English proficiency, literacy limitations, or disabilities), the Working Group recommends that any online screening and intake project exist alongside more traditional forms of client intake via telephone or in person. An online screening and intake system should augment—not replace—existing direct client services.

The Task Force has identified consumer credit law as the substantive area for designing and implementing a method to provide unduplicated legal information and unified or collaborative screening, intake, and referral in a discrete geographic area. Consumer credit cases are often (but not always) simpler than other legal services cases, and can be relatively easy to segment by (1) type of consumer issue (i.e., credit card debt, medical debt, auto loan, public benefit overpayment, breach of lease, student loan, nursing home collection, etc.); (2) type of consumer (i.e., veteran, domestic violence survivor, senior, identity theft victim, etc.); and (3) assistance level (i.e., whether the consumer is income-eligible for legal services, or a member of a union with legal services, or has exempt income).

Despite the vast increase in the number of consumer credit cases over the past several years, consumer assistance is one of the most under-served practice areas in civil legal services and very few practitioners or providers provide full or even limited-scope representation. Resolution of consumer cases also can have far-reaching effects on consumers' lives, including their employment, housing, and family stability.

To broaden the impact that such a coordinated service in the area of consumer credit cases could provide in New York State, the Working Group recommends two initial pilot projects to include civil legal services providers in New York City, and a separate pilot to include civil legal

services provider in Buffalo, Rochester, and Syracuse.⁴ This offers a cross-section of providers: those serving urban and rural communities both through traditional civil legal services offices and volunteer lawyer programs under the auspices of local bar associations.

The first phase of the pilot should engage participating providers in a business-process improvement analysis to ensure that the adoption of new technology-driven outreach, triage, and service delivery models for consumer debt defense produces the most significant returns. The Task Force expects that this pilot project will promote statewide discussion of the institutional and financial challenges that coordinated access presents. The creation of such a coordinated screening and intake project will require funding, and the Working Group encourages the participants in the pilot to look into the possibility of securing a Legal Services Corporation Technology Initiative Grant, a State Justice Institute Grant, funding from the New York State IOLA Fund, and other possible sources of funding. The Task Force expects that this consumer law pilot project will inform future efforts to create a more comprehensive and coordinated screening and intake system across all of New York State and encompassing multiple practice areas.

2. *Pro Bono* Law Firm IT Initiative

Findings

In 2013, members of the Working Group preliminarily reviewed the efforts in Texas to improve the technology infrastructure of its civil legal services providers designed to increase access to justice. The Texas Access to Justice Commission formed a Technology Committee in 2008. Notably, the Texas Technology Committee includes many IT department directors from major Texas law firms who, in turn, have committed their staff to *pro bono* IT projects for Texas legal services providers. The success of the Texas Access to Justice Commission prompted further Working Group review to examine ways in which such efforts could be replicated in New York.

As further outlined in the Working Group's Survey of State Technology Efforts (annexed as Exhibit 1), the Technology Committee of the Texas Access to Justice Commission consists of attorneys and a significant number of Chief Information Officers from large Houston law firms that provide services such as 24/7 IT help desk support, training, inventory of technology needs of the legal services community, guidelines for minimum technology standards, and technology audits.

⁴ The following providers in Buffalo, Rochester and Syracuse have agreed to discuss participation in this proposed Online Screening and Intake pilot project: Western New York Law Center, Inc.; Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc.; Neighborhood Legal Services, Inc.; Legal Aid Bureau of Buffalo, Inc.; the Erie County Bar Association Volunteer Lawyers Project; Legal Assistance of Western New York, Inc.; The Legal Aid Society of Rochester; Volunteer Legal Services Project of Monroe County, Inc.; Legal Services of Central New York, Inc.; The Legal Aid Society of Mid-New York, Inc.; and The Volunteer Lawyers Project of Onondaga County, Inc. The following providers in New York City have agreed to participate in a pilot: MFY Legal Services; CAMBA; the Feerick Center for Social Justice at Fordham Law School; ProBonoNet; The Legal Aid Society; and Legal Services NYC.

Recommendations

The Working Group recommends that the Task Force create an IT Assistance Initiative in New York, similar to the one in Texas, to provide law firm *pro bono* IT assistance to the civil legal services community. The IT Assistance Initiative would be led by Michael Donnelly, Chief Information Officer of Simpson Thacher & Bartlett, who participated in the Working Group's survey of civil legal services providers last year and has assisted the Working Group in developing its recommendations for this year.

Seventy providers responded to the 2013 survey, expressing a wide range of IT needs. Some common themes emerged, such as aging server infrastructures that are unable to sustain the needs of the organizations, absence of mobile technology, weak or nonexistent IT policies, antiquated telephone systems, and so forth, all stemming from the lack of dedicated IT staff and dedicated funding for technological needs.

The IT Assistance Initiative should seek to address all of these problems by utilizing resources from private law firms, by soliciting help from outside vendors, and also by potentially developing core systems (e.g., cloud-based systems) that can be shared by multiple providers.

In addition to Michael Donnelly, the IT Assistance Initiative will include senior IT leadership from firms such as Cravath, Swaine & Moore; Nixon Peabody; Proskauer Rose; Skadden, Arps, Slate, Meagher & Flom; Sullivan & Cromwell; and Wachtell, Lipton, Rosen & Katz. Also included will be representatives of the IOLA Fund, Legal Services NYC and The Legal Aid Society. In addition, Deborah Wright, Chair of the Working Group on Technology and John Greiner, Chief Information Officer of Legal Services NYC will participate. Helaine Barnett, Chair of the Task Force will participate *ex-officio*.

The first task of the IT Assistance Initiative should be to develop a comprehensive, standardized IT assessment tool that can be used to make initial assessments of the overall technological environment of each civil legal services provider. The Initiative should use this assessment tool to develop customized recommendations to meet the needs of each provider. In addition, the IT Assistance Initiative should develop a protocol for leveraging law firm *pro bono* IT support.

The project will begin with five midsize recipients of Judiciary Civil Legal Services Funding in the greater New York City area. The ultimate goal of this project should be to provide *pro bono* IT assistance to all grantees of the Judiciary Civil Legal Services Funding to ensure that all civil legal services providers are operating at appropriate levels of efficiency to ultimately enhance their delivery of client services.

3. Statewide Technology Conference

Findings

Many New York State civil legal services providers already utilize technology to deliver legal services to clients and provide legal information to the public. Indeed, a number of New York providers have:

- created significant technology innovations that have improved client access to information, self-help tools, referrals, as well as to advice, brief service, and full representation;
- improved language access for the state’s diverse communities, reduced the impact of geographic barriers, increased *pro bono* attorney involvement, and empowered staff attorneys to work more efficiently within and outside their offices; and
- made major improvements in their business operations through the application of new technologies.

At the same time, the existence of many providers spread across our geographically large and diverse state creates challenges for technology information-sharing and coordination, which can inhibit the adoption of innovations or best practices throughout the civil legal services community.

Recommendations

The Working Group recommends that the civil legal services community endeavor to share and adopt innovations and best practices more broadly and consistently, which will enable the community more effectively to leverage technology that improves the delivery of legal services and law office management. Importantly, the civil legal services community should work together to address the lack of dedicated funding to meet technology needs and build technology collaborations that lower the cost to implement and maintain technologies.

