

LEGAL
AID *of*
MARIN

Justice for all

Legal Aid of Marin
Strategic Plan
January 2021

Background

Legal Aid of Marin (LAM) was founded by the local bar and celebrated its 60th year in 2018. LAM provides free legal services to income eligible and age eligible residents of Marin County in the areas of housing law, employment law, the Marin Community Court program, and income support, among other general legal services. It is the only non-profit civil legal services provider in the County covering all of these practice areas.

LAM's housing legal services include community education, advice and counsel, representation up and through trial, and alternative resolution services in collaboration with the Marin Superior Court. LAM staffs Mandatory Settlement Conference clinics at the Marin County Superior Court, which ensures that tenants have legal support in court-mandated settlement conferences for unlawful detainer (eviction) cases. Through those clinics, staffed by a combination of LAM staff and pro bono volunteers, tenants get a realistic assessment of their cases and negotiate resolutions to keep or extend their housing and preserve their credit. LAM also offers general tenants' rights representation for individuals and groups of tenants, and regularly engages in affordable housing advocacy efforts.

Legal Aid of Marin's workers' rights team advises low wage workers about severance and job loss, assists low wage workers with administrative wage claims, and, in select cases, files litigation to enforce workers' rights to be free from wage theft, discrimination, and wrongful termination. The workers' rights practice provides holistic legal services including resolution of unemployment and social security benefits providing income support when there are lapses in employment.

A marquis project for LAM is the Marin Community Court, a first-in-the-state restorative justice court that allows Marin residents to eliminate fees for poverty-related civil infractions such as camping, jaywalking, and parking tickets by completing alternative sentences that are focused on addressing core causes of the infractions and on community service. These resolutions allow residents to restore driving privileges and eliminate barriers to work that would otherwise be insurmountable and give them a better chance to be successful and contribute to the community. LAM staff members and pro bono volunteers inform community partners about the Court's services, go into the community to take intakes for the Court, and provide support for participants through the process of clearing fines and restoring their licenses and other assistance.

LAM amplifies its impact across all issue areas by recruiting, training and deploying pro bono volunteers. Those volunteers are utilized in LAM's clinics and direct services and through the Marin Pro Bono Network. For example, LAM provides senior legal services through the Marin Pro Bono Network that are critical to preventing elder abuse – including wills and estate planning.

Strategic Planning in a Pandemic

With the onset of COVID, LAM successfully shifted to a virtual delivery model and increased its staffing to provide emergency services to the many people whose lives were impacted by the crisis. However, the high level of uncertainty brought about with the pandemic and subsequent social and economic crises in our country interrupted LAM's strategic planning process, and made traditional strategic planning more challenging. The focus of this plan then is both to chart our desired course into the future and to build in tools and processes to continually assess the evolving landscape and strategically respond to changing needs and opportunities as they arise.

LAM's Theory of Change

There are multiple tools available to legal aid organizations to affect change within their community. These can be categorized into four primary types of work: (1) direct service (including individual cases, group cases, and holistic services), (2) impact litigation, (3) systems change work (policy advocacy and changing practices within systems), and (4) community outreach and education. Community lawyering is a strategy that uses all of these approaches where appropriate, centering on issues and actions identified by client groups. LAM considered both the mix of types of work and the way they each drive positive change in constructing its strategic framework and theory of change.

