Ellen Samuel:
It is three o'clock. Let's begin. We want to welcome you to our session on the LSC Tech Baselines. We have left the last five minutes of the session for questions. Please use the chat for any questions you have for the presenters and we will get to as many as we can at the end of the presentation. If you are on the desktop Teams app, the chat bar button should be at the top of your gray bar and you can click on that and add questions. The information for applying for CLE is posted on the Permanent Commission website. An email will go out all about the CLE to all registrants. There will be an online form for each day. A code will be read during this session, which you will need to report on your CLE form. You must attend the entire session and must complete and submit the online form within a week of the conference. You will also need to know your attorney registration number.

We are ready to begin. I would like to introduce you to Jane Ribadeneyra and Tony Lu, who will be talking to you about the LSC Baselines. Take it away.

Jane Ribadeneyra:
All right. Hi. Welcome, everybody. Ellen, do you want to go ahead and go to the next slide? We'll just go through the agenda for today. I'll be doing an introduction about the Baselines. We have a poll for everybody. Then, we'll be talking a little bit about the technologies and how the Baselines are set up, how you can use them. We'll also do an overview of significant changes that are being proposed for the Baselines being updated. Then also how you can use them in technology planning and doing some assessments within your organizations. And as Ellen said, we'll have some time at the end for Q&A.

Ellen Samuel:
Sorry, that's me. I've just been asked to remind you that the 2023 Civil Legal Aid Technology Survey is available and will be distributed to all JCLS and IOLA grantees, as well as other civil legal aid programs throughout New York. It will arrive via email and the data is going to be compared with the 2018 and 2013 tech surveys. The survey closes on May 16th, 2023. And there's the link at the bottom there. Thank you, Colleen. The survey was sent out yesterday morning, so please check your emails for that. Tony, would you like to tell people who you are?

Tony Lu:
Sure. I'm Tony Lu. I'm a senior consultant at Just-Tech, and formerly was a staff attorney at the New York Legal Assistance Group, and a fellow at the Urban Justice Center. So, I have connections to New York though I'm in California now. Also, I was previously at Pro Bono Net.

Jane Ribadeneyra:
Great. Yes, sorry. I'm Jane Ribadeneyra. I am a Program Analyst for Technology at the Legal Services Corporation. In this role I primarily oversee Technology Initiative Grants at LSC and also work on other tech projects like the Technology Baselines. All right. We have a poll for everyone. Ellen, are you going to run the poll?

Ellen Samuel:
I think our tech staff is going to set that for us. There it is.

Jane Ribadeneyra:
We have a poll coming up here. We're just asking to get a sense of people in attendance for how familiar you are with LSC's Technology Baselines- if you've heard of them, if you've used them. "Yeah, I'm pretty familiar." Or, if they're just completely brand new to you. So, we'll just take a minute and do the poll.

Ellen Samuel:
Okay. It looks like we have people all over the board, some baseball fans, and it seems like most people have heard of them. So, this should be very informative.

Jane Ribadeneyra:
All right. Great. Well, I will just give a little bit of background just in case there's a few people out there that have never heard of them. Back in 2006-2010 we created LSC's Strategic Directions plan. Part of our mission is to enhance the quality of civil legal services across the United States and territories. We worked with community stakeholders to publish what was in the original “Technologies that Should be in Place in a Legal Aid Office Today,” aka, better known as LSC's Technology Baselines. That was back in 2008, the first version was released. We last went through a process to update them back in 2015. So, just to let you know what the Baselines are, they’re meant to provide a set of minimum technology capacities that legal aid organizations should have in place or have available to them through a vendor or through a partner.

And then, what don't they do? They're not considered requirements by Legal Services Corporation. They're really meant to provide guidance both to grantees and to other legal aid offices on how you can use technology to provide high-quality legal services to clients. LSC does use them as a resource when we review our grantees. We also recognize there's a need to balance what technologies are listed as Baselines versus considerations or best practices. I'll talk about that a little bit as we go through the updates that we're making.

For instance, some of the feedback sessions that Just-Tech did... Just-Tech is working with us as our consultant on this project to help us review the Baselines and draft the updates that are needed. They've done a lot of listening sessions. So, as part of all of that process, we've heard from, for instance, IT staff who might want to see a higher level of Baselines that are listed. But then, on the other side, you've got legal aid directors and management who want to make sure there's flexibility in there. So, that's the balance that we use in drafting the Baselines and how they're laid out. But they're still really helpful and legal aid organizations can use them as a tool to help you assess your own technology and guide your technology planning and budgeting, which we'll be talking about a little bit later.

