



## MAKING SELF-EVALUATION PART OF PROGRAM MANAGEMENT

by Wayne Moore<sup>1</sup>

One of the purposes of AARP Legal Counsel for the Elderly (LCE) is to serve as a laboratory for testing new delivery systems. Thus, we have always incorporated self-evaluation into everything we do in order to determine whether the new delivery systems were effective. In the process, we have discovered that ongoing self-evaluation is critical to operating a quality legal services program. This article sets out the results of a 25 year struggle to develop a system of evaluation that helps us evaluate new delivery systems, improve existing ones, and ensure we are getting the best outcomes we can for our clients and the client community. I also try to point out issues that are likely to arise as more programs implement a system of self-evaluation and the additional tools and benchmarks that might be helpful.

This article focuses on methods for evaluating case services and impact work and does not address other important areas each as governance, leadership, resource development, professional development, etc., which would be addressed in a truly comprehensive self-evaluation. For an idea of what a comprehensive approach might look like, I recommend that you peruse the website of the Malcolm Baldrige National Quality Program at [www.quality.nist.gov](http://www.quality.nist.gov).

The purpose of our self-evaluation is self-improvement and the evaluation is not necessarily for the consumption of funding sources and regulators. If the results were shared with outside groups, there would be a tendency to pick measurements that placed our program in the most favorable light rather than objectively measured our client services. One discussion that is crucial to the future of self-evaluation is how programs can safely engage in self-evaluation without jeopardizing their relationships with funders or regulators.

The six aspects of self-evaluation discussed in this article are: client satisfaction, quality, client outcomes, productivity, reach and systemic change. We have found that each component of our program (e.g., hot-

line, volunteer lawyers project (VLP), pro se clinics, staff case-handlers) requires a somewhat different approach in evaluating these six aspects. I leave to other articles a description of how self-evaluation must be tailored to each component of a program. One such article is my paper on legal hotlines which appears in the Spring 2002 addition of the *Legal Hotline Quarterly* which is available at [www.legalhotlines.org/newsletters/index.cfm](http://www.legalhotlines.org/newsletters/index.cfm).

The following is a discussion of these six facets of self-evaluation.

### I. Client Satisfaction

At LCE, we measure this by means of a mail survey on an annual or biannual basis, but measuring it upon case closure is an even better practice, as the feedback is more immediate. We use all the typical questions. But, one question we've added for reporting purposes is: "What difference has the legal service made in your life?" The results have been inspiring. Fifty-five percent (55%) have said it made "a lot" and 13% have said it made "much" difference in their lives when referring to the services of our staff case handlers and VLP; the figures are lower for our hotline since it only provides advice and brief services. This is a reminder of the importance of our work in helping our clients deal with major life events and crises.

We also use surveys to determine clients' service preferences. For example, we sought our clients' preferences for the way our hotline should operate. Other programs have used client surveys to effectively assess their waiting rooms, intake processes, hours of service and other issues.

Low survey return rates can affect the validity and reliability of the information obtained. Return rates can be improved by enclosing a stamped, self-addressed return envelope; sending a second and third mailing; telling the clients to expect a survey during case close out; gathering the information by phone from those who don't return the surveys; or offering to

enter the clients' names in a drawing for a prize if they return the surveys. We try to obtain at least a 30% return rate. The biggest challenge, besides return rates, is interpreting the results. Currently we are limited to comparing our results over time and generally want at least 80 percent of our clients to rate our services as excellent, very good or good. The legal services community could certainly benefit from the establishment of a standard set of questions for national use, which could be supplemented by each program. Then we could compare our results with a national average and median which would be much more helpful. Some of the results of our most recent client satisfaction survey are attached.

## II. Quality

Casework quality is ultimately a subjective analysis that must be delegated to casework supervisors. However, a program director can evaluate whether systems are in place for achieving quality in each component of a program.<sup>2</sup> Managers should review quality control systems periodically to determine if they are performing well or need adjustment. A national compendium of proven quality control systems for each type of delivery system would be very useful in helping programs improve quality.