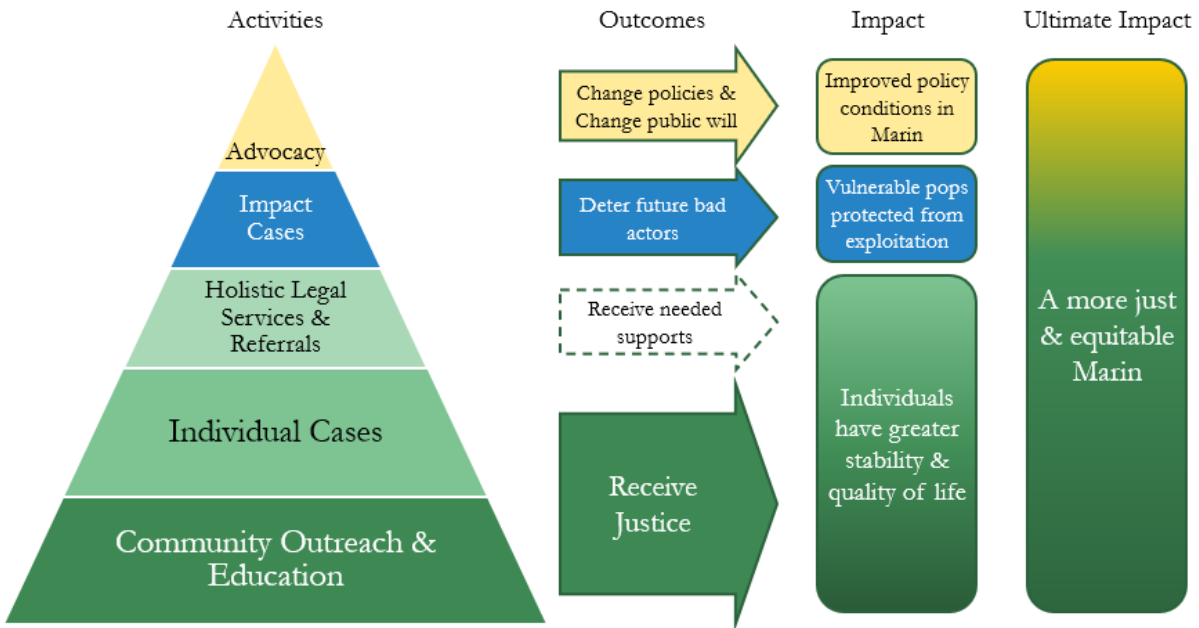
Fundamentally at its core, LAM is a direct service provider. As the only general legal aid organization with offices in the county of Marin, it plays a key role in ensuring that marginalized communities receive the legal information, advice and representation they deserve. The need for LAM to maintain direct service as its primary focus was reinforced by LAM's stakeholders who value the role LAM plays in ensuring its clients receive justice.

Direct service also serves as an engine for impact litigation and systems change work. By working on individual cases, as well as with client groups and trusted service providers, LAM can see patterns of abuse that may escalate into impact litigation cases. Similarly, by working directly with clients, client groups, and trusted service providers, LAM deeply understands their clients' needs and the ways that policies and systems can work against LAM's clients. That perspective enables LAM to be a trusted and effective advocate for the populations and communities it serves and a trusted source of information for policy makers.

To effect the change LAM seeks, it is important for all four levers to be working together. Just as direct service is an engine for impact litigation and systems change work, impact litigation is an important deterrent for future bad actors; that deterrent can decrease the instances in which our clients are exploited and thus need legal assistance. Systems change work also goes "upstream" to change the policies and practices that intentionally or unintentionally create the conditions that make it difficult for marginalized populations to get ahead. Finally, community outreach and education provides an important base for all of this work. Community outreach and education not only informs LAM's client base of its legal rights, it is where LAM connects with our clients, client groups, and service providers and so provides a pipeline for much of LAM's legal work. That connection with our clients that comes from outreach and education also ensures LAM remains in touch with evolving client needs and concerns so that our services stay helpful and relevant.

Theory of Change (ToC)

Done primarily via partners



By working on all of these levels, grounded in community need, LAM will be able to ensure that its clients receive justice through representation and that they will be empowered through education, that future bad actors will be deterred, and that policies and public opinion will change in Marin. Those impacts will improve the stability and quality of life for many marginalized individuals and families while simultaneously protecting them from exploitation and improving the policy conditions in Marin, ultimately leading to a more just and equitable Marin.

