



TAKING CHARGE:

A GUIDE FOR NEW EXECUTIVE DIRECTORS

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INTRODUCTION

Welcome! As the new chief executive officer of a civil legal assistance program, you are taking on one of the most challenging and useful jobs available. We—MIE, the civil legal assistance community, and more broadly, the people who will benefit from your work—want you to succeed. Hence this *Taking Charge: A Guide for New Executive Directors*, which is intended to alert you to the critical issues you will face during your first weeks on the job; and the more in-depth training which will periodically occur throughout the rest of your career as a legal aid executive director.

As an executive director, you will wear many hats. Some of those hats will seem very familiar. Others at first will seem strange and uncomfortable. The purpose of *Taking Charge* is to identify the roles which you will (or should) take on when you first assume your new position, and to offer general guidance based on the experiences of other directors who have been in the same situation.

We have done our best to cover all the issues you will confront, but every program is unique, so something important is certainly missing from these materials. If you need help with an issue that is not discussed here, or if you want to discuss possible courses of action with a colleague, feel free to call any of the sources of help listed in the pages which follow. As you will discover, there are many resources—in the community of other directors, and in national organizations such as Management Information Exchange (MIE), the National Legal Aid and Defender Association (NLADA), and the Center for Law and Social Policy (CLASP)—able and eager to help you do your job. The earlier you seek assistance, the better.

We hope that this *Guide* will be of real use to new directors. We know it can be improved. We want your suggestions about issues that should have been included, or about sections that are too long, short or obscure. Write or call with your suggestions (the address and phone number is on the title page).

Thanks.

*John Arango, MIE Consultant,
and the Board and Staff of Management Information Exchange*

MONEY

Introduction

Your first task as a new director is to understand how much money your program has; where it comes from; what you must and may do with it; whether it is being handled correctly; and what you must do to continue to receive it.

Money issues are important. People go to jail for mismanaging funds. Money surprises—an unexpected deficit, for example—can be very unpleasant. On the other hand, a well-developed ability to find and use money to benefit clients can be a source of great personal satisfaction. You need to understand your money situation as soon after taking your new job as possible. And you will need well-developed money management skills if you are to succeed as a legal aid executive director.

Income

More than 130 legal services programs are recipients of funds from the Legal Services Corporation (LSC). An even larger number receive grants from foundations, especially those who administer interest on lawyer's trust accounts (usually abbreviated as IOLTA, although the name varies from state to state). In some states, legal assistance programs receive filing fees or appropriations from their state legislature. In other states, programs have contracts with state government to conduct special projects, such as helping people become eligible for SSI. Increasingly, programs conduct their own fundraising campaigns, sometimes in conjunction with other legal assistance programs. A large program may have twenty or more sources of income.

You should know:

The name of each source of income, and whether the funds are restricted (can be used only for purposes specified by the grantor) or unrestricted.

The relative importance of each source of funds. Where does your core, continuing funding come from?

Which sources are increasing, which are stable or decreasing. If a source of core funding is decreasing: when it will hit bottom, what your income will be then, when it is likely to increase, and by how much?

What action is being taken, either by your program alone, or by a group of programs, to increase funds for your program. What role are you expected to play in these efforts? When must you start playing that role? If you face difficult or complex internal problems, can you temporarily step out of that role, or transfer your role to someone else?

If your program has a fundraising campaign: how the campaign is structured (for example, with a special committee leading the effort). What your role, and your board's role, will be. What the target for this year is, and how much was raised last year. Be prepared to spend considerable time on fundraising during the campaign.

For each source you should know:

The amount of money (on an annual basis).

Reporting requirements: what must be reported, to whom, when.

Restrictions: What you can, and cannot do, with the money. Read all restrictions carefully. They are often not as limiting as you may think.

Your program's recent relations with the grantor: good? bad? smooth? contentious? personal? impersonal? reports always on time and complete?

Any outstanding issues with grantors: proposals submitted but not yet approved; any questions raised in a monitoring or other review which require action on your part; any audit exceptions; any offers to make changes (especially, to give you more money) which require follow-up.

Names of key people in grantor organizations who will have a role in deciding whether you will be refunded (get your grant again), and the nature of your program's relations with these people. Is any immediate action needed? How long can you wait to establish a personal contact without offending the grantor?

Name of the person who wrote the last application for funds. Is he or she available for consultation if you need clarification on something in a grant application?