## III. Client Outcomes

While controversy swirls about whether outcomes should be reported to funding sources, client outcomes should at least be measured for internal purposes. After all, our primary goal is getting the best possible outcomes for our clients. How do we know we are doing this unless we measure it? Measuring client outcomes is particularly important for some program components such as pro se clinics. We cannot assess the effectiveness of our self-help instruction unless we know what results it is generating. If a client's desired outcome has not been achieved, it still may be possible to achieve this outcome with additional services. Unless we know what the outcome is, we can never improve it. We have found that calls by non-attorney volunteers are a low cost method for assessing outcomes in certain advice only, brief services, referral, and pro se cases to determine which of these cases require additional services.

We have adopted a variation of an outcome-reporting scheme developed by others. An excerpt from the results for 2001 is attached. Note that the results do not include outcomes for the bulk of our cases, which are advice, brief services and referrals,

because we do not determine the outcomes of most of these cases. However, note also that we report that some of our advice and brief services cases yielded \$425,230 in benefits for our clients. These were cases that our hotline attorneys earmarked for volunteer follow-up because the nature of the problem made it critical that the client followed the advice or the hotline attorneys feared the client did not understand or was not likely to follow the advice. Non-attorney volunteers followed-up on these cases and recorded the benefits obtained or preserved for the clients. This shows the usefulness of follow-up in demonstrating the impact of advice and brief services provided by legal services programs.

Notwithstanding these outcome measurements, we also require the VLP and the case handlers (but not hotline staff) to write a three or four sentence summary of the outcome of every case they handle. I find these summaries are essential to fully understand what LCE is accomplishing for clients. A sample of some of these summaries are included here.

## IV. Productivity

This is probably the toughest area of evaluation. However if a program doesn't measure productivity, it probably won't achieve a high level of productivity. Measuring productivity is not an exact science; no system will be free of criticism. Generally, I have found that the best measures of productivity are the number of cases closed per full-time equivalent case handler and the reasons for case closure. These measurements allow comparisons with other programs. For years I experimented with cost per case but abandoned it because of the variations in cost of living and administrative and overhead costs that exist among most programs.

The "reason for case closure" is a critical measurement because the total number of case closures will vary significantly depending on the number of extended services cases a program is handling. "Extended services" cases refer to cases closed by negotiation or court or administrative decision. This is different than impact advocacy, which includes participation in coalitions, appeals and community education.<sup>3</sup> After much experimentation, we now set a goal for total annual case closures per full-time equivalent staff and a separate goal for the number of extended representation cases closed per year.

Pro se clinic productivity is measured by comparing the number of clients served and cases handled from year to year and by the completion rates—i.e.,

percentage of those clients who pursued their case to conclusion even if it did not always result in a court judgment or a positive result.

There are a few other general observations that can be made about productivity. For example, a VLP should not be used for advice and brief services cases. Our goal is to have less than 5% of our volunteer attorneys' cases closed by advice, brief services and referral. It is far cheaper to handle these cases with a hotline than a VLP project. Since the legal work is free, the VLP should be used primarily for extended services cases.

Productivity is definitely an area where national benchmarks would be useful. A program which is performing far below the national median would realize that delivery system changes or training was needed to achieve better productivity. Without a basis for comparison, programs really don't know how well they are doing.

#### **V. Reach**

Reach refers to the geographical distribution of clients and whether case services are equitably distributed among minority clients. The best way to measure the former is with geo-mapping software, which represents each client served as a dot on a map of the service area. Using another color, each low-income household is also represented by a dot using census data. This allows one to visually identify areas where low-income persons are underserved by the program. Otherwise, one can create a table, which compares the number of clients served each year by zip code to the low-income population by zip code using census data.