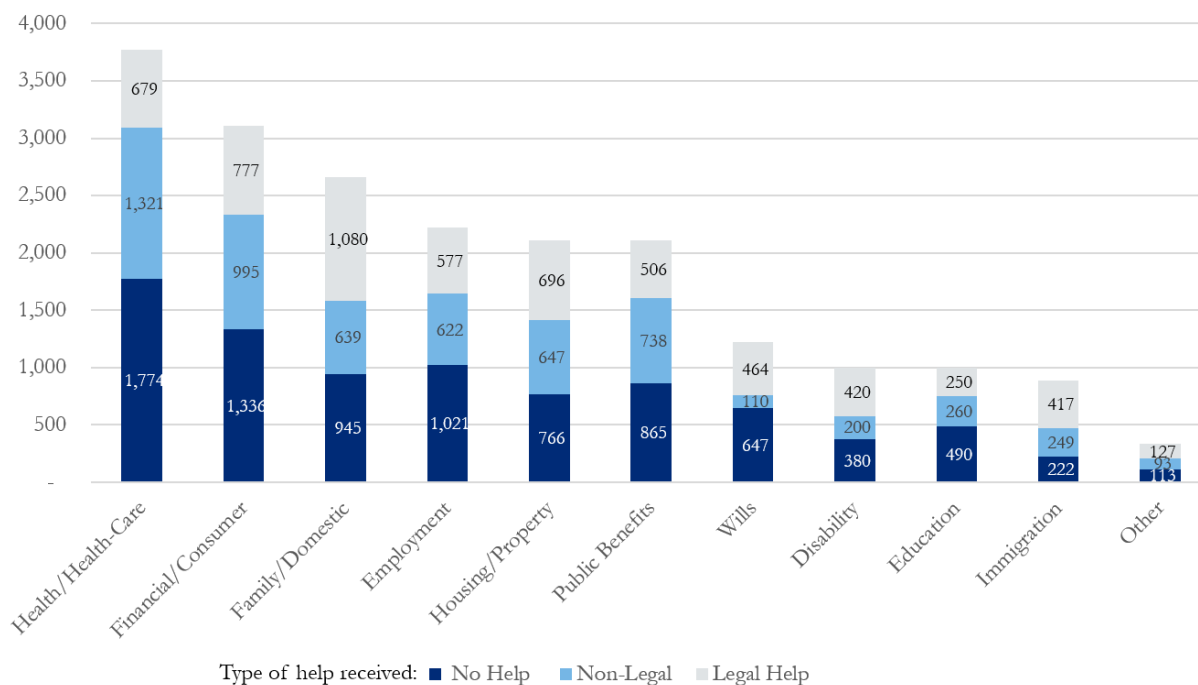
Community Needs and Growth Plan

As noted above, this plan is being developed at a time of tremendous uncertainty. However, two things are certain: first, legal aid needs in Marin continue to outpace LAM’s capacity, and the COVID crisis has exacerbated that reality; and second, operationally LAM would benefit from growing to a larger scale to improve organizational efficiency.

Prior to COVID, LAM assessed the legal aid needs in Marin. Despite the perception that Marin is a wealthy county, over 25,000 people live at or below 125% of the federal poverty line. In November of 2019, the CA Bar Association published its findings on the [statewide justice gap](#). The survey found unmet needs in every category of legal aid and noted that fewer than a third of people with legal issues sought formal legal help. Many turned to friends or the internet for support and many more were concerned about the cost or were afraid to pursue legal support, likely due to immigration status, fear of retaliation, etc.

LAM took those survey results and extrapolated them to the Marin population to estimate the justice gap in Marin County. Each bar below represents the total estimated annual cases in each issue area and is broken down by whether the person likely received legal help for the issue, sought non-legal help, or received no help at all.