As I said, the Baselines are in draft form right now and are out for comment. The comment period actually ends the end of this week. They were released for comment back on March 20th. If you want to go take a look at the updates that are being proposed, you can go to LSC's “Matters for Comment” website with the link that's there and get to the proposed Baselines. The comments are due by midnight Eastern Time this Friday, April 21st. I just want to briefly go through the sections of the Baselines. They're laid out high level for purposes within each section for the different technology... from overall program capacity, to development and fundraising. I'm not going to read through every level, but they're really pretty detailed in terms of every type of function that you can think of within a legal aid office that you'll need to use some technology for.

And then, under the... Actually, Ellen can you go through? I think that slide is out of order. Yeah, there you go. The Baselines under each section are the actual Baselines that talk about what you should have in place. Then, you get into even more detail on the next level. I think there's one more slide in there on just what all is included.

One of the biggest formatting changes that we made, and if you go back to the Baselines from 2008 - 2015, they're laid out in this table and word table, and it was a little... What we're trying to do... and Just-Tech has helped with, is to really make them more user-friendly, make it easy to scroll through. So, we've divided them up into each high-level area, and then into the Baselines themselves. You'll see that you can have needed capacities or functions. Those are the actual Baselines. And then, we've added important considerations and best practices. We've also, in the past, have had a section for resources and references to either ABA standards, LSC performance criteria, things like that. Those will also be added back into the final version before it's released, but we wanted to get just the meat of it out for comment. So, that's where those are. Now, we're going to go through some of the significant updates of what the Baselines are happening. So, I'm going to pass this over to Tony.

Tony Lu:
Thanks, Jane. In the area of overall program capacity, there were three primary areas that emerged as having evolved since the last update. One was focusing more on staff engagement and trying to prioritize getting more input and feedback from staff, such as through regular staff technology surveys, or if you don't already have one, creating a staff technology committee that can help with planning, prioritizing, and implementing technology initiatives. Another area was raising the importance of budgeting for technology that recognizes the ongoing maintenance costs and growing share of costs that cybersecurity reflects in the technology budget. The third was an overall shift to moving services to cloud-based solutions, rather than keeping on-premises servers with data. Just generally, in all areas of technology, there's been a large move in that direction for security reasons and for sustainability reasons.

To drill down a little bit more into sustainability- as I mentioned before, ongoing maintenance costs is something that needs to have an increasing attention paid to as part of the planning for software. Increasingly, licenses are how software is being acquired and it's no longer buying a copy or a version of software and using it for a few years and then upgrading to the next. Also, make sure that budgeting and upkeep costs are being planned for so that you're eliminating the risk of any downtime if the technology is being properly maintained. The types of things that go into that include security patches, paying for third-party services, and then additional administrative capacity for things like content updates in your systems. We have a lot of resources in the important considerations and best practices section for that.

There's also, probably unsurprisingly, been a major update that includes adding a section on remote and hybrid work policies and procedures. The main output component of this section is really a policy document, not necessarily a focus on the technology. I think most of us – all of us – have been forced into using the technology and likely already have a lot of that in place. What may be missing is a clear definition of the policies in terms of how these technologies are going to be used.

Because of that abrupt shift into remote and hybrid work, there's a little bit of catch up that a lot of organizations need to do in terms of really defining the procedures and rules that will govern how the technology is going to be used in this setup. And I think, while many have shifted back to an in-office service delivery model, I know a lot of organizations are maintaining hybrid work policies. The lesson learned from the pandemic was- we have to be prepared to deliver services remotely and continue our work, in the event that something like this happens again.

Jane Ribadeneyra:
Great. I'm going to talk a bit about intake and telephone, and the primary update in this area was to make it a baseline that really programs should be adopting hosted telephone systems. So, you could say,

a VoIP system, but really a hosted VoIP telephone system, because of the significant advantage that they can offer over older generation phone systems- with modern features, their cost-effectiveness, and their flexibility. As I said, these are hosted telephone systems that are cloud-based. It eliminates the need for expensive onsite hardware and maintenance, where you have a large capital expenditure, but then the software and the technology can quickly get out of date. Hosted systems are more user-friendly; they're easier to administer. Oftentimes, we'll go into a program and it can be really hard to just update the message tree on your telephone and for your intake telephone or what your outgoing message is. Some of those hosted systems make that process much easier to change and update. You don't have to go back to your vendor to do that.

