

## Richard Sloane

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**From:** webmaster@lsc.gov on behalf of LSC - Legal Services Corporation: America's Partner for Equal Justice <webmaster@lsc.gov>  
**Sent:** Tuesday, July 10, 2012 12:59 PM  
**To:** LSC Strategic Plan  
**Subject:** Form submission from: Comment Submission Form for LSC Board of Director's draft Strategic Plan for 2012-2016

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Submitted by anonymous user: [12.134.7.94] Submitted values are:

Your name: Gregg Lombardi

Your e-mail address: glombardi@lawmo.org Your phone number: (816)474-1413 x224 Your comments:

The Executive Directors of the Midwestern LSC-funded programs (the "Midwest Project Directors' Group" or the "Group") have provided comments on the draft LSC Strategic Plan. I fully support the comments of the Group and ask that you implement the changes they have suggested in full.

I think that those changes would make the strong strategic plan that LSC has developed substantially better.

I am writing to concur with the Group on one point and to applaud LSC's proposed plan on another.

First the concurrence—I share the Midwest Project Directors' Group's concern about providing special additional funding for programs that LSC decides have developed best practices. In addition to the reasons cited by the Group, I would note that the draft strategic plan incorrectly assumes that LSC programs do not already have financial incentives for developing best practices.

The LSC programs are already fighting, on a daily basis, for revenue in a highly competitive market of funding opportunities. I do not have the exact statistics, but I am confident that the vast majority of LSC programs receive less than half of their funding from LSC. LSC's basic field funding accounts for less than 20% of our program's funding and, excluding donations from private individuals and law firms, our program has more than 40 different funding sources. I believe and assume that this is not unusual.

Each of these funding sources has its own vision of what best practice we should be implementing and provides us funding or denies the funding based on its judgment as to how well we are achieving the outcomes that it wants achieved in the way that it wants them achieved. Although we are tremendously grateful for this funding, it is generally much easier to secure funding for some areas of our practice (for example, domestic violence prevention) than others (for example, assisting homeless people with mental health problems finding housing).

I would note that, of all of our funders, LSC is the only one that insists that we comply with their in all or our cases, regardless of whether the work is funded by LSC or another source.

The outcomes that are funded by these other sources may not be the highest priorities for us, as we have determined through our respective needs assessment process. For example, we have funding from the IRS to run a low-income taxpayer clinic, which has never been a top priority for us, but we seek and accept the funding anyway, because it is consistent with our mission and helps our low-income clients.

The tremendous advantage of LSC funding is that it is largely discretionary.

So, we can use the funding to do the work that most effectively meets the greatest needs of our clients. Presumably, this is why LSC insists that we do local needs assessments, because the needs of each service area are unique and using LSC funds to meet the greatest needs of a local service area is the highest and best use of LSC funds.

Diverting some of the available LSC funding to reward best practices, determined by LSC—even if they are determined in consultation with some LSC-funded programs—would necessarily take funding away from the local programs' efforts to meet the greatest needs that they have determined exist in their service area. So, I urge you not to use any federal funding to provide incentives to develop best practices for LSC funded programs.

If LSC is able to secure funding independent of congressional funding to support best practices, that would be a different story. Such funding, which I'll refer to as "non-Congressional, best practices funding", would not result in a net decrease in discretionary funding that the individual programs receive and, therefore, would not interfere with the programs' ability to meet the greatest needs of their clients, as they have identified them.

Even if LSC is able to secure such funding, however, I would respectfully submit that the funding should not be used to reward programs that are developing best practices. The programs that are developing best practices are already doing relatively well in the competitive market for funding (noting that all Legal Aid programs are grossly under-funded and only meet a small percentage of the critical, civil legal needs of the people who should be their clients).

I think it would make more sense to use any such additional funding to fund programs so they can implement best practices that have already been developed by another program. So, for example, if one program develops a tremendously effective on-line intake system, there may be fifty programs that would be eager to implement the program but have no funding to do so.

The best use of any non-Congressional, best practices funding would be to provide grants to programs that wanted to implement that best practice. This would have the benefit of being both highly cost-effective and assisting the programs that are likely to need the help the most.

Second, I want to applaud LSC for making it a priority to "conduct research on the best methods for quantifying the cost savings realized by the outcomes achieved" by LSC funded programs.

There are many practice areas and projects that the Legal Aid programs are involved in that confer a tremendous benefit on not only the clients we serve, but the communities that they live in. Reducing domestic violence and getting housing for the homeless, for example, have major, quantifiable benefits. If LSC can find non-Congressional funding for research that will quantify these benefits, it would empower the LSC programs to greatly increase their funding.

For example, our program has always handled Medicaid appeals for patients at the local, government-funded hospital. Several years ago, we secured funding to have a paralegal on site at the hospital to make sure that the hospital staff were sending all the viable appeals cases of their patients to Legal Aid. As part of this project, the hospital agreed to track the revenue that our Medicaid appeals work generates for the hospital. When the hospital saw how much money we were generating, they agreed to fund the project themselves and greatly increased the number of referrals. Now the hospital pays our program over \$700,000 a year to do this important work, which is central to our mission. The project generates more than \$2 million per year for the hospital and gets more than 200 permanently and totally disabled patients per year onto Medicaid.

Most of the economic benefits we secure are not nearly as easy to quantify as our Medicaid Appeals work. We need the research to show the benefit of work such as domestic violence prevention and finding housing for people who are homeless. Research that will be respected and credible is expensive and the individual LSC funded programs, on their own, do not have the funding to pay for it. If LSC can secure funding for research from national foundations, however, the impact could be tremendous.

Research showing the economic benefit of the work we do may be useful in seeking Congressional funding for our work. The greatest benefit, however, would be in helping LSC programs obtain state and local government funding and funding from foundations and other private donors. The potential growth in funding from these sources is gigantic and without research demonstrating the benefits of our work, this funding remains unattainable for us.

I appreciate the opportunity to comment on the LSC's draft Strategic Plan and hope that the comments are helpful.

--Gregg Lombardi  
Executive Director  
Legal Aid of Western Missouri

The results of this submission may be viewed at:  
<http://www.lsc.gov/node/2233/submission/2924>