2019 Estimated Justice Gap in Marin County



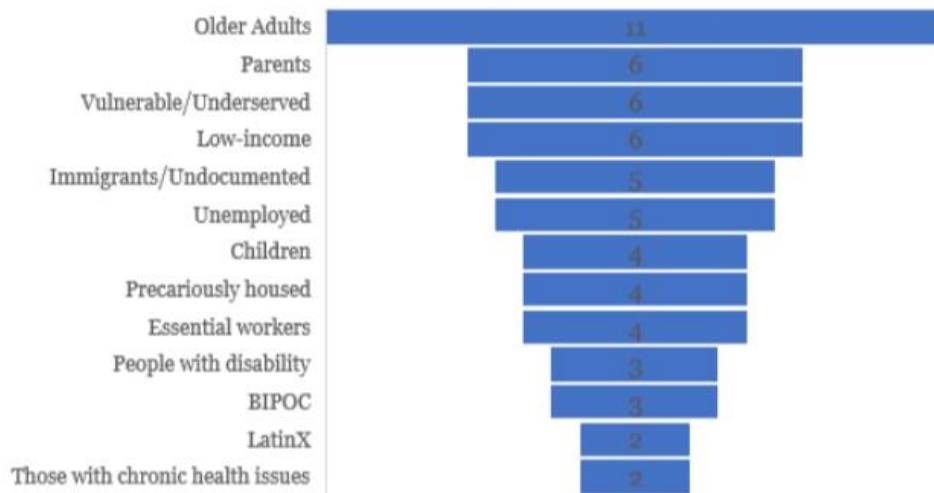
The extrapolation is imperfect given notable differences in the low-income population in Marin versus statewide – especially a likely larger undocumented population making the immigration justice gap artificially low – but directionally it is clear that across the board, marginalized communities in Marin are not receiving the legal help they need.

COVID has amplified these needs in multiple areas, but in particular:

- **Housing** is in crisis for many people who have lost income. While temporary eviction moratoriums are in place, there is no long-term plan at the federal, state or local level for how to respond to the needs when those moratoriums are lifted.
- **Employment** issues are also skyrocketing as we see the inequities of who is losing employment, the exploitation of the workforce that remains employed, and the struggle of workers to secure unemployment and other relief through bureaucracies overwhelmed by demand as well as by COVID-19 protocols.
- **Seniors** have been hit tremendously hard by the isolation of quarantine and a resulting increase in both financial and physical abuse.
- **Holistic services** need has increased as well, as immigrant clients remain fearful of accessing safety net services, and the need for knowledge of and resolution of problems with safety net supports has grown.

The Marin Community Foundation (MCF) did a survey of service providers in Marin to better understand emerging needs from the COVID pandemic. The results of MCF's survey mirrored the trends LAM is seeing with a focus on seniors and vulnerable populations.

Communities Projected to Experience the Greatest Need



LAM has already increased its staffing in housing, employment, and holistic services in order to respond to these increased needs. Given the breadth of needs and LAM’s history as a general legal services provider, the LAM Board of Directors also decided to consider expanding into one of the other issue areas highlighted by the justice gap report and confirmed through stakeholder interviews. The issue areas that rose to the fore as being most in need and mostly likely a fit for LAM were Elder Abuse (financial and physical), Consumer/Debt, Family Law and Immigration.

As part of this plan, a decision-making framework was developed to compare potential new issue areas and prioritize areas for expansion. The framework looks at five key dimensions:

- **Mission/Need:** The issue area is consistent with our mission. There is a clear need both in terms of volume and impact on clients; there is no existing provider sufficiently meeting the need; if executed well the demand would fill LAM’s available/intended capacity.
- **Funding:** Funding is identified and fully covers expected cost; there is a multi-year commitment and/or a path to diversifying support over time.
- **LAM Capacity:** Existing staff have the right skill set or could be easily trained to deliver service in this area of law or LAM has a path to hiring or delivering via pro bono; management has the supervision time; and LAM either has or could build any needed external relationships.
- **Opportunity:** There is a policy window, community movement, funder or other external momentum that could be captured if we proceed.
- **Risk:** There is NOT a potential conflict with a key stakeholder, over-reliance on a single champion, or a logistical or other potential barrier to delivering service.

Note that no single dimension prevails, so that for example, a new issue area could conflict with a key stakeholder and LAM may determine to pursue that area if the other factors were strongly enough in favor.