They provide a wide range of advanced features, such as: call forwarding, voicemail to email transcription, you can do text messaging, and instant messaging in them. Many also provide options for robust call center and reporting functionality, so you can know where there's dropped calls, how many calls are coming in. The other advantage is that it has new features, and this technology has been changing so rapidly over the past few years that as those new features are added, because it's hosted on a system you can adopt them as they're released into your system.

As Tony was just talking about remote and hybrid work, it allows that flexibility. Employees, as long as you have access to the internet, you know have access to your soft phone and phone lines. You can be making calls out from any location- they'll have a smartphone app. If you are on the road, or in another office, you can make all of those calls and get your messages and function from wherever you are. They often offer better call quality, more reliability, they have the features like HD voice and multiple data centers that they're hosted on for redundancy. They have really good security features, things that you don't have to then maintain in an in-house telephone server. So, that's the major update for intake systems.

Tony Lu:
Great. In document management, this is an area that got somewhat enhanced in the Baselines document as well. There's an increasing need for programs to evaluate whether or not they might want to implement a document management system, which is software that's specifically designed to, or configured to, help with managing case-related documents as well as administrative documents in a way that is more robust than just having a shared network drive and then defining, "Okay, this folder is for these types of files." A lot of the benefits include better document organization, improved search functionality, reducing the duplication of files, and improving compliance with retention policies. With many document management systems there's automated processes that can be built-in, such as flagging documents that have now reached the destruction date that was tagged, so you can ensure that you are destroying records when they should be destroyed as opposed to needing to run a big process to go through files and identify them.

I will point out that in the area of document management, the [document management] software isn't absolutely necessary to have a document management procedure policy and system internally. The software does really help with a lot of that. What's more important is thinking through the policies. So, if this is something that your organization is interested in doing, an important first step is to think through what your policies are, and that might evolve as you select a particular software application to use. But, if you just try to, say, take a DMS system off the shelf and implement it without fully thinking through what your policies need to be, that will make for a much more challenging implementation.

Jane Ribadeneyra:
Tony-

Tony Lu:
Yeah, go ahead.

Jane Ribadeneyra:
... Well, I don't know if you want to go through any of the chat messages coming in as they come in or do you want to...

Tony Lu:
Sure, I can take a quick look at that. Just focusing on-

Ellen Samuel:
Can we wait until the end and make sure we get through it?

Jane Ribadeneyra:
Get through everything?

Ellen Samuel:
I'm watching it. Yeah.

Tony Lu:
Yeah.

Jane Ribadeneyra:
All right. Great.

Tony Lu:
Okay. Great. Security was one of the areas that got the most scrutiny, the most work, and reflected a lot of change that has happened in 10 years. It was a top priority expressed by the various stakeholders that we engaged with. Just to make sure that we can cover all of the Baselines that we would like to discuss, I'm just going to briefly go through some of the key areas. Security policies and procedures - this is an area where again, policies are the focus, right? …not the technology, necessarily. Each organization really needs to think through how it wants to develop its policies and then consider whether you want to present it as one comprehensive policy manual or multiple individual policies depending on either the type of service that it is reflecting or the type of software that's being used.

We have made references to the LSNTAP Security Toolkit in this section, so there's a lot of helpful guidance and sample policy recommendations in that Toolkit. Multifactor authentication got promoted from being a recommendation to what we consider to essentially be a baseline that every organization should be implementing. In addition to just mentioning that multifactor authentication should be implemented, it really should be implemented on every system in which it is available. So, your case management system, your document access, your electronic filing systems, anything that offers multifactor authentication, really it should be turned on in all of those systems.