The Working Group recommends that the Task Force convene the first Statewide technology conference to engage the civil legal services community, to be planned in collaboration with NYSTech.⁵ The conference should be held in the Spring of 2015 to educate leaders, technology-responsible staff, and practitioners from across the state on innovative technologies that can improve the delivery of legal services, as well as the efficiency of provider operations. Chief Information Officers of major law firms should also be invited to attend. Additionally, the conference should promote collaborative and sustainable use and support of technology across civil legal services providers.

4. Technology Baselines

Findings

In 2008, as part of its commitment to develop a strategic vision for technology, the Legal Services Corporation (“LSC”) released its first report on the technological capacities that a modern legal services program should have in place or have available to it, known as the “LSC

⁵ NYSTech is a voluntary collaboration of legal services providers from across New York that convenes technology leaders regularly for information sharing and training.

Technology Baselines Report.” The technology capacities described in that report are intended for any legal services office that provides a full range of legal services, and covers technologies related to data management, intake and telephone advice, support for private attorneys, communication, security, training, social media, and grant management.

In July 2014, after receiving comments from LSC grantees, the NLADA Technology Section, and leaders from non-LSC legal services programs, LSC released a revised draft of the LSC Technology Baselines Report, available at <http://bit.ly/LSCBaselines2014>.

The Working Group reviewed the July 2014 draft revision to the LSC Technology Baselines Report and annotated it with comments and resources relevant to New York providers. The annotated version is annexed as Exhibit 2. Significant comments included:

- Adoption and implementation of technology policies are critical as they can protect client information and help ensure business continuity.
- Technology staffing/consulting levels generally need to be increased to maintain critical systems, support strategic technology planning, and support innovative technologies.
- Current case management systems should be used to help automate more of providers’ day-to-day case and grant management work.
- Providers should invest in more technology training to increase their productivity.
- Document assembly, ranging from simple letters to more complex pleadings, can save time and improve quality.
- Staff mobility is essential, and providers should plan for and manage how their staff will work from court houses, community partner sites, and other remote locations.
- Management should join state and national conversations about technology, and take advantage of free and low-cost resources.
- Technology is becoming more powerful and in many cases more complex—we can collaborate more to improve successful, existing collaborations that involve shared VoIP telephone systems.

The final version of the LSC Technology Baselines is expected to be promulgated in December 2014.

Recommendations

The Working Group recommends that the Task Force strongly encourage civil legal services providers in New York State to review and consider the final LSC Technology Baselines Report in connection with their technology planning and day-to-day operations. The New York providers also should take advantage of and consider the Working Group’s annotations to the July 2014 draft LSC Technology Baselines Report and references to New York specific resources.

EXHIBIT 1 TO WORKING GROUP REPORT:
Survey of State Technology Efforts

During 2014, members of the Task Force's Working Group on Technology interviewed access-to-justice leaders in six other states (Massachusetts, Michigan, Texas, Illinois, Washington, and New Mexico) about efforts in their states to integrate and coordinate technology with respect to the delivery of civil legal services. Below is a summary of these findings.

MASSACHUSETTS

Centralized Servers, CMS, VOIP & IT Support

In 2006, civil legal services providers approached the Massachusetts Legal Assistance Corporation (MLAC, the IOLTA funder) for help with technology, driven by failing case management systems and an overall lack of technology infrastructure. Ultimately, this resulted in the development of centralized IT services for the civil legal services community at a current cost of about \$1million/year. This program is housed at MLAC and overseen by a technology committee comprised of representatives from the 4 regions and the statewide providers.

The process started with MLAC engaging an outside consultant and issuing an RFP for a CMS, ultimately selecting Legal File. Over a 3 year period, MLAC then invested between \$2-3 million in CMS licenses, the conversion of existing data, establishing a central server bank, setting up T1 lines, and training (which continue to be offered through an outside vendor). The users at the local civil legal services offices have 24/7 access to a professional IT helpdesk that MLAC provides through an outside vendor. Aside from the CMS software and data, the central servers house email, hotdocs, and other software commonly used by providers (e.g., for bankruptcy and immigration services). MLAC also administers a statewide technology grant program (2 or 3 rounds of funding so far) to support the purchasing of additional hardware, other tech equipment and wiring directly by providers, which funding is distributed based on poverty population. More recently, MLAC set up a VOIP telephone system that providers can opt into (and then pay for their usage).

The central servers have a centralized firewall and port to the Internet with strong security and spam filters. Firewalls exist within the central servers between the providers so that attorney/client privilege is maintained. Soon, MLAC intends to move the data from its servers to the cloud and is working with counsel to comply with all ethics and privilege issues.

These central IT services do not meet all of the providers' technology needs. Hardware in local offices remains old. Providers have some IT staff who manage local virus clean up as well as installation and maintenance of local software programs. Some providers maintain local servers for HR matters or special software programs. Not all providers use the same CMS and MLAC regrets that it has not made this a grant contract condition. Nonetheless, MLAC sees the existence of central servers as laying a foundation for centralized intake or a single point of entry. Determining how and in what ways to connect the technologies of the legal services community and the court system has not yet been approached.

MICHIGAN

Centralized tech planning, CMS support, websites for public/advocates

Michigan began supporting technology for the civil legal services community in the mid-1990s. At that time, LSC defunded Michigan's one state support entity and the Michigan State Bar Foundation (MSBF) issued an RFP for an organization that would continue the work of a traditional state support entity (e.g., training, impact litigation support, policy advocacy) and also provide tech support.

The Michigan Poverty Law Program (MPLP) was selected and, in partnership with the University of Michigan Law School, has served as the statewide coordinator for technology, which includes:

- providing tech support for case management system (e.g., keep CMS matched with funder data needs) note: no requirement for uniform CMS; most providers using PIKA
- creating/maintaining substantive law listservs
- creating/maintaining a website for advocates
- staffing and leading the development of statewide tech planning, coordination and evaluation

Over the years, the MPLP worked with various evolving technologies and approaches, including telephone hotlines, CMS coordination, rural initiatives, and often pursued TIG funding for their efforts. The IOLTA funder and LSC are the primary funders.

In 2010, the Michigan Chief Justice convened a “Solutions on Self-Help” (SoS) Task Force whose mission was to “promote greater centralization, coordination and quality of support for persons representing themselves in legal matters in Michigan.” Linda Rexer co-chairs this Taskforce, which includes the courts, the bar, legal services providers, librarians, and other stakeholders. The Taskforce work, in turn, led the MSBF to issue an RFP in 2011 for an organization that could address the needs of self-represented litigants. The MSBF hired NY consultant, Jim Jasper, to assist with the RFP design and application evaluation. The vision was to create a single point of entry so that people in need encounter a coordinated service system. Although not envisioned necessarily to lead to the creation of a single website, this is what is being developed.

MPLP won the grant of about \$400,000/year (despite significant competition from the private sector) and is working with the SoS Task Force local help centers (in courts, libraries, etc.) and civil legal services providers to develop and maintain content for the Michigan Legal Help website.