Similarly a comparison should be made of the percentage of clients who are minorities compared to the percentage in the service area, broken down by zip code, if possible, to identify underserved areas. This data for LCE for 2001 is attached.

#### **VI. Systemic Change**

We require our staff attorneys and paralegals to spend 20% of their time on impact projects. We set measurable objectives at the beginning of the year such as: "participate in a coalition to better coordinate services to victims of domestic violence" or "establish a program where long-time residents of low-income housing who are behind in their rent are referred by landlords for social services rather than filing an eviction suit in court." At the end of the year we assess the progress we have made toward the objectives. These objectives appear in staff annual work plans and their annual evaluation and salary increases are based on their performance on these objectives plus their other work.

#### **VII. Final Observation**

From the perspective of a program director, I believe it would be very useful to create a self-evaluation resource manual which would describe how to set-up and operate a self-evaluation program including sample forms and surveys. It would also be useful to have a national database of the performance results of a sample of programs to serve as a benchmark without revealing information about any individual program.

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2 In my paper about evaluating hotlines, [www.legalhotlines.org/newsletters/index.cfm](http://www.legalhotlines.org/newsletters/index.cfm), I list the systems needed for operating a quality legal hotline, for example, one requiring supervisor review of all or a sample of case notes on the same or next day; quick reference materials on the most commonly asked questions; and regular meetings of hotline staff to discuss difficult cases.

3 Also includes class action litigation and legislative and regulatory advocacy for non-LSC programs.

*(continued on p.37)*

## Making Self-Evaluation Part of Program Management

### Examples of Client Outcomes for Legal Counsel for the Elderly in 2001

Client Outcomes	# of Clients	\$ Preserved for Clients
<i>Consumer</i>		
Obtained federal bankruptcy protection	11	\$ 206,342
Stopped debt collection activity	34	60,403
Reduced debt collection activity	19	197,951
Averted repossession of car	4	125,760
Avoided or reduced deficiency judgments	3	2,999
Overcame unfair or illegal sales contracts	7	57,129
Enforced sales contracts or warranties	5	1,076
Obtained or preserved credit	1	360
Avoided utility termination	3	15,634
Secured utility services	1	0
Obtained waiver or reduction of utility arrearage	2	1,350
Overcame fraudulent sales practices	1	22
Other consumer representation	25	2,082
<i>Health</i>		
Obtained, preserved or increased Medicaid	10	134,787
Obtained, preserved or increased Medicare	8	20,573
Obtained, preserved or increased access to health care	2	0
Other health representation	5	2,928
Obtained assistance with Medicaid planning	1	0

#### Sample Case Summaries

A 73-year-old was sued in Landlord/Tenant Court for nonpayment of rent in the amount \$1,219. An accounting was demanded from the rental ledger. It was discovered that the client did not owe any money, but in fact, the landlord owed the client \$70. Complaint for eviction was dismissed with prejudice.

Client applied for Social Security benefits in 1985. The Social Security Administration processed the wrong claim (SSI and not Social Security). Social Security Administration was contacted to process a correct claim, which will yield a \$27,797 refund from Social Security for the client.

Client was denied food stamps because the claims worker did not consider prescription drugs. Once medications were taken into account, the client was awarded food stamps. LCE determined that the client was eligible for a federal program (QI-1) that will pay her Medicare Part B premiums. Client received a reimbursement check for \$5085.90.

#### Case Services Analyzed by Ethnicity

Ethnicity	LCE Clients %	DC Elderly poor population %	DC Elderly population %
White	10.6	17.0	34
Black	85.4	80.4	64
Hispanic	1.6	1.8	2
Native American	0.2	–	–
Asian	0.6	0.8	–
Other	1.6	–	–
Total	100	100	100

A complete set of examples of client outcomes, sample case summaries, and case services analyzed by ethnicity for Legal Counsel for the Elderly in 2001 is available from the MIE Library.