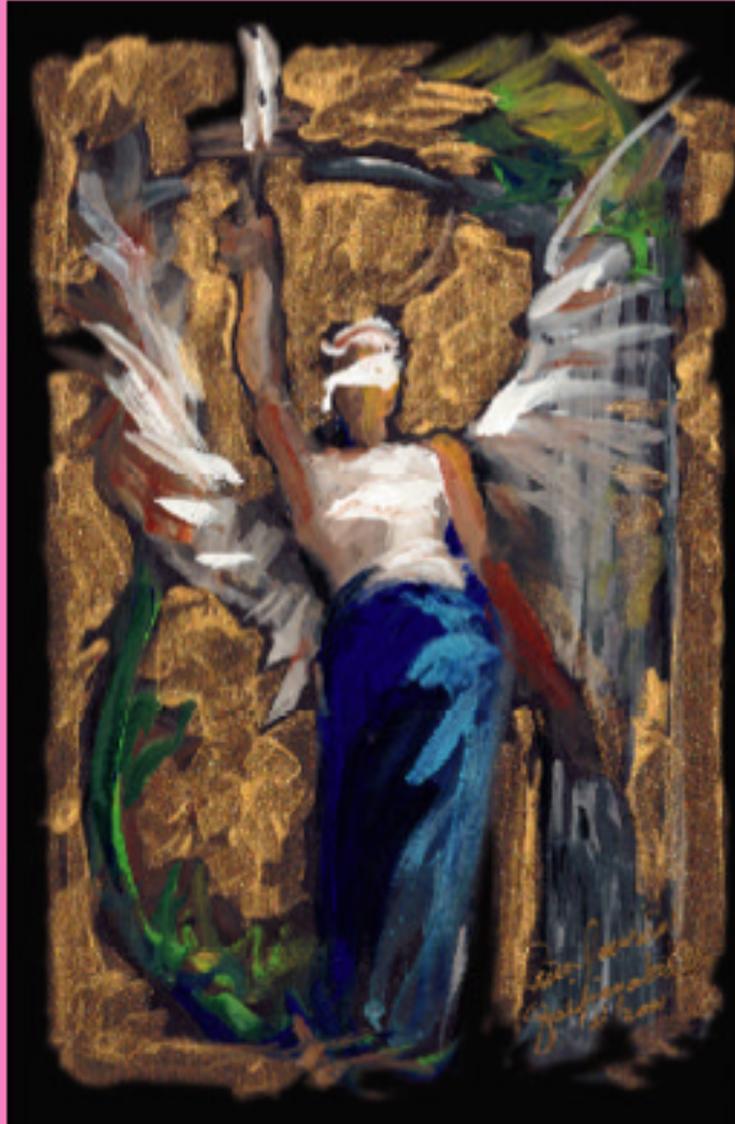


**Excerpt from:**

# Legal Services for the Poor Best Practices Handbook



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## **5. Leadership and Management of LSOs**

LSOs are both not-for-profit law firms for poor people and public service organizations that have obligations to the community at large. In their capacity as lawyers providing services to clients, they have the customary obligations of all lawyers: to provide zealous, high-quality representation to the people whose cases they have accepted. As service organizations, they have an obligation to extend their reach to as far as possible by doing their work in a way that empowers poor people and promotes lasting systemic change. In order to play these dual roles effectively, LSOs must have systems in place to ensure that quality standards are met, that staff are properly trained and supervised, and that progress is being made toward achieving organizational goals.<sup>6</sup>

### **5.1. Standards of Practice**

Poor people are entitled to high quality legal representation, which creates an obligation for LSOs to maintain the highest standards of practice. On one level, this is a fairly straightforward matter: LSOs must conform to accepted professional norms. In most

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<sup>6</sup> Much has been written about LSO management. The website for the Equal Justice Network in the United States provides a good starting point for obtaining reference material. [www.equaljustice.org](http://www.equaljustice.org)

countries, these norms are contained in codes of ethics or similar requirements which apply to all licensed lawyers. While stated in many different ways, they generally require that lawyers have the knowledge and skills necessary to handle a matter and that they be thorough and well prepared. This is simply the starting point for an LSO that aspires to provide quality services.