The website includes:

- articles about specific areas of the law
- toolkits with document assembly for court forms
- referrals to lawyers and community services

- tutorial videos

The Taskforce identified 158 websites in Michigan with legal content (sponsored by legal services, courts, libraries, bar associations, etc.), wants to reduce this and drive the public to the Michigan Legal Help site. As a condition for IOLTA funding, administered by the MSBF, providers agree to cooperate with MPLP's technology coordination, to assist with Michigan Legal Help and, as that site develops content, to take down overlapping content from their own websites.

Linda described content development as the most difficult and time consuming issue, but that overall the technology coordination efforts in Michigan have been “transformative,” owing to (a) strong participation and buy in from the civil legal services community and (b) effective leadership in the court system and MPLP.

TEXAS

Law firm pro bono IT helpdesk, training, tech standards & tech audits

In 2001, the Texas Supreme Court created the Texas Access to Justice Commission (“Texas Commission”), which formed a Technology Committee in 2008. Notably, the Technology Committee includes many IT department directors from major Texas law firms who, in turn, have committed their staff to pro bono IT projects for Texas legal services providers. The Texas Commission has worked in tandem with the Texas Access to Justice Foundation (“Texas Foundation”) on access to justice matters.

Originally, the technology committee consisted of attorneys, but has evolved to include a significant number of CIOs from large Houston law firms. This committee has provided or is now providing the following:

- 24/7 IT help desk provided by the IT department at a law firm that can assist with Microsoft office software issues (has not been widely used, but new efforts to publicize)
- training
- inventory of technology needs of legal services community
- guidelines for minimum technology standards
- technology audits

Specific technology statewide initiatives in Texas have included: (a) a baseline survey of providers, (b) identifying minimum technology standards, (c) awarding \$650,000 to legal services providers for technology purchases, (d) developing best practices for disaster recovery/business continuity, (e) conditioning subsequent funding on maintaining minimum technology standards and disaster recovery/business continuity plans, (f) facilitating a law firm’s provision of its IT help desk to members of the legal services provider community, (g) facilitating technology trainings to the staff of legal services providers, (h) reviewing individual legal services provider’s technology plans, (i) conducting technology audits of individual legal services providers and (j) exploring how technology can improve assistance to unrepresented litigants.

ILLINOIS

Centralized websites for public/advocates & online intake screening; court help centers

In 2000, a study was commissioned regarding the use of technology by civil legal services providers, finding that technology was not being used effectively. As a result, twelve organizations collaborated in 2001 to found Illinois Legal Aid Online. From 2001-2005, ILAO operated as an unincorporated association located at Chicago-Kent College of Law with funding from the Lawyers Trust Fund of Illinois (the IOLTA funder), Chicago Bar Foundation and the Chicago-Kent College of Law. The initial work focused on launching websites for training pro bono attorneys and for providing legal information to the public.

Currently, ILAO maintains 4 websites: one for pro bono attorneys, two with legal information for the public (one in English and one in Spanish) and one for legal aid advocates (discussion forum, training, job board, document assembly). Approximately 50 legal services providers develop and maintain the legal information content along 30 different areas of law, supported by 7 content managers employed by ILAO. Since 2001, ILAO has gone from 3 FTE employees and an operating budget of \$300,000 to 19 FTE employees and an operating budget of \$1.8 million. Currently, IOLTA funding accounts for about \$630,000 and private fundraising amounts to about \$250,000 of ILAO's annual budget.

To facilitate growth and fundraising, in 2005, ILAO formed itself into an independent nonprofit. In 2006, it expanded beyond websites and began working with the Illinois court system to establish technology based help centers in courthouses and libraries with 102 centers now running throughout the state. The help centers are staffed with non-attorney navigators who assist litigants in accessing legal information and using document assembly tools available from the ILAO websites. Judges have been very supportive of the help centers and clamor for them in their courthouses because they offered help to struggling pro se litigants. Illinois formed an A2J Commission in 2012, but it has had no staff or budget until only recently. The Commission has, however, been working to standardize court forms for use by ILAO. As a condition to having a help center, local judges must agree to accept the forms developed through the collaboration with ILAO and the legal services providers and available through document assembly programs on ILAO's websites.

Around the same time (early 2012) and with TIG funding, ILAO joined with the three LSC grantees in Illinois to begin work on an online access system. The purpose of this project is to drive high priority cases (e.g., public benefits & foreclosure) to the appropriate organization faster and divert low priority cases to self-help or other resources. It allows the legal services provider to set rules for geography and financial eligibility. If these rules are met, the prospective clients will be asked their demographics and questions about the legal problems with answers tentatively populating the legal services provider's case management system (virtually all providers in Illinois use the same CMS due to IOLTA funding in 2007-08) to enable a conflict check. Once past the conflict check, the data will enter the CMS fully and the legal services provider will call and follow up on case work. The system was piloted with one LSC grantee in 2013 and was expanded to the other two LSC grantees in March 2014.

ILAO is seeking LSC funding to develop its online access system further along the lines of the LSC Summit Report. To date, ILAO has not had to address how to handle the overlapping service issue (i.e., where more than one provider qualifies and is available to assist for a particular client), but this will need to be tackled. ILAO believes that the providers are invested in collaborating because they appreciate the efficiency that can be gained. Indeed, the LSC grantees in Illinois, with IOLTA funding and a law firm's consulting services (at reduced cost) are engaged in a business process analysis of their operations to identify other efficiencies. With a relatively new and unfunded A2J Commission and 120 counties, the Illinois court system has been inconsistent in its embrace of technology in furtherance of access to justice.

WASHINGTON

Centralized telephone & online intake screening

The 1996 cuts to LSC funding fueled a change in the legal services delivery system in Washington, leading to a single point of entry telephone-based system known as "CLEAR" ("Coordinated Legal Education, Advice and Referral") Staff attorneys and paralegals utilize a database of intake information for all legal services providers in the state to direct callers to the right providers for their civil legal problems. CLEAR staff can enter the caller's information directly into the CMS, common to all civil legal services providers. Where no civil legal services provider is available for the caller's problem or the caller is financially ineligible for legal services, CLEAR attorneys can offer brief legal advice. NJP devotes significant resources to keeping this database up to date and facilitates regular meetings with providers to address any issues regarding the volume and distribution of case referrals. Overall, there is little geographic and programmatic overlap among the providers, so there has been little squabbling about the CLEAR intake process.

From the beginning, NJP has been overwhelmed by the volume and legal needs of the callers. The sheer volume of calls can make it impossible for eligible callers with serious, time-sensitive matters to get through. At the same time, non-eligible callers who do get through to an attorney often need more than brief advice, which prompted NJP to restrict its hotline to morning hours with attorneys using the afternoons for brief services (e.g., negotiating benefits, draft pleadings, and giving detailed directions to self-represented). This move, in turn, put more pressure on attorneys responding to callers. In 2008, NJP introduced non-attorney staff who could screen out callers ineligible due to income or geography and who could input information of eligible callers into the case management system for follow up. Despite these evolutions in the program – and although screeners now handle over 18,000 calls per year – there are times when callers still get busy signals.

In 2012, NJP launched an online triage and intake system, starting with benefits and housing eviction matters. Questions identify people who should call the CLEAR hotline for brief advice or brief services and the site pushes relevant links (e.g., links to websites of organizations that can assist and LawHelp materials). Online intake has provided a new entry point for clients, but NJP has experienced delays in the transfer of information between online intake and the CMS. From the beginning, centralized intake in Washington largely eliminated intake work in local legal services offices, which was initially disconcerting and left legal services staff feeling

disconnected from their community's needs. NJP has tried to address this with regular traffic reports about the callers and their legal problems. Washington State and LSC are the primary funders of the CLEAR hotline and online intake systems; IOLTA funding in Washington has focused on immigration, legislative advocacy and impact litigation.

