

Welcome to...

PRO BONO DATA ANALYTICS:

*Applications of BENCHMARKING
for Improving Performance
and Expanding Resources*



Presenters:

Ericka Garcia, Collaborative Justice Partners (CJP) (session moderator)

Karl Doss, J.D., Deputy Director, Legal Services Corporation of Virginia (LSCV)

John Whitfield, J.D., Executive Director, Blue Ridge Legal Services (BRLS)

Jennifer Wimberly, J.D., COO and Co-founder, Collaborative Justice Partners (CJP)

Ken Smith, The Resource for Great Programs, Inc., Grants Pass, OR

Equal Justice Conference, Louisville KY, May 10, 2019

The Resource for Great Programs, Inc.;
www.GreatPrograms.org

Our Goals for This Session

1. Provide some tools for **USING** the data you collect.
2. Share some **INNOVATIVE DATA ANALYTIC METHODS** for assessing pro bono program performance currently being applied in states such as Florida and Virginia.
3. Explore ideas about **APPLICATIONS** of data in telling a more powerful story about accomplishments of your pro bono program.

*Overview of benchmarking as an analytic tool for evaluating **pro bono** programs*



Ken Smith

Ph.D., President,
The Resource
for Great Programs
Grants Pass, Oregon



THE RESOURCE
for Great Programs

www.greatprograms.org

This session will be in two parts:

1. The **WHAT / WHY / HOW** and **RESULTS** of the data analytics we use

- **WHAT / WHY / HOW** (Ken)
- **RESULTS** (Jenn)

2. **IMPLICATIONS** from **TWO** perspectives

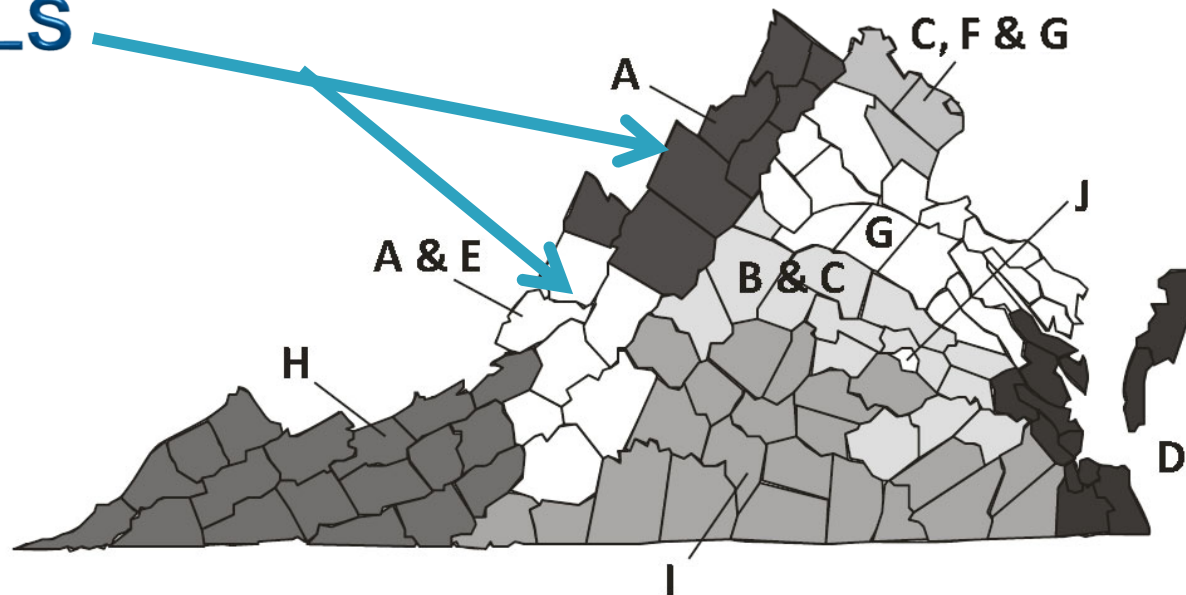
- The **Legal Aid Program** being evaluated (John)
- The **Funding** Organization that conducts oversight (Karl)



What is Benchmarking?

1. A 3-step process for turning data into insights
 - Assemble the RAW DATA
 - Translate it into INDICATORS
 - Compare a program's indicators with BENCHMARKS
2. We're going to use an example:

BRLS



Why Do we Use Benchmarking?