As we mentioned, there's an emphasis on moving things to cloud computing and cloud storage or data. Again, the baseline here would be to provide some guidance around developing policies and governance recommendations for cloud computing. The focus on password management is really on educating staff on password security and best practices, and really trying to eliminate any ongoing use of a Word document, or Excel document, or sticky notes, physical post-it notes on a workstation to save passwords - at a minimum the IT credentials. The administrative accounts for all of your systems and services really should be stored in a reputable, secure password manager. You probably have heard about a certain password manager that got hacked in recent months. So that would certainly be something you need to check for is to ensure that you're choosing one that's been vetted and considered secure.

One other baseline that really evolved out of the pandemic in a lot of ways was coming up with clear policies, procedures, and even implementing systems for mobile device management- whether it's organization-issued devices or bring-your-own device policies, where staff are installing applications on their own personal devices- needing to think through how you want to manage organization data that may be on personal devices and the ability to wipe that data if it's compromised.

There's also an increased emphasis on security awareness training for staff. There are platforms out there that provide comprehensive security trainings and also the ability to run mock phishing attacks, mock phishing campaigns to test to see if the training took effect and to see if any staff are still maybe needing to beef up their training to avoid potential phishing attacks. We recommend, in general, any security training that should be done at least annually to keep information fresh and also update with new versions of attacks that take place. Also, we've added sections on encouraging the development of a disaster recovery plan, an incident response plan. So, if an unexpected emergency or disruption at your organization happens, such as- somebody was asking what happens if my cloud-based phone system goes down, we lose internet access, or if the provider is hacked- that would be something that you would want to have in your incident response plan and disaster recovery plan.

Endpoint detection and response. This is an upgrade from what everyone typically would've thought of as antivirus software being installed. Endpoint detection and response incorporates antivirus software, but it actually does more. It goes beyond just detecting the presence of malware or viruses. It has features built in that will actually isolate compromised endpoints. It's a lot better at not only detecting behavioral attacks, because there are certain things that antivirus software is not able to access, and review, and protect. But you can set it up to take affirmative actions to cut off potential threats before they spread.

Email security. Standard email security filters and filtering tools are really important. The built-in security in services like Office 365 and Google may not be enough. There's a list of potential options provided in the Baselines document as well. Finally, an emerging area is cyber insurance. A lot of insurance companies now offer cyber insurance to cover costs in the events of a data breach. One of the values of cyber insurance is that the insurance company provides a lot of resources in making sure that your cybersecurity is up to snuff.

And just to emphasize the need for a focus on the area of cybersecurity, Quest, which is a cybersecurity firm, did a study and it found that ransomware attacks in legal services increased tenfold in a one-year period. They noted a shift in the number of attacks from other industries, like pharmaceutical companies and “other”. So there seemed to be increased attention by bad actors on the legal services sector. Their conclusions were that the legal services sector was relatively speaking an easier target- maybe because historically they had not been targeted as much, that there was a higher chance of payouts because of the sensitivity of the information, and that the data itself, so in the event that there isn't a payout and they don't return the data, that the data itself is really valuable, because there's a lot of really sensitive information contained in law firm and legal services and court system data.

It's really something where in the past you might think, "Well, I'm a legal aid organization. It's like squeezing blood from a stone." But actually, there have been many legal aid organizations that have been hit with ransomware and have been forced to pay ransoms.

In the area of communication and collaboration, we're all experiencing that right now in real time. We've been forced into adapting to a lot of these real-time communication and collaboration tools. But the problem was, in the mad scramble of the pandemic, a lot of organizations may have rolled out everything. It took a kitchen sink approach and threw everything at the staff and said, "Here are the tools. Keep doing your work as best as you can." It really is a time where it's time to step back and think through, "Okay, we have all these systems. Where is there overlapping functionality and where do we need to clarify what we're using each different system for?"

So, for example- at one legal aid organization, there might be instant messaging functionality built into your telephone system because it's a hosted voiceover-IP system. But instant messaging is also built into Microsoft Teams, which most organizations have. Many organizations have Office 365 but don't use Teams. Or maybe individual staff are just using it but there hasn't been clear guidance about how it should be used and they're creating teams and new channels ad hoc. There's a lot of need to get a handle on that so that your information channels are clearly defined.

One critical example of this is case-related information should still all be kept in the case management system. But, if you don't define that clearly, you may have staff that are creating a channel in Microsoft Teams and communicating case-related information and discussions in Teams without taking that and putting that back into the case management system. So, really trying to provide clear guidance on where certain types of communications and collaboration should take place. But that being said, it is really a moment where organizations need to also at the same time come up with a clear vision for using these collaborative tools to encourage real-time collaboration with staff. I mean, among staff.