NEW MEXICO

Centralized online intake & legal information portal

New Mexico Legal Aid (NMLA) is the sole LSC grantee (39 attorneys) in New Mexico where there are 16 other civil legal aid providers (additional 71 attorneys). NMLA has partnered with Pro Bono Net and Neota Logic to develop a “unified intake portal” with common branding to offer a seamless experience to potential clients. The portal will provide triage for both advocates and the public. Advocates will be able to navigate through a complex range of options, legal issues and referrals. The public will have English and Spanish versions of the portal with simpler choices, access to legal information and timelines, the ability to make email requests for standard intake, and access to widgets for local food banks, domestic violence providers and other social services.

NMLA started monthly meeting with other providers, at the Executive Director and intake manager levels, to address any gaps in the intake portal, any provider service overlaps and deviations from the providers' intake priorities. Pro Bono Net (Liz Keith) and NMLA (Ed Marks) are leading this coalition building, which will need a full time person to manage going forward. Ed emphasized that ongoing collaboration will be critical to maintaining the culture shift the project contemplates. The five providers that use PIKA software will be part of Phase I, the goals of which are to have the portal handle at least 50% of intake and match at least 90% of the people who enter the portal with the appropriate service or provider. Initially, the selected provider will have only limited access to the client's information until conflicts are cleared, at which point all client information collected from the portal can be swept into the provider's CMS. Phase II will advance the goal of a fully integrated system by (a) adding the remaining civil legal aid providers, (b) creating standard visualization tools, and (c) providing links to court databases and a research institute. The unified intake portal recently started, but providers will continue to offer in person and telephone intake with no plan to eliminate these intake methods.

The NM Supreme Court, the Civil Justice Commission and the state bar association laid the groundwork starting in 2008. State leaders came together to support legislative funding for civil legal services and the establishment of statewide practice groups. This project is funded preliminarily by LSC and TIG funds, together with state legislative earmarks, and has a 3 year time line. Initial data should be available by April 2015. Leaders expect that foundations and other private philanthropy, along with savings on traditional intake methods, will provide ongoing support for the project.

New York Comments and Resources on “LSC Technology Baselines: Technologies That Should Be in Place in a Legal Aid Office Today” (July 2014 Draft)

Executive Summary

In 2008, as part of its commitment to develop a strategic vision for technology, the Legal Services Corporation (“LSC”) released its first report on the technological capacities that a modern legal aid program should have in place or have available to it, known as the “LSC Technology Baselines Report.” The technology capacities described in that report are intended for any legal aid office that provides a full range of legal services and covers technologies related to data management, intake and telephone advice, support for private attorneys, communication, security, training, social media, and grant management. In 2014, after receiving comments from LSC grantees, the NLADA Technology Section, and leaders from non-LSC legal aid programs, LSC released an updated draft revision to LSC Technology Baselines Report.

The Working Group reviewed the 2014 revision to the LSC Technology Baselines Report and annotated it with comments and resources relevant to New York providers. Significant comments included:

- Technology policies are critical to adopt and implement as they can protect client data and help ensure business continuity.
- Technology staffing/consulting levels generally need to be increased in order to maintain critical systems, support strategic technology planning, and support innovative technologies.
- Current case management systems should be used to help automate more of providers’ day-to-day case and grant management work.
- Providers should invest in more technology training to increase their productivity.
- Document assembly, ranging from simple letters to more complex pleadings, can save time and improve quality.
- Staff mobility is essential, and providers should plan for and manage how their staff will work from court houses, community partner sites, and other remote locations.
- Management should join state and national conversations around technology, and take advantage of free and low-cost resources.
- Technology is becoming more powerful and in many cases more complex - we can collaborate more to improve successful collaborations that exist around shared VoIP telephone systems.

New York Comments and Resources on “LSC Technology Baselines: Technologies That Should Be in Place in a Legal Aid Office Today”

(July 2014 Draft)

This document is intended to give New York civil legal aid providers information and resources that will help them consider the anticipated update to the LSC Technology Baselines. The “Needed capacities or functions” column of this spreadsheet contains draft language from the July 2014 draft of the “Legal Services Corporation Baselines: Technologies That Should Be in Place in a Legal Aid Office Today.” As of the creation of this guide, the final 2014 Tech Baselines had not been promulgated by LSC.

This is a live document that can be updated online over time. Permanent Link: <http://goo.gl/Qp2cVb>

Purpose served	Needed capacities or functions	Task Force Technology Working Group Comments	New York Resources
<p>OVERALL PROGRAM CAPACITY</p> <p>Planning</p>	<p>Technology planning should be ongoing and integrated into the overall planning of the program for effective service delivery.</p> <p>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.</p>	<p>The 2013 technology survey found that “[t]here is insufficient attention to proper technology policies with only about 1/2 the providers reporting that they had a certain technology policy in place and few providers relying on frequent and active means to educate their staff (e.g., specific technology policy trainings).”</p> <p>At that time, the TF recommended: “Urgent: Providers immediately should work to develop and implement policies</p>	<p>NYS Tech participants have shared technology plans with each other and regularly share plans for technology. NYSTech is a consortium of New York legal aid programs that meets regularly to share information and resources. Contact: John Greiner (LS-NYC), Anna Hinline (LawNY), or Jeff Hogue (LegalServer).</p> <p>Cloud Services information experts include: Google Apps - Jeff Hogue (LegalServer), Anna Hinline (LawNY) OwnCloud- File sharing/syncing on your own servers - Joe Kelemen (WNLYC) Microsoft Office 365 - Jessica Stuart (Probono.net) Private Corporate Cloud - Joseph Melo (Legal Services NYC)</p>