Names of the people who will write the next application. Dates when applications are due. (If any are due in the next month, what will your role be in preparing the application? At a minimum, you should read it before it is submitted, since the application will commit your time and energy. If you have any doubts about whether a pending application should be submitted, take appropriate action now. In any case, assume that your role in proposal preparation will take much more time than you might expect).

If it is expected that you will write the next application, do you have the skills you need? If not, is there someone in the program who can help you? Regardless, get help well before the application is due. Grant writing always takes time. The first few will take lots of time and energy, so set aside big blocks of time, and begin to gather the information you will need now.

Expenditures

Is there a budget for each grant?

Are expenses reported against budget, so you know exactly how much money you have left in each grant? (Even if you understand the written reports, get a full briefing on each report; sometimes, reports are clear but inaccurate—items miscategorized, etc. If you do not understand the reports, find out from your auditor if the reports meet generally accepted accounting principles; if they do, see below. If they do not, change your reports.)

Are all expenditure reports accurate and timely? Over the past year, how many have been late? Why? How many have had to be corrected? Why? Are you *absolutely certain* that the information you are receiving about expenditures is correct?

Have you been briefed on opportunities and problems in each grant? Do you know how much money is

available to do what you want to do? Do you know where there are problems—especially, line items running higher than expected? Is there a plan to bring all budgets back into balance? Does it seem likely that those plans will work? (If not, develop a better plan *now*.)

If your program is in a deficit situation: is there a plan for balancing income and expenditures? Is it working as projected? Will it succeed? Will your budgets balance before the end of your fiscal year? If not, are your grantors aware that you will show a deficit in your annual report? Are you using funds from one grant to cover expenses in another grant? Can you do this? Are you using unrestricted funds to cover expenditures in restricted grants? What impact will this have on your ability to meet client needs? Does your board know what is happening, and have they approved, in official recorded actions, the course of action your program is following? (If not, ask for a meeting with your board chair—or other appropriate board member—immediately.)

If your program will have a surplus at the end of the fiscal year, will the surplus be within the limits permitted by your grantors? If not, do you have a sensible plan for spending down your surplus to permitted levels?

If you are in the last quarter of your fiscal year, and the amount you can “carry-over” from one fiscal year to the next is limited, check for the possibility of any large one-time payments to your program, such as attorneys fees. Is there a way to defer receiving these funds until the beginning of the next fiscal year?

How are unrestricted funds being used? Is your program taking full advantage of unrestricted money, given the conditions that apply to LSC (and, in some states, IOLTA and legislative appropriations) funds? If you receive LSC funds, has your program considered its options under 45 CFR 1610? (Note: always call Linda Perle or Alan Houseman at CLASP (202-906-8000-5140) before contacting the LSC about 1610 issues).

Are your property records complete and up-to-date? Has your program sought permission from grantors when making purchases whose total exceeds amounts that you can spend without prior approval?

Look over the budgets and expenditure reports for each grant. Do you see anything curious? Anything that looks extraordinary? (You can more easily spot unusual expenditures or trends if your reports show the percentage of funds spent on each budget category.) If yes, have you received a satisfactory explanation for the unusual items?

Do the reports tell you what you need to know to make sound financial and program decisions? Do you get too much, rather than too little information? Start working with your accountant to ensure that, over the next few months, you get information in a form that is easy for you to use and that gives you what you need to make good decisions.

Requirements

Do you know the location of all documents related to program income: especially, the terms and conditions (as laid out in regulations, guidelines, contracts, grant documentation, monitoring reports, audits, etc.) governing your program's use of funds? Are the files complete and up-to-date?

For LSC recipients: Have you read and understood the LSC Act, Regulations, Guidelines and Program Letters? Similar documents (if they exist) from your IOLTA organization and/or from public agencies that give you money? Are you at least familiar with the contents of 1) LSC's 1996 *Audit Guide and Compliance Supplement*, 2) LSC's 1997 *Accounting Guide for Recipients and Auditors* and 3) the *Fundamental Criteria of An Accounting and Financial Reporting System for LSC Recipients*?

If you are not an LSC recipient: are you familiar with all of the restrictions on your operation, including those originating in your own organization?

Can you instantly and accurately describe the restrictions on each of your grants? Can you explain to an advocate why an otherwise sensible action cannot be performed under the terms of one or more of your grants? Are you certain that your interpretations of limits are neither less nor more restrictive than what your grantors require? (Read the regulations and grant documentation carefully—you will almost always have more flexibility than you might have been led to believe.)

Have you read your last audit report? If there were any audit exceptions, has appropriate action been taken? If corrective actions were required by the LSC, has appropriate action been taken? (Same for IOLTA and any other grantor that monitors or evaluates your program.)