- **RAW DATA** must be translated into **STRATEGIC INTELLIGENCE** to make the data truly useful.
- Benchmarking is a powerful method for accomplishing that.





Example: Benchmarking Pro Bono Attorney Participation

Step One: Assemble Raw Data

- **Raw Data Point:** In Blue Ridge Legal Services' (BRLS') service area, **190** private attorneys participate in pro bono.
- **Another Raw Data Point:** In another Virginia program's service area, **640** private attorneys participate in pro bono.

Which program is getting better participation?



Example: Benchmarking
Attorney Participation, continued

Step Two: Translate Raw Data into INDICATORS

Indicator of ATTORNEY PARTICIPATION : *% of attorneys practicing in the service area who participate in pro bono*

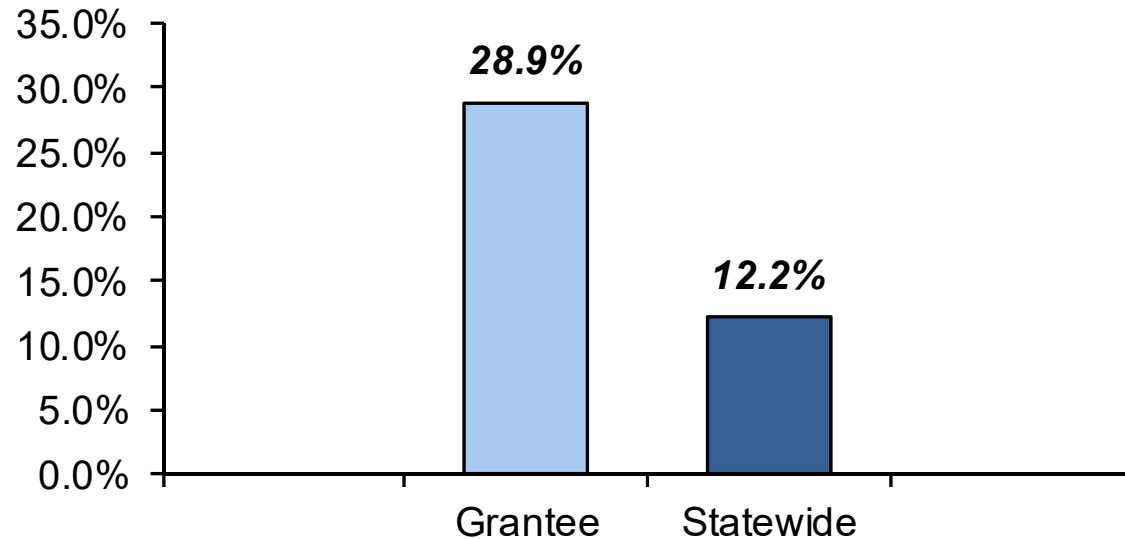
- For BRLS, this indicator = **28%**
- For the other VA program it is **15%**



Example: Benchmarking
Attorney Participation, continued

3. Compare PROGRAM INDICATOR with a BENCHMARK

% of Attorneys in Service Area who Participate in Pro Bono



***Strategic Intelligence: BRLS is getting 2x
statewide median participation rate***

In Our Pro Bono Evaluations We Use 5 Indicators

Pro Bono Attorney Participation...

1. Attorneys participating as % of those practicing in the service area
2. Attorneys per 10,000 eligible people in the service area

Utilization

3. % of participating attorneys who actually provide services in the period

Output of services to clients

4. Cases completed per 100 participating attorneys
5. Hours donated per 100 participating attorneys



Summary of Benchmarking

1. A method for translating raw data into insights

- **Collect the data.**
- **Use it to compute indicators.**
- **Compare the indicators with benchmarks.**



Summary of Benchmarking, *continued*

2. CAUTION: Don't jump to conclusions.

- Benchmarking can raise questions.
- To provide answers, you need to engage the program in a conversation.