	<p>Technology plan should be reviewed and updated as needed every year.</p> <p>Programs should have a strategy as to whether cloud services would serve as useful alternatives to self-hosted applications and servers for the organization, including for back-up of data and disaster preparedness.</p>	<p>that directly address the privacy, security and availability of client information and attorney work product.</p> <p>Such policies should address how the agency: protects electronically stored client data; actively manages network and software security; and ensures data is securely backed-up.</p> <p><u>Medium-term:</u> Drawing on existing best practices or those developed by the Statewide Project Directors or by the NYS Technology Working Group with aid from the Task Force or bar associations, providers should develop and implement other key policies regarding the use of employee and volunteer owned/controlled also reference technology and services (e.g. tablets, phones, flash drives, dropbox, etc.) and data retention. Providers should mandate staff training with respect to technology policies and business continuity protocols. Providers should develop and periodically test business continuity protocols to ensure that the provider is able to reestablish operations within a reasonable time following a business interruption.</p> <p><u>Strategic/Long-term:</u> Providers should develop their own comprehensive technology plan that supports and</p>	
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		<p>enhances their delivery of legal assistance to client communities. Ideally this planning work is in concert with a provider's program planning. Providers should hire staff or consultants who can properly audit compliance with technology policies."</p>	
<p>OVERALL PROGRAM CAPACITY</p> <p>Budgeting</p>	<p>Adequate funds should be budgeted by the Board of Directors for:</p> <ul style="list-style-type: none"> the ongoing maintenance and upgrade of hardware and software; the personnel necessary to support and maintain the system; and training in its use. <p>The organization should develop a plan as to how they will fund or fundraise for necessary technologies.</p> <p>Technology should be included as a line item in the budget of every project, program, and initiative, even if it is a zero dollar line item.</p>	<p>The 2013 technology survey found that providers lacked many core technology supports and the TF's recommendations included:</p> <p>"Providers should take advantage of existing nonprofit and group purchasing opportunities (e.g., www.techsoup.org and government contracts) and government funders should assist with such efforts."</p> <p><u>Medium-term:</u> Providers should seek to develop baseline technology benchmarks for quality, resilience, capacity, and security. Providers should develop a financial plan to maintain and support those technology benchmarks. There should be greater group purchasing of hardware, software, web design and document assembly through existing mechanisms such as NYS contracts and private purchasing collectives (e.g., www.essensa.org, www.micta.org) and by creating new purchasing collaboratives from among the</p>	<p>Michael Hernandez (LS-NYC) and John Greiner (LS-NYC) have volunteered to be informational resources regarding budgets and planning for hardware/software/services.</p>

		<p>NYS legal service providers.”</p> <p>The Task Force Technology Working Group notes that some providers find the ‘line item’ baseline overly prescriptive. Our members suggest that understanding accounting principles of depreciation for tech purchases and budgeting for tech expenditures are the key elements in this category.</p>	
<p>OVERALL PROGRAM CAPACITY</p> <p>Personnel</p>	<p>The organization should have at least 2 per 100 FTE staff or consultants focused on technology sufficient to:</p> <ul style="list-style-type: none"> • 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; • Maintain (or contribute content) to the 	<p>The Task Force understands that all programs struggle to fund and staff worthy objectives. Technology staffing is a program decision, but experts in the field agree that some dedicated technology staffing is essential.</p> <p>Considerations:</p> <ul style="list-style-type: none"> • Salaries for skilled FT tech managers can exceed legal aid attorneys. • Outsourcing all tech management risks that the consultant may not understand the special needs of legal aid. • Outsourcing all technology leadership may reduce internal staff’s ability to recognize opportunities to better use existing or emerging technology. • Whether relying on staff 	<p>Standardization can help reduce tech staff and consultants needed to maintain/upgrade/support technology. It also reduces some of the complexity in training staff. This can mean requiring staff to use identical software, printers, etc.</p> <p>Successful staffing models:</p> <ul style="list-style-type: none"> • Identify promising technology-savvy staff and give them the time and training to grow into technology coordinators. • Limit outside consultants to highly complex technology needs or commodity services (e.g. VoIP telephone service). • Some programs have found outside consultants who are successfully managing nearly all technology leadership and maintenance matters (contact Tom Cochran at LSHV; Betsy Ellison at My Sisters’ Place). <p>Collaborate:</p> <ul style="list-style-type: none"> • Some programs have merged and shared expenses for certain aspects of tech needs. • Some programs achieve efficiency by informally collaborating on tech matters. • Talk with your sister agency counterparts for vendor recommendations. • Consider joining the NYSTech workgroup calls.

	<p>statewide website and any program website.</p>	<p>or consultants, how will emergencies be handled?</p> <ul style="list-style-type: none"> • When choosing software and applications programs, how many staff will be needed to maintain the technology systems? • Staff/consultants who manage website and social media projects do not reduce the need for management in delivering, maintaining, supporting and upgrading technology. 	
<p>MANAGEMENT OF CLIENT AND CASE DATA</p> <p>Case Management System</p>	<p>The following capacities, including reporting features and access to client and case data, should be available in real time in all offices:</p> <ul style="list-style-type: none"> • 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 	<p>As funders require more data and business process analysis gains attention, the role of case management systems in meeting agency needs becomes more critical.</p>	<p>As of August 2013, the common CMS in NYS included:</p> <ul style="list-style-type: none"> • TIME • Legal Server • Kemps • Salesforce • Microsoft Access <p>TIME is provided by the Western New York Law Center “free of charge to IOLA grantees. This system is available to non-IOLA grantees for a small charge, and all fees generated from the system are put back into further development and updating of the system.” (For info: www.wnylc.com)</p> <p>Most case management systems have national user groups and email distribution lists. Contact your CMS vendor for more information.</p> <p>LSNTAP (lsntap.org) and LSC (lsc.gov) maintain some information about case management systems. LSC’s LRI includes 2013 national data.</p> <p>The NYSTech working group includes members who use a variety of case management systems.</p>

	<p>conflict check;</p> <ul style="list-style-type: none">• 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 customize, without vendor assistance, various aspects of the CMS software application (e.g. changing reporting		
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	<p>requirements, adding/deleting data fields as needed);</p> <ul style="list-style-type: none"> • 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); • Capture and report case outcomes, add new case outcome lists required by funders without vendor assistance. 		
<p>PRODUCTION AND SUPERVISION OF LEGAL WORK</p> <p>Case management system</p>	<p>Record case notes electronically including facts, advice and services offered, with deadlines.</p> <p>Generate simple forms and letters from the case management system.</p> <p>Generate reports and</p>	<p>The Task Force Technology Working Group has no additional comments for this topic.</p>	<p>With some case management systems, it is possible to share automated documents and forms. They can be exported and imported. This is another reason to get involved with the larger CMS user community for the system you use.</p>

	<p>extract meaningful data for case planning and organizational planning.</p> <p>Provide remote access to the system, including databases as needed.</p> <p>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.</p>		
<p>PRODUCTION AND SUPERVISION OF LEGAL WORK</p> <p>Calendaring</p>	<p>A calendaring/tickler function for deadlines and appointments that can be viewed by appropriate staff.</p> <p>Program-wide electronic calendaring system.</p>	<p>Calendaring can be part of an office suite, such as Microsoft Outlook, Microsoft Exchange, Office 365, or Google Apps, and/or integrated into a case management system.</p> <p>Effective use of enterprise-wide electronic calendaring may require training.</p>	
<p>PRODUCTION AND SUPERVISION OF LEGAL WORK</p> <p>Document production</p>	<p>Effective use of productivity software such as word processing, spreadsheets, and presentation software and training in their use.</p> <p>Develop a strategy to automate forms and pleadings routinely used</p>	<p>Effective use of productivity software requires training.</p>	<p>LSNTAP.org has several online trainings available that help with the productive use of common applications.</p> <p>LawHelp Interactive (LHI) a national community site for legal services and pro bono lawyers for building and sharing automated forms within and across states. Working collaboratively on automated documents cuts down the cost of building and maintaining them. LHI also allows the legal services community to use the documents through the website at no cost to advocates and pro bono lawyers.</p>