Jane Ribadeneyra:
The support for use of private attorneys, pro bono, PAI- the Baselines haven't changed substantially in this area. They've held up pretty well. A program should still have things like: an appropriate technology to refer and track pro bono and private attorney cases, including a website that allows volunteers to review available cases and provides training resource; your case management system that can help you track those referred cases and oversee the referrals; some system to track a volunteer's history; and a way to be able to share client and case data electronically and securely.

Some of the new things we've added, just in the “Considerations and Best Practices” area for the use or support for private attorneys are along the lines of thinking about combining the case opportunity, the training resource materials, and calendars all within one website to make it as easy as possible for people to find and go back to. And also, it's the importance of designating who's responsible for which section, how often those pages, the resources materials, are going to be reviewed and updated. And then, what we're always talking about is performing user testing with the volunteers, who are the target-end users on any of these systems as you're rolling those out or making updates.

The next area covers training and technology. This is so important. We often find organizations that have appropriate technology in place. But staff just aren't trained appropriately, or as much as they could in how to use it for their day-to-day work. So, we still have the baseline on providing appropriate training and support for all staff to make sure that they can use the technology that you have in place. We have added some new capacities, including some things like conducting regular technology staff surveys to identify where there might be training needs and other priorities across your organization, providing adequate internal capacity or outsourced support for onboarding staff, and also for ongoing technology-related training. So often, we find new technology is introduced and you might do one training, and then that might be it. And it's just ongoing reminders and ongoing training in bite-size pieces is really helpful.

We've also included some important considerations and best practices on what I was just talking about, in what's effective in doing training. It's found that short, user-focused, easy to access trainings are going to be better as reminders for people as opposed to one really long training that's in a webinar presentation perhaps. Also, the best practices and considerations encourage using existing training materials and online learning resources. There's a lot of Microsoft 365 tutorials out there. The Legal Services National Technology Assistance Project, which is lsntap.org, website has a lot of great resources. They have a lot of YouTube videos as well that you can go and use from their website.

And then, the next area is just under general administration. There are some updated Baselines around internal communications. This is more around help desk and ticketing systems, having a strategy for afterhours support that might be needed. It's important for you to be able to have your staff submit support tickets from a management perspective to help capture what are people having trouble with, so that you can track that and address issues to be more efficient both at addressing them and, is there some fix or additional training you need to provide to help prevent the need for those tickets?

We've also added a baseline for using an HRIS system, which stands for Human Resources Information System. This is software that can help companies manage and automate some of your core HR processes, such as- payroll, time in attendance, and benefits administration. The accounting Baselines have been updated to align with... LSC has a new financial guide that's out. For instance, there's some things there around having an accounting system with a chart of accounts that segregates funds, tracks your capital assets, and offers different reporting capabilities. So, we've just made sure that the language aligns with the information in LSC's new financial guide.

Tony Lu:
In the area of development and fundraising, there's new important considerations to raise the significance of implementing a customer relationship management system, CRM, particularly one that's targeted at nonprofit organizations. Salesforce is probably one of the best-known CRMs, but some that are targeted more at nonprofit organizations with things like Raiser’s Edge, DonorPerfect, and Neon CRM is a nonprofit-focused CRM as well. It's really an essential tool for managing the relationships with funders and donors and taking it out of just having a spreadsheet or a Rolodex. It's also really helpful for managing relationships with volunteers, who in an ideal world are also your donors. Some organizations have taken the step to combine volunteer management, relationship management and funder and donor relationship management into the same system, so that the data is all centralized in one place.

You can also use CRMs to help with your marketing campaigns, so that your contacts database is also your campaign management tool to create better targeted-messaging strategies for different audience segments. If you want to run a campaign that's to drive volunteer engagement, and then a separate campaign to drive donations, that can all be driven out of the same system. CRMs can also be integrated with accounting systems, so your grants and your donations and pledge donations information is all unified in one place and that can really help with keeping your big picture of outlook on finances a little bit clearer.