Next presenter (Jenn) will apply this method to review BRLS' pro bono program



TWO:

Blue Ridge Legal Services: Pro Bono Evaluator Observations

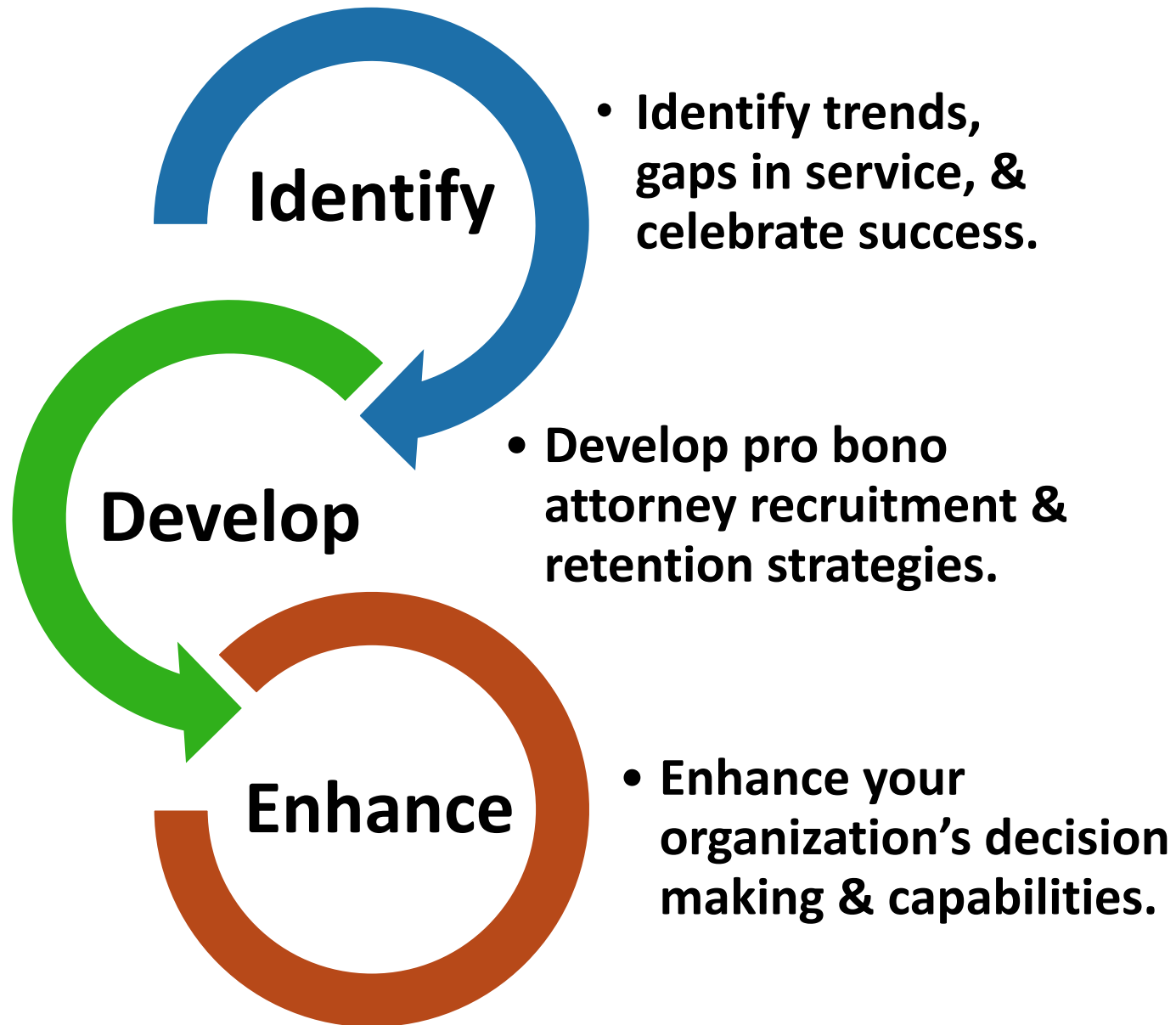


Jenn Wimberly

J.D., COO and Co-founder,
Collaborative Justice Partners
Orlando, Florida



Why Pro Bono Program Evaluation Matters



Pro Bono By the Numbers: Quantitative Analysis

- **Gain Independent Perspective on Performance**
- **Reduction of Information Overload**
- **Manage Change**