	<p>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.</p> <p>Staff works jointly on the production of large projects, such as major briefs and pleadings.</p> <p>Capability of creating PDF documents as well as converting them to editable files.</p> <p>Electronic filing of pleadings when required or allowed by court systems.</p>		<p>Probono.Net and the Empire Justice Center have valuable resources in many practice areas for NYS advocates to help with the production of work product.</p> <p>New York State Courts e-filing information: Cases and locations in which e-filing can be used - https://iappscontent.courts.state.ny.us/NYSCEF/live/authorizedForEfiling.htm</p> <p>E-filing system requirements: https://iappscontent.courts.state.ny.us/NYSCEF/live/requirements.htm</p> <p>FAQs (https://iappscontent.courts.state.ny.us/NYSCEF/live/faq.htm)</p> <p>Federal Courts e-filing information: E-filing is accepted in Southern, Eastern, Northern, and Western District Courts - http://www.uscourts.gov/FederalCourts/CMECF/Courts.aspx</p> <p>E-filing system requirements - http://www.uscourts.gov/FederalCourts/CMECF/AboutCMECF.aspx</p> <p>FAQs - http://www.uscourts.gov/FederalCourts/CMECF/FAQs.aspx</p>
<p>PRODUCTION AND SUPERVISION OF LEGAL WORK</p> <p>Online legal research</p>	<p>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.</p> <p>Access to statewide materials, including</p>	<p>The 2013 technology survey found that providers lacked many core technology supports and the TF’s recommendations included: “Providers should ensure that their advocacy staff have access to all the digital resources necessary to serve clients, which may require updating hardware and software, support, training, etc.”</p>	<p>New York Resources:</p> <ul style="list-style-type: none"> • Western New York Law Center (WNYLC) - Fair Hearings Database • NYSBA online resources • Probono.Net has news in different practice areas maintained by NYS providers <p>Advocates request and share news and updates through the WNYLC email distribution lists in many practice areas.</p>

	<p>forms and pleadings, legal education materials, brief banks, and topical email lists.</p> <p>Updates on changes in the law and new cases from legal support centers.</p>		
<p>PRODUCTION AND SUPERVISION OF LEGAL WORK</p> <p>Supervision</p>	<p>Data to support the supervision of legal work, including case lists and activity, are available to supervisors and management.</p> <p>As necessary, remote access to case files for review by supervisors.</p>	<p>The Task Force Tech Technology Working Group has no additional comments for this topic.</p>	<p>Many NYS programs are using their CMSs to generate reports for supervisors and directors. Sister agencies using the same CMS should be valuable sources of information.</p> <p>Web-based and non-web-based CMSs can all be enabled for remote access over the Internet - Contact Joseph Melo at LS-NYC on how the agency maintains security for both types of CMS.</p>
<p>PRODUCTION AND SUPERVISION OF LEGAL WORK</p> <p>Timekeeping</p>	<p>Electronic timekeeping is available and utilized.</p>	<p>The Task Force Tech Technology Working Group has no additional comments for this topic.</p>	
<p>RECORDS MANAGEMENT</p> <p>Electronic Records</p>	<p>Filing of all electronic records, retaining them, assuring their accessibility and properly disposing of them when appropriate. Potential records in question include:</p> <ul style="list-style-type: none"> All data files associated with program 	<p>Retention of electronic records has implications for litigation involving the agency and for potential future regulations that may require disclosure to clients of, for instance, how long personally identifiable information is stored.</p> <p>No free and open source document management system has gained popularity with</p>	<p>There is a New York ethics opinion regarding client and attorney ownership/control interest in case files, and one on destruction of files.</p> <p>See the New York State Bar Association guidance on retention/destruction.</p> <p>Consider researching breach notification requirements that might apply to your agency, some of which may be triggered in funding contracts.</p>

	<p>software;</p> <ul style="list-style-type: none"> • Email messages; • Instant messaging (where used); • Transcribed or recorded telephone messages and conversations. <p>Policies that govern permissions or access rights to electronic files, including the right to view, edit, move or rename files, with defined document retention policies.</p> <p>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.</p>	<p>legal aid providers as of 2014.</p> <p>Microsoft SharePoint provides product donations and heavily discounted charity pricing. SharePoint allows agencies to build into the system the document management, access, and retention policies the agency adopts. Most programs hire a consultant or have technology staff partly dedicated to implementing SharePoint.</p> <p>Google Apps for Work offers Google Vault retention controls and auditing.</p>	
<p>KNOWLEDGE MANAGEMENT</p> <p>Pleading and brief banks, and other electronically stored data and information</p>	<p>Store and retrieve sample pleadings, briefs, motions and other documents based on content.</p> <p>Program staff use an effective method for finding documents by search or logical browsing, and can purge documents. Findability</p>	<p>Knowledge management is different than document retention. It involves designing a method for storing and easily finding useful templates, research, practice tips, internal system documentation and other information.</p> <p>No free and open source knowledge management</p>	<p>The Bronx Defenders have considered a knowledge management approach (Kate Rubin).</p> <p>Outside of NY - Washington State Northwest Justice Project's -SharePoint system - IKE</p> <p>Pro Bono Net, together with host organizations, offer practice areas that contain substantive content, (2) calendars for legal trainings & events, (3) volunteer opportunities, (4) listservs, (5) pro bono opportunities, and (6) legal libraries.</p>

	<p>may be based on a document management system or content-searchable email lists, wikis, or shared folders.</p> <p>Programs should create a strategy as to how technology should be used to institutionalize knowledge of key employees (what they know, what they do, especially areas outside job description or that require specialized skills).</p> <p>Electronic access to internal forms and procedures.</p> <p>Program-wide accessible and searchable contacts management system.</p> <p>Electronic access to practice guides.</p>	<p>system has gained popularity with legal aid providers as of 2014.</p>	<p>The Online Resource Center offers (1) legal materials and databases for advocates in their daily practice, (2) substantive law Listservs to connect advocates for assistance and collaboration, and (3) online training. The substantive materials are primarily designed as searchable databases so they are accessible and easy to use.</p>
<p>INTAKE AND TELEPHONIC ADVICE</p> <p>Telephone systems</p>	<p>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.</p> <p>Call routing by language, substantive and/or geographic area.</p> <p>Ability to serve persons</p>		<p>Providers experienced in high-volume call centers:</p> <ul style="list-style-type: none"> • The Legal Aid Society • LS-NYC • City Bar Justice Center <p>Providers co-located at the Telesca Center in Rochester share reception services and a telephone system.</p> <ul style="list-style-type: none"> • Legal Aid Society of Rochester • Law-NY • Empire Justice Center • VLSP of Monroe County <p>Providers reaching a large rural area by operating a central intake/helpline, using VoIP:</p>