Based on the current context, LAM scored each of the four issue areas identified as having the strongest mix of need and fit as follows:

	Elder Abuse	Consumer/Debt	Family Law	Immigration
Mission/Need	5	3	5	4
Funding	3-4	1	3	3
LAM capacity	4	3	4	3
Opportunity	5	4	3	4
Low Risk	5	4	3	4
Total	22-23	15	18	18

Please see appendix 1 for full scoring and rationale.

Given these scores, LAM will prioritize Elder Abuse for initial expansion, while beginning to lay the foundation to expand into family law. Elder Abuse takes advantage of existing staff skill set and LAM has already seen tremendous response to an initial outreach in summer 2020 and it was highlighted in the MCF survey as the largest need emerging from COVID. Family Law is also a huge need and one of the most frequent calls LAM receives; however, it will likely take more time to build the necessary relationships and secure funding. Elder Abuse and Family Law also have overlapping skill sets (for elder abuse and domestic violence) so considering sequenced expansion in these two areas should have some staffing synergy.

LAM will also consider Consumer/Debt for pro bono clinics as clinics can have a high impact just by helping clients understand their rights and triage their cases, but as a fully staffed issue area the law is highly complex and specialized. LAM will also deprioritize immigration. While it is a critical issue, it is not what people come to LAM for and LAM already partners with Canal Alliance in this area. However, given the continued evolving landscape LAM will periodically revisit the assumptions behind this scoring to take into account new developments over time.

As LAM grows its presence both in its existing issue areas and to new ones, the organization will also be increasing its work in systems change and impact litigation. As opportunities in both of those areas are difficult to predict, LAM will use a similar decision-making framework to assess potential systems change and impact litigation opportunities as they come.

Organizational Implications

Staffing

In each issue area LAM seeks to maintain a ratio between 1:1 and 1:2 attorneys to legal assistants. This provides leverage for the attorneys and mentorship and growth opportunities for the legal assistants. However, the staffing for each individual program will also reflect complexity of the cases, skill sets of existing staff, and available funding. For new issue areas attorneys will be added to build the practice before legal assistants are hired.

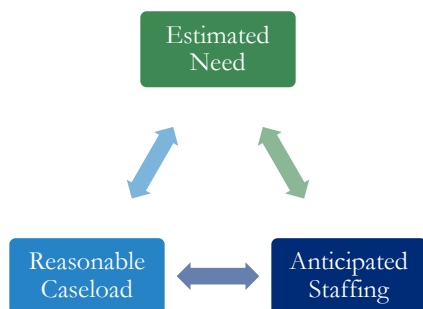
LAM's model for entering new program areas is to hire the case handling attorney first, which is reflected in the staff attorney for Elder Law being a 2021 hire. However, at "steady state" LAM will need to add an elder law legal assistant to support the attorney.

As noted in the previous section, the next issue area prioritized for expansion is Family Law. When the organization feels it has the relationships and funding in place to further expand into this area it will need to hire a family law attorney, as well as a legal assistant once the practice is established. There may be need for a third legal assistant to split time between elder and family law depending on case volume and funding.

Finally, LAM is increasing its own financial capabilities by expanding the Operations Manager role into Operations and Administration Manager. In one to two years the organization will likely also need to bring some or all of its finance and HR functions in house. This will allow for greater efficiency in financial and personnel management, greater flexibility to adjust with growth, and an ability to build and manage the internal systems needed to continue to smoothly provide the expense and time tracking needed for contracts and grants.

Goals for 2021

As LAM implements its strategy it will set annual goals for the work it wants to do in each issue area. Through the planning work, LAM has developed a methodology for setting goals that takes into consideration and attempts to balance the **estimated need** in the community, **anticipated staffing** available and **reasonable caseloads**.



In 2021, LAM is estimating it can serve **more than 1,050 cases** including approximately 450 in housing, 200 in employment, 250 in economic justice, 100 in holistic services/public benefits cases and 50 in is new elder abuse program area. That said, 2021 will continue to be a year of tremendous uncertainty as the COVID pandemic continues and the economic implications for our community continue to evolve. LAM is projecting cases and distribution based on current knowledge, but will continue to be responsive to changing community needs throughout the year.