Has your board of directors instructed you or your predecessor to make any changes in the way funds are handled, or in relations with grantors? If so, has appropriate action been taken?

If there are many audit or monitoring deficiencies still uncorrected: is there a good reason for the apparent lack of action? If yes, is your board aware of the strategy your program is pursuing, and its potential consequences? If there is no good reason for lack of action, you should 1) prepare a plan for correcting deficiencies, 2) inform your board and your grantors of your plans, 3) keep your board and grantors informed of progress towards completing your plan, and 4) take steps to ensure that the program promptly responds to any future deficiencies.

Does your program have a financial operations manual? If so, have you reviewed it to see what role and responsibilities are assigned to the executive director? Are you capable of performing these duties? Are the demands on your time reasonable, given your other duties? If you do not have a manual, have you been briefed on your financial duties and responsibilities? Are the demands on your time reasonable, given your other duties?

Do you trust your accounting staff? If not, have you discussed the situation with key members of your board and your auditor? Do you have a plan for making changes, either in personnel or in the way financial matters are handled?

PERSONNEL

Introduction

People issues will occupy a great deal of your time. Go slow at first: you will have plenty of time to deal with personnel issues. During your first weeks on the job, be especially wary of hasty decisions: many new directors are immediately “tested” by staff requests for vacation, leaves of absence, training, etc., that sound reasonable but may go well beyond what policies permit. Other new directors have had to fend off attempts to get them involved in long-standing struggles between offices, or between attorneys and support staff.

There are important differences between unionized and non-unionized programs. If you are coming into a unionized program with little or no experience with unions, seek help from MIE immediately. Unions make some management tasks easier, and others more difficult; but the cost of early errors in a unionized program is definitely higher than in a non-union program, so get help now.

In the long run, you will derive much of your job satisfaction from developing a highly productive staff whose work reflects your values. The first step in that process is simple, if often neglected: get to know the people who work for you. Set aside big blocks of time during your first weeks on the job for first meeting, and then knowing, the people in your organization. It will be time very well spent.

People

Before you start work:

Think about the way you will communicate with your employees. Will your door be open or closed? Will you encourage all employees to come to you when they have a serious problem, or would you prefer that they first speak to their supervisor? How will you handle distribution of information: do you prefer formal memos, or something more informal, such as a written personal report to the staff, a newsletter, or email? (Do not use meetings to convey information. Meetings where the only thing that happens is a lot of talk from you will not be popular events.) Think about where your office is located: What kind of message does it send to the staff? Would changing the location of your office (or the way your office looks, or the furniture in your office, so you can come from behind your desk to talk things over) communicate something important to your staff? Note: Do not do anything you cannot live with for a long time, no matter how powerful the message.

In the first couple of weeks:

Have you met everyone—*everyone*—in each of your offices? In all but the largest programs, can you greet everyone by name?

Have you reviewed all pending grievances and scheduled timely hearings?

In the first three to six months:

Do you know what everyone's job is, and what they actually do? Do you understand how work really gets done, as opposed to what the Operations Manual says ought to happen?

In small programs: have you spent enough time with each employee to have a clear idea of her or his strengths and weaknesses?

In medium-sized programs: have you spend enough time with each advocate, and each manager, to have some sense of her or his strengths and weaknesses?

In big programs: have you spend enough time with each manager to have a clear idea of her or his strengths and weaknesses?

Do you sense that you are gaining the trust of your staff? If so, now may be the best time to make major personnel decisions, such as firing truly ineffective staff, reassigning tired managers, or promoting newly emerging stars. Major personnel actions, taken too early in your tenure, will seem arbitrary, since you will be unable to demonstrate personal familiarity with the issues. On the other hand, wait too long and the honeymoon will be over: decisions delayed beyond their time will seem arbitrary, even when everyone recognizes their merit.

Examine your program's informal rewards (things other than salary increases or promotions that happen when employees perform exceptionally well). Are there any? Does the office celebrate everything irrelevant to its real work, such as birthdays, and neglect the important, such as a major victory in court, a big push to get a major filing out the door, or a long string of successes by paralegals? How often are people who do good work told that they are doing a good job? A well-developed set of informal rewards can have a major impact on office morale and productivity.