	<p>with speaking or hearing disabilities through access to TTY or relay service.</p> <p>Technology to review busy signals, wait times, dropped calls, etc.</p> <p>If the program does telephone call backs, they should move toward telephone systems that include automated callback systems.</p> <p>Provide recorded information to caller while waiting or after hours.</p> <p>Telephone system should allow programs to accommodate intake by remote volunteers and/or staff (for instance, by shifting intake to individuals at remote locations).</p> <p>General intake should consider online intake as well as more traditional means of application.</p>		<ul style="list-style-type: none"> • Legal Services of Central NY • Legal Aid Society of Mid-NY • LSHV <p>Nationwide - CLEAR in Washington State and CARPLS in Chicago</p>
<p>INTAKE AND TELEPHONIC ADVICE</p> <p>Electronic desk manual</p>	<p>Readily available, centrally located, and easily updated electronic guide for intake workers to provide appropriate information, advice or referral.</p>	<p>Technology can help standardize processes and procedures and help propagate changes instantly. The Task Force Technology Working Group has no comment on the specific method suggested by</p>	<p>The NYSTech legal aid workgroup consortium plans to request sample electronic intake/advice guides.</p>

		the baselines.	
INTAKE AND TELEPHONIC ADVICE Case management system	See Case Management System capacity section.		
LEGAL INFORMATION FOR LOW INCOME PERSONS Legal Information via Websites and Social Media	<p>Programs should collaborate in providing a statewide website with the following features:</p> <ul style="list-style-type: none"> • Current web-based 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. 	<p>NY has LawHelp/NY, a coordinated statewide website.</p> <p>The TF’s recommendations from 2013 technology survey: <u>Urgent</u>: Providers should ensure that the substantive content their organizations develop for the advocacy and client communities are cross-posted with the appropriate statewide technology resources. Providers should increase their staff’s awareness of existing document assembly tools built for NYS legal services advocates and clients.</p> <p><u>Medium-term</u>: Providers should ensure that their staff are taking advantage of appropriate free statewide technology resources. With respect to serving the client communities, providers should analyze and consider minimizing substantive legal content on their own websites and drive clients to the statewide online resources. Providers should use and</p>	Contact Leah Margulies at LawHelpNY.org for more information about collaborating with LawHelp New York.

		<p>promote their clients' use of the existing document assembly tools and provide feedback, so as to increase consistency of the legal practice throughout the state and support the court system's current efforts to standardize forms and process.</p> <p><u>Strategic/Long-term:</u> Additional and steady funding should be secured for statewide technology resources. Providers should collaborate and coordinate in the development and updating of substantive content for the statewide technology resources. Statewide technology resources should develop better and more consistent tools for measuring the use and efficacy of their services. Statewide technology resources should develop ways to better integrate and acknowledge -- and thereby increase -- substantive contributions from individual providers. Providers should engage in collaborative efforts to increase their collective use of automated document assembly in appropriate practice areas.</p>	
LEGAL INFORMATION FOR LOW INCOME PERSONS	Provide information to clients who use mobile devices, such as through mobile compatible websites,	The Task Force Technology Working Group sees mobile technology as a possible strategy for getting legal information to low income	In collaboration with LawHelpNY, LawNY and LSHV each have texting-related technology initiatives underway. VLSP of Monroe County - has mobile-friendly access and access to prescreening through an A2J Author online process.

<p>Mobile Technology for clients</p>	<p>mobile apps, or SMS text messaging.</p>	<p>people.</p>	<p>As of August 2013, other NY providers using text messaging to provide substantive legal information to the public or self-represented included:</p> <ul style="list-style-type: none"> • ProBonoNet • The Legal Project • Workers Justice Law Center • Day One • NYLPI • Make the Road • Empire Justice Center • The Family Center
<p>LEGAL INFORMATION FOR LOW INCOME PERSONS</p> <p>Community legal education</p>	<p>Community legal education presentations are supported by effective use of technology, such as online conferencing, videos, and other appropriate technologies.</p>	<p>The Task Force Technology Working Group has no additional comments for this topic.</p>	<p>As of August 2013, these NY providers also reported that they were using a YouTube Channel or VIMEO account for contacting clients:</p> <ul style="list-style-type: none"> • Legal Aid Society • Pro Bono Net • LIFT • NYLPI • Urban Justice Center • NYLAG • LASNNY • Lutheran Social Services • The Family Center • VLSP of Monroe County • LS-NYC - Kate Whalen <p>LawNY experimented with animated divorce information videos, posted on YouTube. Contact Anna Hineline (LawNY). Also Jeff Hogue (LegalServer).</p> <p>LawHelpNY’s fair hearing rights A2J Author interviews educate users about their rights in administrative hearings. Contact Leah Margulies or LawNY.</p>

<p>SUPPORT FOR PRO BONO AND USE OF PRIVATE ATTORNEYS</p> <p>Support for program efforts to accept, refer and track pro bono and PAI cases</p>	<p>Programs should have the following technology in place to support their pro bono programs:</p> <ul style="list-style-type: none"> • A website with features such 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. 	<p>Given the new law student pro bono rules in New York, programs should consider the ability to communicate with pro bono law students about opportunities and supports.</p>	<p>Contacts in New York:</p> <ul style="list-style-type: none"> • Probono.Net • Bill Kransdorf at LS-NYC’s Bankruptcy Assistance Project • New York City Bar Bankruptcy Project • Law-NY is the lead provider on a new Pro Bono Innovation Grant that will coordinate law students, attorneys emeritus and other pro bono volunteers and will involve 6 LSC grantees and 9 law schools.
<p>SUPPORT FOR PRO BONO AND USE OF PRIVATE ATTORNEYS</p>	<p>Program provides assistance and support in PAI representation, including electronic pleading and brief</p>	<p>The Task Force Technology Working Group has no additional comments for this topic.</p>	<p>Contacts in New York:</p> <ul style="list-style-type: none"> • probono.net (Adam Friedl, Liz Keith) • Adam Heintz at LS-NYC on training, supporting and managing firm attorneys

<p>Direct support for volunteer attorneys</p>	<p>banks.</p> <p>Program provides volunteer attorney training and resource materials through the use of technology, such as web conferencing, video conferencing and hosted online trainings.</p> <p>Statewide website section dedicated to support for private attorneys.</p>		
<p>SECURITY</p> <p>Firewalls, antivirus, anti-spam, and anti-spyware applications, back-up and appropriate policies regarding use of data and computers</p>	<p>Operating systems, antivirus software, and other software applications have the most current patches and definition updates.</p> <p>Maintenance of backup and recovery systems pursuant to grant assurances, including off-site backups.</p> <p>Security policies and procedures for protecting client and case data, sensitive, personal and personnel data, and all communications from loss or unauthorized intrusion.</p> <p>Server equipment should be kept in a secure environment with appropriate ventilation</p>	<p>States and state agencies are adopting data breach notification statutes. Funders and partners are including data breach protocols. Programs should be aware of NY rules regarding data breach notification.</p> <p>The 2013 technology survey found that providers lacked many core technology supports and the TF’s recommendations included: “Providers should ensure that the security of their operating systems is supported by the software vendors. ... Providers should ensure that their offices have adequate bandwidth and a backup connectivity plan in case the primary Internet connection fails.”</p>	<p>See New York rules of professional conduct and ethics opinions regarding reasonable care to protect client secrets.</p> <p>Links to additional information:</p> <p>LSNTAP.org http://www.jacksonlewis.com/media/pnc/9/media.1309.pdf - NYS Guide from 2008 on data privacy and security - couldn’t find it on the NYS site at: http://www.dos.ny.gov/consumerprotection/securitybreach/factsheet_for_business.html http://www.fcc.gov/cyberplanner http://business.ftc.gov/privacy-and-security https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/73128/12-1120-10-steps-to-cyber-security-executive.pdf - page 8 in particular has 10 good tips</p> <p>http://www.willkie.com/files/tbl_s29Publications%5CFileUpload5686%5C2802%5CNew York Data Privacy Guide.pdf</p>