Financial Implications

Budget

To achieve its ambitious goals and expand into elder law, LAM's budget will need to increase. This budget represents significant growth but also careful stewardship of resources. It includes growth into a new program area, but in a measured way by adding the attorney first before building out the team.

Other key assumptions in this budget:

- Maintain increased staffing level from pandemic response
- Keep receptionist/intake specialist full time
- Maintain other levels of supports/expenses

Given these assumptions LAM is projecting \$1.77million in 2021 broken down as follows:

Personnel (Salaries & Benefits)	1,269,768
Legal & Professional Fees	176,000
Rent	110,600
Office Supplies	15,000
Software & Hardware	20,000
Telephone	15,000
Postage And Delivery	3,000
Printing & Photocopying	10,000
Equipment	11,000
Advertising/Recruitment	15,000
Meetings	3,000
Conference & Prof	
Development	8,000
Books & Publications	7,000
Insurance	11,300
Payroll Processing	4,500
Bank Fees	6,000
Memberships, Licenses & Fees	17,800
Taxes	1,000
Event Expense	35,000
Filing Fees & Case Costs	5,000
Travel & Meals	8,000
Contingency	20,000
Total Expenses	\$1,771,968

Please see Appendix 2 for breakdown of budget by program

Fundraising

To fuel the proposed growth, LAM will need to grow its funding across all of its funding sources. To that end, LAM created a Development and Communications position. The organization has also identified several potential areas for funding growth:

- New foundations to fund Elder Law. Since this issue area is new (beyond the senior housing work currently done), it opens up an opportunity to cultivate a new set of foundation donors who focus on this issue. Elder abuse is deeply connected to health care issues and therefore a good fit with healthcare foundations who might not otherwise fund legal aid work. Similarly, the financial abuse experienced by seniors aligns with financial institutions and their philanthropic giving since they do a lot of work with estate planning.
- IOLTA and pro bono funds. LAM is exploring with the state the option to get qualified as an official pro bono program over the next two to three years. Doing so would increase the income limit of people LAM can serve and unlock other state funds that are tied to IOLTA allocations.
- Individual giving. Under the Executive Director’s leadership individual giving has increased over the last several years. COVID has shined a light on the critical need for legal aid to protect Marin’s most marginalized populations in times of crisis, giving LAM an opportunity to make the case for increased giving and to bring in new donors who may not have previously focused on legal aid. In addition, the LAM Board of Directors has expanded and is increasingly active including in fundraising.

- Government contracts. LAM has already secured a 5 year, 200,000 a year contract with the state that is funding a good deal of the employment law program and receives over 200,000 in additional grants to fund housing and senior housing work, some of which is COVID response related. LAM also secured a new 18-month contract with the County of Marin for COVID-related housing legal services. As LAM expands its work there may be opportunities to advocate for sustaining the COVID contracts long term and to sustain important work like the community court project.

With the expanded staffing and funds in place, Legal Aid of Marin is poised to significantly grow its impact, helping even more marginalized individuals and communities receive the justice they deserve as we all fight for a more just and equitable Marin.

Appendix 1

Decision Making Framework for New Program Areas

	Rating (1-5)	Definition of High (5)
Mission/ Need		The issue area is consistent with our mission . There is a clear need both in terms of volume and impact on clients; there is no existing provider sufficiently meeting the need; if executed well the demand would fill LAM's available/intended capacity.
Funding		Funding identified and fully covers expected cost ; there is a multi-year commitment and/or there is a path to diversifying support over time
LAM capacity		Existing staff have the right skill set or could be easily trained to deliver service in this area of law or LAM has a path to hiring or delivering via pro bono; management has the supervision time ; and LAM either has or could build any needed external relationships
Opportunity		There is a policy window, community movement, funder or other external momentum that could be captured if we proceed
Low Risk		There is NOT a potential conflict with a key stakeholder, over-reliance on a single champion , or a logistical or other potential barrier to delivering service