Preliminary Observations of BRLS' Pro Bono Program

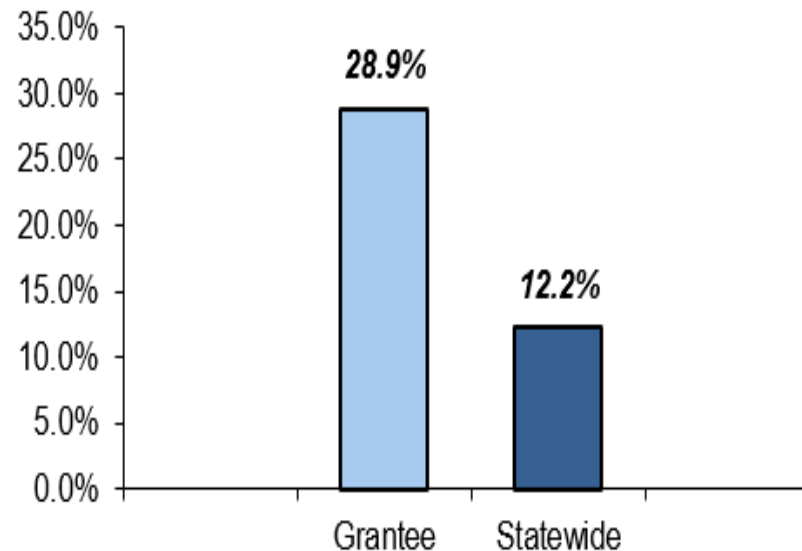
Four Areas of Preliminary Observations:

1. Pro bono attorney participation
2. Capacity of the pro bono program in terms of volume of services produced
3. Payoff in services to clients
4. Overall assessment of performance

1st Observation: Strong Participation by Practicing Private Attorneys in the Service Area.

More than 2x Benchmarks on Attorney Participation

1. Volunteer attorneys serving on pro bono panels as a percent of total practicing in the service area	
a. This grantee, 2016-17	28.9%
b. <u>Benchmarks</u>	
Median - Virginia Programs	12.2%



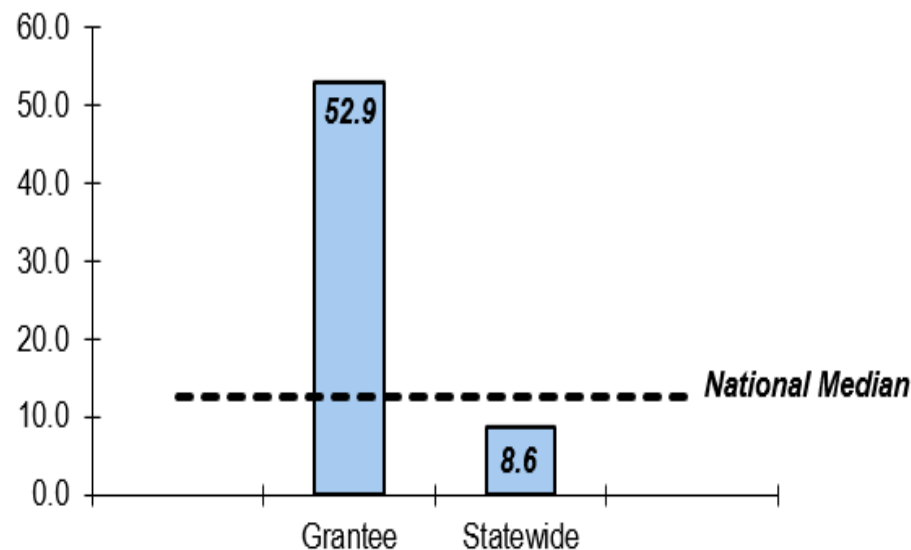
2nd Observation: High Numbers of Pro Bono Attorneys Available to Provide Services

Almost 6x Benchmarks in the Number of Attorneys
Serving on Pro Bono Panels Per 10,000 Low-Income People

2. Number of attorneys serving on pro bono panels per 10K people in poverty



a. This grantee, FY17-18	52.9
b. <u>Benchmarks</u>	
Median - Virginia Programs	8.6
Median - U.S. civil legal aid programs, 2018	12.6



3rd Observation:

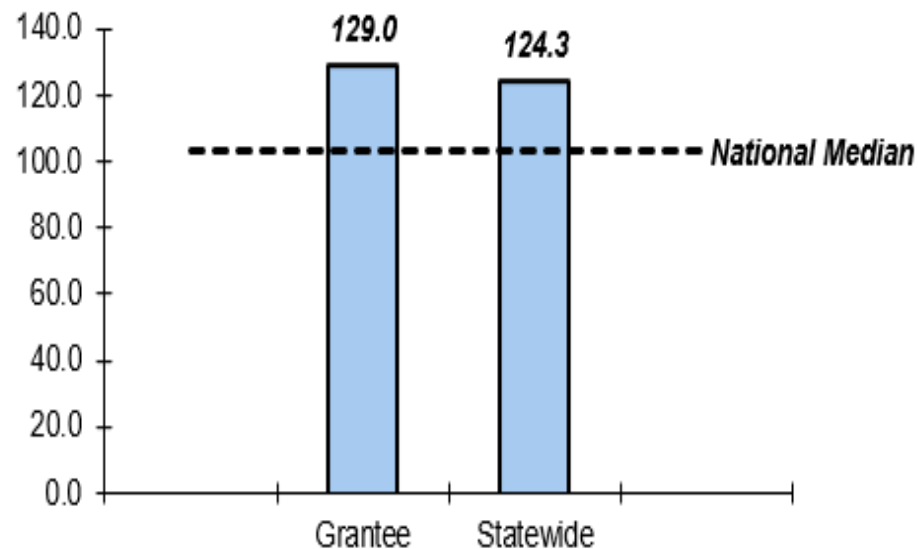
High Payoff in Services to Clients

The Program Matches its Peers in Number of Cases Closed Per 100 Enrolled Pro Bono Attorneys.

4. Number of pro bono cases closed per 100 enrolled pro bono attorneys



a. This grantee, FY17-18	129.0
b. <u>Benchmarks</u>	
Median - Virginia Programs	124.3
Median - U.S. civil legal aid programs, 2018	103.6



Overall Assessment of BRLS' Pro Bono Performance: The Program Exceeds its Peers in Pro Bono Performance.

6. Quantitative summary assessment of pro bono capacity




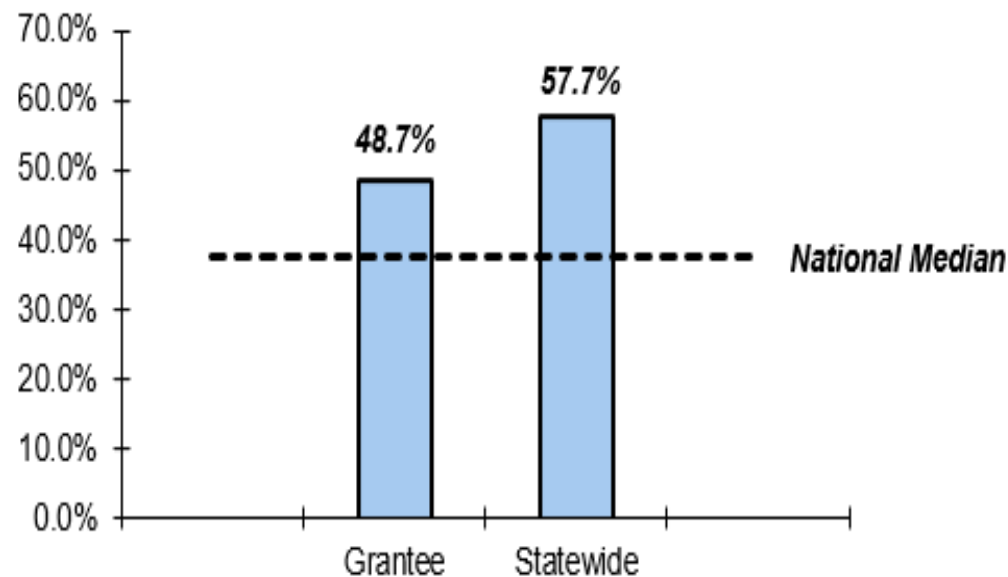
This is a summary assessment based on a review of the grantee's above benchmarks and consideration of the grantee's pro bono involvement programs.

Question 1 Raised During Analysis

Pro Bono Utilization:

Percentage of Pro Bono Attorneys Actually Providing Service

3. Percentage of pro bono attorneys serving on panels who actually provided services (pro bono utilization)	
a. This grantee, FY17-18	48.7%
b. <u>Benchmarks</u>	
Median - Virginia Programs	57.7%
Median - U.S. civil legal aid programs, 2018	37.6%