	<p>and cooling.</p> <p>Disaster recovery plan (that includes periodic testing) for mission critical technology systems. Technology is included as part of the organization's disaster plan.</p> <p>Policies regarding the use of the Internet and social media.</p> <p>Policies to ensure the security and integrity of passwords.</p> <p>Policies regarding the retention and deletion of data.</p> <p>If an external instant messaging system is used to communicate confidential client data, encrypt it.</p> <p>Policies for security of tablets, mobile devices, flash drives, and laptops including remote wipe and/or encryption.</p> <p>Where a program allows remote working, programs should have policies in place for security, data integrity, and data storage in remote workspaces.</p>		
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<p>SECURITY</p> <p>Cloud Computing</p>	<p>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.</p> <p>Programs moving applications or data to the cloud should consider terms of use, privacy policy, data ownership, security, and data portability.</p>	<p>The Task Force Tech Technology Working Group has no additional comments for this topic.</p>	<p>Contacts in New York:</p> <ul style="list-style-type: none"> • Google Apps - Anna Hineline (LawNY), Jeff Hogue (LegalSever) • Office 365- Bronx Defenders • OwnCloud - Joe Kelemen (WNYLC) • Private Cloud - John Greiner at LS-NYC
<p>SECURITY</p> <p>Mobile for Staff Use</p>	<p>Organizations should establish policies to govern the use of organization-owned mobile equipment and what employees can do with their own mobile devices. Policies should address who may access what services, level of support, remote wipe, cloud-based backups, and termination/revocation.</p>	<p>As a result of the 2013 technology survey, the TF recommended that: "Providers should increase their support for mobile devices, where appropriate for their practices."</p>	<p>Contacts in New York:</p> <p>Michael Hernandez - LS-NYC on mobile device management (iOS, Android, BlackBerry)</p>
<p>TRAINING</p> <p>Training and technology</p>	<p>Assessment of organization-wide and individual technology training needs.</p> <p>Training and support for all personnel in the use of appropriate systems and software. As organizations develop</p>	<p>The need for training was stressed in the 2013 Task Force report. Technology training can range from ad hoc and casual to highly targeted and planned.</p>	<p>Members of the New York legal aid community and NYSTech are discussing ways to share resources in training in New York.</p>

	<p>new tools for clients, staff should be adequately trained to provide support on these tools.</p> <p>Ongoing training for IT staff to leverage existing and new technology.</p> <p>Train IT on existing policies for technology use and ABA ethical standards on technology.</p> <p>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.</p> <p>Set technology standards for new hires and incorporate technology training as part of on-boarding process.</p>		
<p>TRAINING</p> <p>Use of technology to deliver training on substantive law, legal skills, and administrative policies and</p>	<p>Technologically supported skills, substantive, and administrative training, such as access to on-demand training packages, including on-line trainings, DVDs and podcasts.</p>		<ul style="list-style-type: none"> • WNYLC provides free CLE training • WNYLC hosts recorded CLE trainings on a variety of topics. • The Learning Center - (LS-NYC) has library of trainings for staff. Contact Tanya Wong at LS-NYC for info on this model.

procedures			
<p>COMMUNICATION</p> <p>Email, email lists, and other technologically supported communication methods</p>	<p>Universal capacity to communicate through individual email accounts.</p> <p>Policy for proper use of email and other electronic communication tools.</p> <p>Email lists by substance and administrative function, as appropriate.</p> <p>Develop and use collaborative work environment tools such as blogs, wikis, real-time group editing tools, and web conferencing for internal and external communication.</p>		<p>Real-time collaborative tools used by providers in New York include:</p> <ul style="list-style-type: none"> • Microsoft SharePoint (Jessica Stuart, Gerard Raymond, Joseph Melo) • Google Apps (Anna Hinline, Jeff Hogue)
<p>COMMUNICATION</p> <p>Internal communication mechanisms</p>	<p>An internal communication mechanism for communications to staff (email, email lists, blogs, web conferencing).</p> <p>Help desk software and trackers.</p>	<p>The Task Force Technology Working Group feels that help desk software is appropriate for very large organizations, but other methods, such as special email broadcast lists, may work well for smaller organizations.</p>	<p>For help desk examples, contact Michael Hernandez at LS-NYC.</p>
<p>ADMINISTRATIVE</p> <p>Accounting</p>	<p>Accounting systems should have the capacity to manage these functions:</p> <ul style="list-style-type: none"> • General ledger, payables, receivables and 	<p>As of August 2013, in addition to excel spreadsheets, the most common accounting systems used in NYS:</p> <ul style="list-style-type: none"> • Sage / MIP NPS • Quick Books • FundEZ 	<p>There are external payroll systems such as ADP and Intuit's web-based payroll system, and payroll service companies.</p> <p>There are also some programs that have in-sourced their payroll, using programs such as MIP (LS-NYC - contact Betty Caines)</p>

	<ul style="list-style-type: none"> fixed assets; • Payroll; • Maintain client trust accounts; • Track and report budgeting and expenditures; • Generate all needed internal and external reports. 		<p>The NYSTech workgroup is considering a survey to further identify the tools that NY providers use.</p>
<p>ADMINISTRATI ON</p> <p>Human resources management</p>	<p>Maintain all appropriate personnel records electronically, including:</p> <ul style="list-style-type: none"> • Payroll; • Timekeeping; • Benefits administration. • Maintain confidentiality of personnel data. • Advertise positions and accept applications electronically. • Generate appropriate and necessary personnel reports. 		<p>The Western New York Law Center (WNYLC) wnylc maintains a job posting list.</p> <p>Some providers also use Idealist and Craigslist, and direct mailings to organizations that might assist in recruiting a diverse workforce.</p> <p>The NYSTech workgroup is considering a survey to identify what tools legal aid providers use in New York.</p>
<p>DEVELOPMENT /FUNDRAISING</p> <p>Grant maintenance</p>	<p>Grant maintenance system that can track each grant, including:</p> <ul style="list-style-type: none"> • information on grant requirements, restrictions and commitments; • tracking of expenditures and activities; • management of reimbursables; 	<p>Most organizations meet this using a variety or combination of systems.</p>	<p>The NYSTech workgroup is considering a survey to identify what tools legal aid providers use to track grants in New York.</p>

	<ul style="list-style-type: none"> • indirect cost calculations; • control of expenditures against budget; • generation of reports and tracking of deadlines. <p>Maintenance of contact information.</p>		
<p>DEVELOPMENT/ FUNDRAISING</p> <p>Fundraising and marketing</p>	<p>In addition to general legal information available on a statewide website, the organization itself should have a compelling web presence that includes:</p> <ul style="list-style-type: none"> • 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. <p>Organization should have a strategy as to whether and how they should use social media to reach out to potential supporters, volunteers, and donors.</p> <ul style="list-style-type: none"> • 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 	<p>Not all programs have donor management software, and this may be beyond a baseline for small programs. Many accounting packages offer fundraising modules. There are a number of low-cost web-based donor management tools - See TechSoup.org.</p>	<p>Organizations can post some information about themselves on LawHelpNY.org, even if they have their own website.</p> <p>Wilneida Negron (@WilneidaNegron) has worked with LawHelpNY and other agencies, and is in skilled social media and search engine optimization.</p>

	<p>reports of donors that meet specific criteria, such as interests and giving history.</p> <ul style="list-style-type: none">• Generation of letters, reports, and other appropriate documents.		
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