Adaptations for Advocacy & Impact Litigation Decision Making

	Advocacy	Impact litigation
Mission Fit/Impact	The advocacy is consistent with our mission and closely tied to one of our program areas . If passed/changed/enacted it would change the conditions that cause some of our clients to need our services It has the potential to positively impact a significant number of marginalized people in our community	The litigation is consistent with our mission and closely tied to one of our core program areas . If pursued there is a reasonable probability that it would deter future bad actors and/or change the conditions that cause some of our clients to need our services It has the potential to positively impact a significant number of marginalized people in our community
LAM Capacity	Participation in the advocacy work (coalitions, hearings, etc) fits within the time we have allocated to systems change Our staff have or could build the knowledge/relationships to meaningfully contribute to and advance the work and/or represent a client constituency not otherwise well represented	Participation in the impact litigation fits within the time we have allocated to systems change Our staff have or could build the knowledge/skills to meaningfully contribute to and advance the work
Opportunity	Participation in the advocacy work will help us build visibility and/or relationships with important stakeholders that can further our work overall There is a policy window, community movement or other external momentum that could be captured if we proceed	Participation in the litigation will help us build visibility, expertise or relationships with important stakeholders that can further our work overall Meets the statutory threshold for legal aid involvement
Risk	There is NOT a significant potential conflict with a key stakeholder or an over-reliance on a single champion	There is NOT a significant potential conflict with a key stakeholder Co-counsel can be identified if appropriate

Initial Score – Elder Financial and Physical Abuse

	Score	Rationale
Mission/ Need	5	Brief initial outreach yielded far more demand than LAM could fill; need is acute both due to COVID and aging population in Marin; no real competitor
Funding	3-4	Funding is not yet identified but possible sources are donor advised funds in response to COVID, healthcare foundations also a possible target.
LAM capacity	4	LAM has a staff member with skills and interest, bandwidth is currently stretched so will require additional staffing to effectively serve this area while maintaining existing work
Opportunity	5	COVID has brought this issue into focus and provides a window of opportunity to bring attention to the issue and then sustain over time
Low Risk	5	All of LAM stakeholders (community members, county staff and electeds) support this move; LAM already has infrastructure to deliver services to seniors (Whistlestop, etc)

Initial Score – Consumer/Debt

	Score	Rationale
Mission/ Need	3	LAM received more than 800 calls for Consumer and Small Claims/pro bono requests in 2019. There are hotlines through BALA but no Marin specific competitors.
Funding	1	No specific funding opportunities identified
LAM capacity	2-3	This is a highly complex area of law that requires specialized knowledge, however it can lend itself to pro bono clinics. But additional resources would still be needed to coordinate the clinics.
Opportunity	4	This issue will likely grow for those impacted by COVID reduced or unemployment. That may open up new opportunities as the government and funders seek to respond.
Low Risk	4	There are no apparent conflicts and logistically this could easily be delivered via LAM's existing channels. Stakeholders that tend to be ruffled by this work include banks – a sector that provides a modest amount of funding for LAM.

Initial Score – Family Law

	Score	Rationale
Mission/ Need	5	LAM received nearly 900 calls for family law in 2019. There is a local competitor, however the need for representation on both sides means that doesn't significantly impact demand
Funding	3	There is funding available, but it primarily goes to Family & Children's Law Center. We have not been successful in doing collaborative fundraising.
LAM capacity	4	One board member and two attorneys on staff have this specific skill set; attorneys on staff are not candidates to practice in this area but could advise on hiring and program design. There are also likely pro bono resources that could be tapped into. New hiring would be required. Potential overlap with elder abuse.
Opportunity	3	There is no specific opportunity at this moment creating momentum in either direction.
Low Risk	3	There are political risks to being perceived as entering FCLC's territory, but also many stakeholders who would like to see a second family law option in Marin.