Procedures

Before you start work:

In a unionized program, get a copy of the contract and read it carefully. Learn the history of the contract: who negotiated it, in what kind of atmosphere? How was it received by union members, managers and the board of directors? What works, and what does not? When will the contract be renegotiated, and what are the issues likely to be? A union is a separate organization within your program. Do not personalize the issues. The behavior you choose will escalate or diffuse tension, conflict and personalization of the situation. Note: If negotiations are scheduled to begin soon after you arrive on the job (or worse, are underway at the time you are hired), seek guidance from other directors who have faced the same situation before you start work. You are entering a tricky situation which must be handled with care.

In a non-union program: read the Personnel Manual. Is it clear and reasonable? Is there anything in it that surprises you? If so, find out how those policies were developed, what others think of them, and why they have not already been changed.

In the first month or so:

Check the personnel files. Are they up-to-date? Orderly? Secure? Have personnel evaluations been performed as scheduled? Is there evidence in the files that effective workers have been rewarded, and ineffective workers punished? Read each employee's most recent evaluation (or more, if the last evaluation was exceptionally positive or negative). Do the evaluations seem fair? Are negative evaluations supported with specific, verifiable information? During your interviews with staff, ask them about their last evaluation: Did it seem fair to them? Were the consequences of the evaluation appropriate? Compare your first impressions with the information in the personnel files. If there are big differences (positive or negative), proceed with caution. First impressions contain very valuable information, but they can be wrong. Finally, make your judgment about information in the personnel files: it is essentially correct, or it is not reliable; it can help you, or it is (with some exceptions) useless.

Review your program's compensation plan. How does your pay scale compare to other legal assistance programs of comparable size in the area? When was the last time your attorneys received a salary increase? Your paralegals? Your support staff? Do your salaries and benefits make sense? If not (and many do not), how and when did they get off course? What will it take to make your program competitive, at least within the legal assistance community?

Identify all vacancies. Do you have the money to hire now? If your income is likely to drop next year, will you be able to keep new hires?

Look at the composition of your staff. Is it diverse? If you have an affirmative action plan, is it working? If you do not have a diverse staff, why not?

Develop a tentative staff hiring plan based on your vacancies, your income projected at least through the end of the next fiscal year, and your affirmative action plan. Keep your tentative plan in mind while you review your program's work (see the next section): in the light of your program's plans and priorities, does your tentative plan make sense? If so, begin recruiting. Be patient. Wait for the right person. This is your first opportunity to have a major effect on the future of your program: use it wisely.

After a few months on the job:

Reread the personnel policies. Identify changes that need to be made. Create a process that involves all the staff that will be affected by the changes you recommend. Give them a draft of the recommended changes, and seek their input. Keep the process moving: development of new policies can drag on for months. Once you have a reasonable policy, get board approval and move on.

Deal with personnel matters quickly and decisively. Firing someone is very unpleasant, but it gets worse, not better, the longer you hold off making the obvious decision. Be direct and honest: avoiding issues that need to be confronted only further muddies already murky water. Fairness does not mean doing exactly the same thing to and with every employee; it means understanding, and taking into account, the special needs and talents of each individual.

YOUR PROGRAM'S WORK

Some of the most complex issues you will face arise from the simplest questions about your program: Who is served? Why them and not someone else? What does the program do with and for its clients? What responsibility does the program have for eligible people it does not directly serve? How have the lives of poor people been changed by your program?

At this point in your career, you should aim for familiarity with what your program does. Later, with the help of training events and conferences, and assistance from your colleagues, you will have the knowledge you need to begin making changes.

In your first weeks on the job:

Track a client through your entire service process, from an initial call seeking help through a case closing:

- If your program (rather than a centralized intake program) handles applicants: Who answers calls from potential clients? How does that person explain what the program does, and does not do? When a potential client is turned away, are referrals to other agencies made? Does the program know what happens to callers who are referred elsewhere?
- If another program handles applicants: Visit the program, and walk through the entire process. Make sure you understand what the program does, and does not do, for applicants and for your program.
- What is your waiting room like? How long do people wait for an appointment, and what do they do while they wait?
- Who does the initial interview? How thoroughly are issues probed? Are other potential problems raised, perhaps using some kind of legal needs checklist? (Studies have shown that poor people that have a legal need are likely to have more than two legal needs.) If a case acceptance meeting is used, how accurately is information conveyed to the group that will decide to take the case?
- What factors are used when the decision is made to accept a case? To select the advocate who will handle the case? To refer the case to a private attorney?
- When does the client first talk to an attorney? To what extent is the intake process repeated when the client first sees an attorney?
- Overall, how are potential clients treated from the time they seek help until the lawyer-client relationship is established?
- Observe at least one case for each advocate. Does the advocate show good professional judgment? How would you characterize the relationship between the attorney and her or his client? (If you see serious problems, look at more than one case.) Can the attorney control "difficult" clients? Is there a sense of partnership, or is the relationship one-sided?
- Observe the decision-making process (usually a negotiation) Is the lawyer or paralegal an effective advocate? What role did the client play?