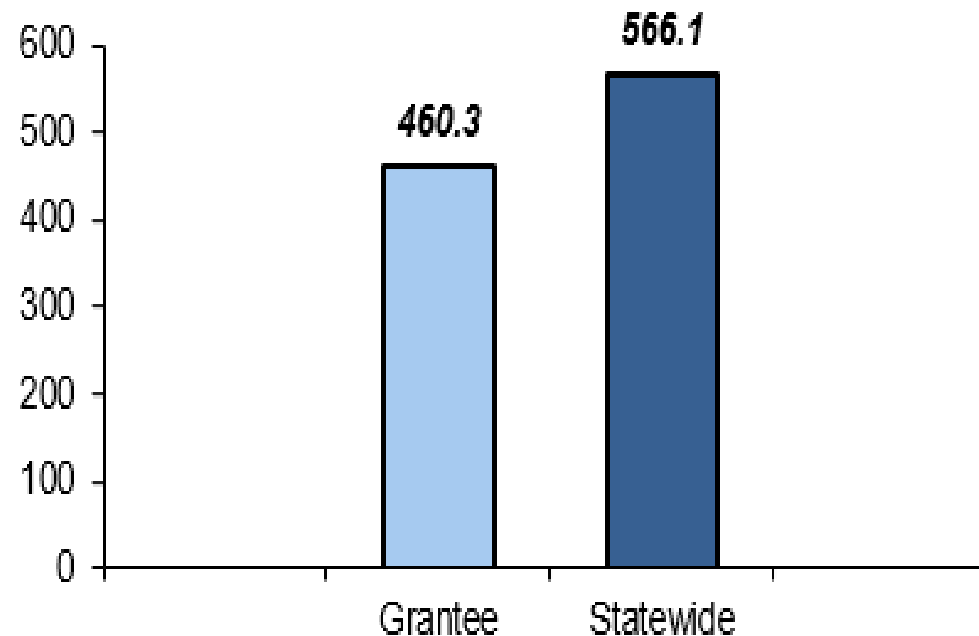
Question 2 Raised During Analysis

Pro Bono Hours Donated:

5. Number of hours donated per 100 participating pro bono attorneys



a. This grantee, FY17-18	460.3
b. <u>Benchmarks</u>	
Median - Virginia Programs	566.1



Pro Bono By the Numbers: Quantitative Analysis

- Gain Independent Perspective on Performance
- Reduction of Information Overload
- Manage Change



THREE:

Perspective of a Program Leader

About Benchmarking Results for His Pro Bono Program



John Whitfield

J.D., Executive Director,
Blue Ridge Legal Services
(BRLS)
Northwestern Virginia





Program Leader's Perspective, *continued*

“I’m flattered...but skeptical...about the assessment.”

Flattered...

- **By the PRAISE of my program**
 - High participation by volunteer attorneys
 - High numbers of pro bono attorneys available to provide services

Skeptical...

- **About the QUESTIONS flagged**
 - Low utilization of the volunteers on the panel
 - Low numbers of hours per pro bono attorney





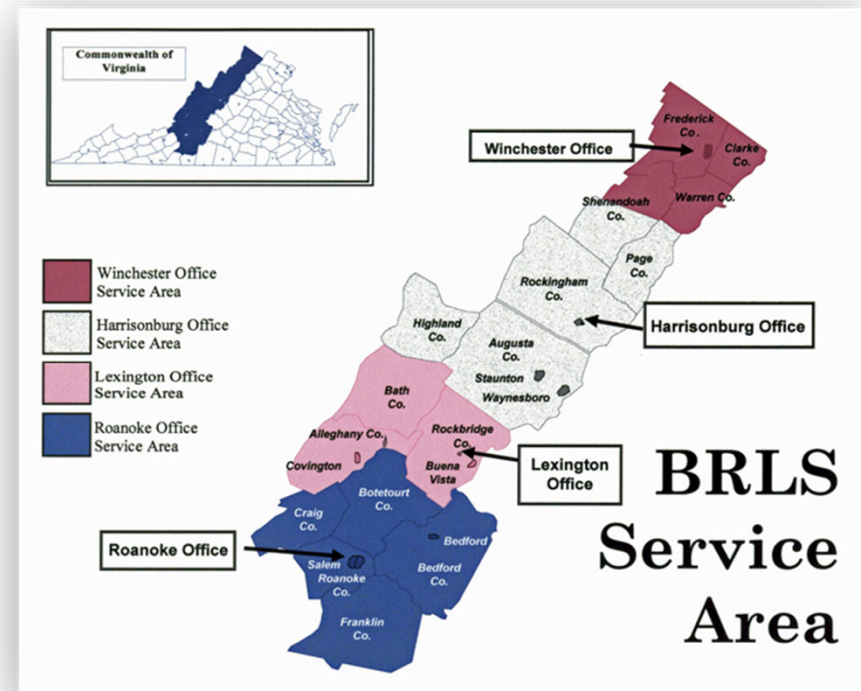
Program Leader's Perspective, *continued*

“The findings mask variations at the OFFICE level.”