Initial Score – Immigration

	Score	Rationale
Mission/ Need	4	While less than 100 calls came into LAM directly and there is a competitor in this space, Canal Alliance has been very open to partnerships and is not a legal services entity, leaving room for a more specialized provider. A T Visa practice would support outcomes for victims of crime at work.
Funding	3	There was a significant wave of funding following the 2016 election, most of which has been distributed but there are still opportunities for funding either directly or via partnerships
LAM capacity	3	Two board members and two attorneys on staff have this specific skill set; attorneys on staff are not candidates to practice in this area but could advise on hiring and program design. New hiring would be required. Potential overlap with family law.
Opportunity	4	Pending the outcome of the 2020 election there may be renewed focus which LAM could capitalize on
Low Risk	4	Immigration is a more political issue area which may or may not have an impact (positively or negatively) on relationships with donors and elected officials.

Appendix 2

2021 Budget by Program

	General Legal	Housing	Employ- ment	Economic Justice	Elder Law	Total Programs	Fundraising	Admin	Total	Direct Service	Pro Bono	Systems Change
Expenses												
5005 Personnel	59,880	402,079	295,807	172,212	107,328	1,037,307	152,391	80,070	1,269,768	834,133	122,091	81,082
6000 Legal & Professional Fees	5,590	41,108	31,476	18,146	56,104	152,424	16,696	6,880	176,000	89,440	56,792	6,192
6030 Rent	4,793	35,245	26,986	15,558	12,092	94,674	10,028	5,899	110,600	76,683	12,682	5,309
6035 Storage												
6040 Office Supplies	650	4,780	3,660	2,110	1,640	12,840	1,360	800	15,000	10,400	1,720	720
6045 Software & Hardware	1,012	7,445	5,701	3,287	2,555	20,000			20,000	16,199	2,679	1,121
6050 Telephone	650	4,780	3,660	2,110	1,640	12,840	1,360	800	15,000	10,400	1,720	720
6060 Postage And Delivery	130	956	732	422	328	2,568	272	160	3,000	2,080	344	144
6070 Printing & Photocopying	433	3,187	2,440	1,407	1,093	8,560	907	533	10,000	6,933	1,147	480
6080 Equipment	477	3,505	2,684	1,547	1,203	9,416	997	587	11,000	7,627	1,261	528
6095 Advertising/Recruitment	650	4,780	3,660	2,110	1,640	12,840	1,360	800	15,000	10,400	1,720	720
6110 Meetings	130	956	732	422	328	2,568	272	160	3,000	2,080	344	144
6120 Conf & Prof Development	347	2,549	1,952	1,125	875	6,848	725	427	8,000	5,547	917	384
6130 Books & Publications	354	2,606	1,995	1,150	894	7,000			7,000	5,670	938	393
6140 Insurance	548	4,030	3,086	1,779	1,383	10,825	299	176	11,300	8,768	1,450	607
6155 Payroll Processing	195	1,434	1,098	633	492	3,852	408	240	4,500	3,120	516	216
6170 Bank Fees	260	1,912	1,464	844	656	5,136	544	320	6,000	4,160	688	288
6200 Mem, Licenses & Fees	816	5,997	4,592	2,647	2,058	16,110	1,508	181	17,800	13,049	2,158	903
6210 Taxes	43	319	244	141	109	856	91	53	1,000	693	115	48
6220 Event Expense	253	1,861	1,425	822	639	5,000	30,000		35,000	4,050	670	280
6230 Subscriptions												
6240 Filing Fees & Case Costs	253	1,861	1,425	822	639	5,000			5,000	4,050	670	280
6250 Gift												
6260 Legal Library												
6290 Travel & Meals	347	2,549	1,952	1,125	875	6,848	725	427	8,000	5,547	917	384
6700 Depreciation												
6710 Contingency	867	6,373	4,880	2,813	2,187	17,120	1,813	1,067	20,000	13,867	2,293	960
7000 Invest Admin Fees												
7010 Investment Fees												
Total Expenditures	78,678	540,313	401,652	233,231	196,756	1,450,631	221,757	99,580	1,771,968	1,134,895	213,832	101,904