While the degree of formality in practice standards varies considerably depending on the size and age of the LSO, the most effective ones follow some core principles in representing their clients. The essence of these standards is that LSOs respect their clients' dignity and autonomy. It is up to the clients to decide what is to be done, based on proper factual investigations and legal advice. The LSO lawyer or paralegal then formulates a strategy and works diligently and competently to achieve the desired result, while at the same time keeping the client informed and consulting about critical decisions.

The type of practice standards just discussed are usually cast in terms of the individual representation work done by LSOs, but they apply with equal force to group work and all other forms of legal work. Loyalty to clients, skill and zealous advocacy are the hallmarks of LSO work at its best.

## **5.2. Training, Supervision and Evaluation**

In order to achieve high standards in their work, LSOs must have systems for training, supervising and evaluating staff and volunteers. As with everything else about LSO operations, the degree of formality of these systems depends on the resources, size, and experience of the organization. The best LSOs, whether small or large, recognize that they have a duty to their clients and to the communities they serve to take the time needed to develop their skills and knowledge and to monitor their own performance.

There is no single best approach to these issues, although certain methods have been developed that have proven fairly effective. They start with the recognition that formal legal training in most countries does not really prepare anyone to be a good lawyer. The skills must be learned on the job. New lawyers must learn how to interview, investigate, formulate strategies, and advocate for their

clients. Formal training programs are a luxury very few LSOs can afford, but there are other ways to learn, including seeking out mentors among senior lawyers who are committed to social justice.

Supervision and evaluation systems are less an issue of resources and more a question of time commitment. The pressure of work makes it a challenge to carefully monitor the work being done by LSO lawyers and paralegals. Yet experienced LSOs have invariably concluded that careful scrutiny of their work is vital to achieving significant results for poor people. As with training, there is no single best way to run a supervision system, although experience has shown that a regular review of case files followed by constructive critiques can make a great difference in the quality of the work produced.

### **5.3. Impact Assessment**

In order to be effective, LSOs must devise systems for assessing the impact of their work. This is especially challenging for many reasons. Much of their work involves educating and advising people about their rights so they can act on their own behalf. There is simply no quick, inexpensive way for LSOs to find out whether their advice really worked. Furthermore, the benefit of advice is not always just finding a solution to a particular problem. With proper legal advice, people are better able to plan their lives and make important decisions, even if things are not changed much in the short run. For example, women who are educated about their right to be free from violence at home may gain the confidence to act independently in other areas of their lives. While LSOs may not be able to easily determine all the benefits of their advice work, it is important that they make some effort. Some LSOs use client satisfaction surveys. Others regularly solicit opinions from key groups in the communities where they work. Whatever method chosen, the essential point is that LSOs must continually strive to make their education and advice services responsive to the needs of the people they are serving.

It is much easier for LSOs to determine the impact of cases they take on and to see them through to the end, whether they are simple cases for individuals, or complex matters for groups lasting years. The major challenge is to set up systems for gathering and analyzing the information that is available to them. This takes time and effort.

Almost all LSOs are under constant pressure to take new cases, so the easiest course is to simply close a case when it is done and move on to the next one, not taking the time to assess the accomplishments in the case being closed. The most effective systems involve reviewing files to determine what was achieved for the client and whether the work was done properly. That information must in turn be used to help set priorities (see above) and improve staff performance through supervision and training (see above).

LSOs face a much harder task in trying to assess the overall impact of their work. As just discussed, it is relatively easy to determine what has been accomplished in a particular case, even big cases, but for LSOs that have a goal of enabling poor people to gain more control over their own lives, knowing they have won a case does not completely answer the question of whether they are achieving the larger goal of empowerment. Legal victories do not always immediately translate into significant changes in the daily lives of poor people. The best way for LSOs to know whether their work is making a difference is to regularly consult with their clients, the people whose interests they are representing, and the best way to do that is for LSOs to be deeply involved in the communities where their clients live. They must be willing to ask whether their work is making a difference and must be willing to hear the answers and make changes accordingly.

As with all the other aspects of LSO operations, depending on size and resources, impact assessments can be very formal and systematic or informal and anecdotal, but the long term effectiveness of any LSO depends on conducting these assessments in the best way they can. Even the smallest LSOs can create some sort of community advisory group to guide them. Whatever the size of the LSO, impact assessments take planning and organizational discipline. Experience among the most effective LSOs has shown that the effort, however, is worth it.