The evaluation covers the
PROGRAM as WHOLE

The numbers reflect primarily
ONE OFFICE'S performance

- Tradition of pro bono service responding to the 1982 Reagan LSC \$\$ cuts
- Pro bono is considered mandatory by the local bar leadership: *“We all must do our share”*
- 100 percent participation by bar members

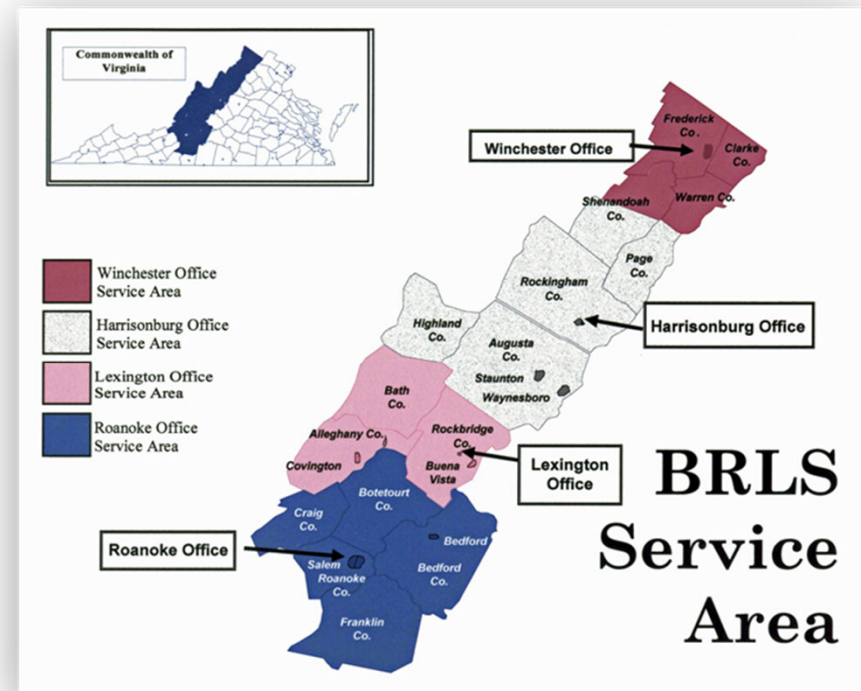




Program Leader's Perspective, *continued*

“The other three offices have challenges.”

- Fewer attorneys
- Lower participation
- Less of a tradition of pro bono
- Less leadership





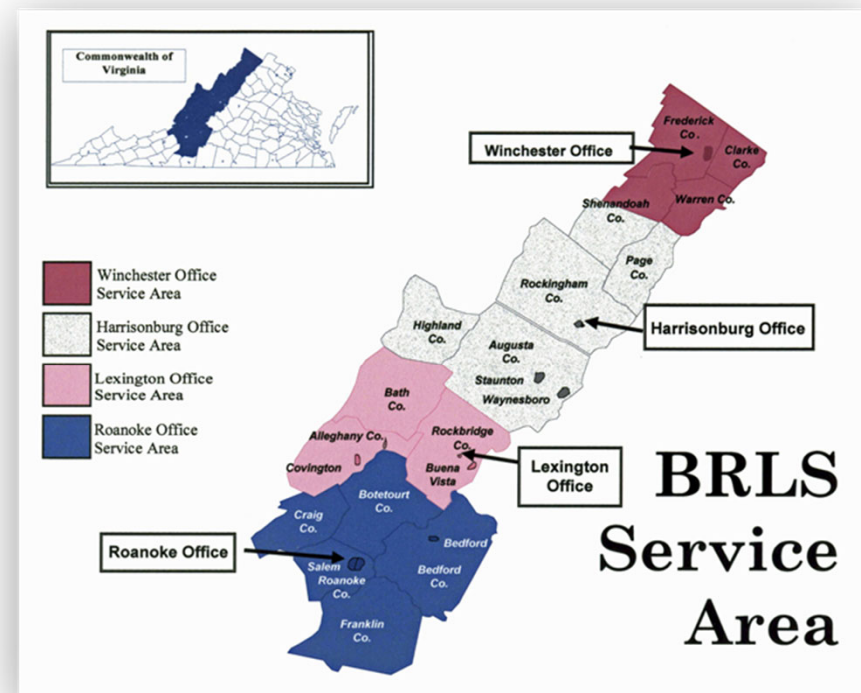
Program Leader's Perspective, *continued*

“I’d love to see the numbers at the OFFICE level.”