Jane Ribadeneyra:
All right. We're just going to talk really briefly about ways that you can use the Baselines for assessing your own offices and technology planning. So really, you need to be able to capture where you currently are. We've really encouraged programs to do an assessment. It can be an inventory of what you use, how you're using it, and be able to identify pain points. You can do this internally, as I said, through some surveys and things. I'd also encourage consideration of using an outside, third-party consultant periodically. You can be doing a broad assessment, or you can focus on a specific need that you've identified as a pain point. We've just found some real transformations and some LSC grantees that have been able to do these assessments, create implementation, improvement plans, and have just gone from really struggling to being forward-thinking about those assessments, and being able to identify what's low-hanging fruit you can do now. What might you need to plan out for more in the future?
I would caution - don't try and do too much too fast. Managing change, creating a culture of continual improvements, that ongoing assessments, and what you can do in steps to move your organization along is going to be the best approach.

Tony Lu:
This matrix probably is familiar to many of you. We just thought it would be helpful to bring it up again as you were thinking about all of this information we're providing and all the information that's in the Baselines. You really want to focus on the upper quadrants, things that are going to have the highest impact. In that upper left quadrant- the Quick Wins, those are things that you can do quickly, and do them now, or in the near term. Then, the Major Projects is where the impact is going to be greatest, those are things that you really would be planning and budgeting for. But, even just as important is to really recognize when things are in those bottom two quadrants. Those are the things that you just don't want to get in the habit of doing, things that don't have great impact. And that should, as you look at this list of Baselines and think and start coming up with ideas for projects, help you figure out the right priorities for these.

Ellen Samuel:
And we are at 3:45. There is more information in the slides that are available with the CLE materials; some more information about some standards that you may want to use, and then also red alerts about what to be really aware of when reviewing your security practices. And again, put up the slide about where to find the Baselines. We do have some questions in the chat here for our presenters. There's a lot. John Greiner, thank you so much for jumping in and answering some of the questions. One of the questions was, "If you're cloud-based, what happens when the internet goes down, or your hosted vendor is hacked?"

Tony Lu:
John did provide some response in the chat to that. That's a reality that I think everyone needs to plan for. Hence, our emphasis on having an incident response plan and an emergency disaster recovery plan. We recognize that emphasizing things like moving things to cloud-based services does create a different risk. I wouldn't necessarily say a greater risk. That would just need to factor into your considerations around alternate options, right? You do need to evaluate the services you're using and plan based around that. In the event that your office internet goes down, likely everyone has home internet, and everyone has the experience of working from home, so your response to that type of incident might be, "Everybody go home. Pick back up where you are." Because, all of our services are cloud-based, so we

don't have any servers down, right? So, I would just say that... I don't mean to be glib about it, but it's just mostly thinking through those potential issues, and then mapping out how you would get around those things.

Jane Ribadeneyra:
Right. And you've also got apps on your smartphones that if your office internet goes down, your smartphone's still going to work too. So, you're not going to be completely out. I would say that internally hosted telephone systems are going to go down more frequently than a hosted system would.

Ellen Samuel:
Here's a question for Jane about TIG grants. So, "Can you tell us a little bit more about what TIG grants or TIP grants are available for LSC grantees to apply for technology?"

Jane Ribadeneyra:
Sure. I mean, I was talking about these technology assessments that have been done. It's been around for about five years now. Our Technology Improvement Project category or TIPs, which is open for applications right now, any LSC-funded grantee is eligible to apply. There are small grants for up to $35,000 to conduct technology assessment, to go through a planning process. We've had some that have done business process improvement processes that apply to, "how can we make better use of our technology?" Some of it is identifying what training does your staff need and bringing in some Microsoft 365 experts to help you get better set up and there's so many tools in 365, and most organizations are only scratching the surface at the capabilities that are there, and some of the apps, and tools that you can use, and how you're using the different products too.

Ellen Samuel:
Thanks, Jane.

Jane Ribadeneyra:
So that's one that would be really relevant to this type of work.

Ellen Samuel:
Thank you all so much. We are at our time. Tony and Jane, if you wouldn't mind putting your contact information in the chat, there's been some requests for that. Their bios are also available on the website with the agenda. Thank you. We appreciate your time. Please do send us comments on the LSC Tech Baselines. We will continue to collect those and we are really interested in your feedback. I understand that we have about a 10-minute break and then the next session will happen in this same room. Thank you everybody and thanks to Jane and Tony in particular for a great talk.