Response by the evaluators:

We’ll do it!

Stay tuned...



FOUR:

Perspective of a Funder

About Benchmarking as a Tool for Grantee Evaluation



Karl Doss

J.D., Deputy Director,
Legal Services Corporation of
Virginia (LSCV)
Richmond, Virginia



PRO BONO DATA ANALYTICS:
APPLICATIONS OF BENCHMARKING
FOR IMPROVING PERFORMANCE
AND EXPANDING RESOURCES

A Funder's Perspective

Karl A. Doss, Deputy Director
Legal Services Corporation of Virginia

About Virginia's LSCV Funded Legal Aid Programs

- LSCV funds and oversees the work of **nine regional Legal Aid programs** and a statewide support center that operate out of **35 offices** and serve every city and county in Virginia.
- LSCV funded programs employ approximately **170 FTE attorneys** and **130 non-attorney staff**.
- In FY 2017-2018, LSCV-funded legal aid advocates completed **27,303 cases**, providing direct measurable benefits to **69,058 people**.
- In FY 2017-18, Virginia legal aid funding was almost \$31 million from all sources including **\$10.75 million in state funding**.

Pro Bono Statistics

In FY 2017-2018, volunteer lawyers participating in LSCV-funded programs achieved the following results:

- Number of cases completed: 3,137
- Hours Contributed: 14,626
- Dollar Value of Services*: \$2.2M

*Estimated conservatively at \$150 per hour

3 Benefits of Pro Bono Data Analytics

1. **Information**. Engagement of local legal community to address justice gap
2. **Context**. The evaluation provides full context for the delivery of client services.
3. **Strategies**. Identifying challenges to and opportunities for improving the delivery of legal services.

Information: Resources and the Justice Gap

1. Legal aid cannot meet the needs of all potential clients through existing staffing. Programs can significantly address the deficiencies (justice gap) through pro bono and the evaluation provides quantifiable and qualitative assessments of how programs are doing this.
 - 1 in 8 Virginians is qualified for legal aid services, BUT
 - There is only 1 legal aid attorney for every 6,000 poor persons in Virginia
 - Best available data shows less than 10% compliance with VRPC Rule 6.1 (Voluntary Pro Bono)
 - 80%+ of the legal needs of low income Virginians go unmet – even with current levels of pro bono

Context: Compare and Contrast

2. The evaluation provides full **context** for the delivery of client services via a program's pro bono network compared to state and national data.
 - LSCV assesses this information and shares it with the General Assembly, the Virginia State Bar (Access to Legal Services Committee), the Virginia Access to Justice Commission, and other stakeholders.
 - What are other programs and jurisdictions doing to increase participation in pro bono legal service?

Strategies: Development and Implementation

3. The information in the evaluation allows LSCV and others assist programs to identify challenges to and opportunities for improving the delivery of legal services in their service area through more **strategic deployment** of pro bono resources.
 - Various access to justice stakeholders are able to apply this data/information to more effectively develop and implement policies and strategies to address Virginia's justice gap on a regional (or localized) way.

The Value of Evaluation to LSCV as Funder

Supporting evaluation of our grantees is one of the most important things LSCV does as a funder to improve access to justice in Virginia.

Conclusion

- **BENCHMARKING** is a powerful tool for turning **RAW DATA** into **INSIGHTS** about pro bono program performance.
- We have shared some **DATA ANALYTIC METHODS** being applied in Virginia and other states to **IMPROVE RESULTS** for **CLIENTS** and to **INFORM STAKEHOLDERS** about accomplishments of pro bono programs.
- And we have heard **PROGRAM LEADERS'** perspectives – a Community Legal Aid Provider and a State Funder – about **APPLICATIONS** of these methods in their state.

THANK YOU
for attending and sharing
your ideas with us!