- How is the relationship between advocate and client severed?
- Check the records of the case. Is essential information preserved?

Repeat the process for your program's larger cases. Where did the cases come from? How rigorously were they reviewed before they were taken? What priorities really were used when the decision to take the case was made? Does the issue merit the resources being invested? Does the program support advocates working on big cases (especially if they go off regular intake), or is there constant pressure to do routine work? Are other resources (other advocacy organizations, state and national support, the private bar, etc.) being leveraged to reduce the cost to the program? Are these resources being used effectively? If experienced advocates are handling the case, are they simultaneously training less experienced advocates? Are time records being kept in cases where attorneys fees might be available? Is it likely that the program will follow through on a final favorable decision? Does the program periodically review the effect of its biggest cases to determine whether its work is having the desired effect on clients' lives?

Look at your advocates: Are they engaged? Excited? Flat? Just putting in their time? Who leads, on what issues? Is excellent legal work valued and rewarded? Are young advocates nurtured, or are they left to sink or swim? If an advocate has a special interest in an issue of importance to poor people (whether or not it is a program priority, subject to LSC regulation, if applicable), does the advocate get to work on that special interest?

Look at legal work supervisors: How are they using their time? Who is paying attention to program and case strategy? Who ensures that every client gets high quality representation? How are advocate weaknesses handled: Is there some kind of plan (written or not) for helping advocates overcome their weaknesses, and for fully developing the talents of each lawyer and paralegal?

Meet the judiciary to get a feel for whether judges respect your lawyers.

Review the program's statistics. (For LSC recipients: CSR (case service reports) and PAI (private attorney involvement) reports). How do your caseloads compare to other similar sized programs? Are your program's priorities evident in your statistics? Are most advocates carrying about the same workload? If not, is there a good reason for the disparity?

Overall: Is the program controlling its caseload? Is there an occasional opportunity to do more than simply deal with routine issues? Are advocates always overwhelmed by their cases? Do advocates do anything other than handle their cases, such as meet with client groups, participate in state support task forces, or appear before public policy-making bodies?

Overall: Is the program connected to the community it serves, or is it isolated? Is it in touch with other advocates? Does it have some sense of what is happening in poor neighborhoods?

Think about what you have seen: Are you satisfied with the work being done? Quantity? Quality? Impact on the community? Are clients well-treated? Is there a sense of excitement in the program? Do advocates like to come to work?

YOUR BOARD OF DIRECTORS

A good relationship with your board of directors is critical to your success as an executive director. A strong board can have many different roles, including (in addition to the what state law and grantors require) sounding board, link to the private bar, fundraisers, political force at the local, state and national levels, counselors, protectors, mediators, and boss.

Early (ideally, before you start on the job):

Why were you hired? What does the board expect you to do? Can you do what they expect? Can anyone? Who voted for your hiring, who against? What criteria are likely to be used to judge your performance? Is there something you must do to satisfy the board?

Shortly after you start:

Meet with each board member (say, for lunch), starting with the chairperson. Find out something about each person's background, interests, and reasons for serving on your board. Talk to them about strengths and weaknesses in the program. Get a sense of what they think is really important. Find out what they think of board meetings, and how they might be improved. Do not make any commitments to individual board members (especially on hiring). Simply say that you understand what they are looking for, and that you are not making commitments to anyone during your first months on the job.

Look over board minutes for the past several years. What issues were addressed by the board? Who led the board? What issues (if any) pushed one or more board member's buttons? How were meetings conducted: Committee reports? *Robert's Rules of Order*? Lots, or little, discussion? How long were the meetings? Did they end on schedule? What role, if any, did staff (other than the executive director) play at the meetings? Are there patterns that should be broken (excessively long meetings; late mailings of materials for board members; disputes over mileage, or in a large program, per diem; poor communication between lawyers and client representatives; inability to tell precisely what the board decided, or habitual revisiting of issues).

Work with your board chair to have an effective first meeting. Get materials out well in advance of the meeting. Prepare an agenda that clearly identifies what kind of board action is desired: decision, discussion, briefing on important developments, etc. Pay attention to comfort issues: Will the meeting be held in a pleasant and accessible environment? Are coffee, soft drinks and a light snack provided? If board members must stay overnight, plan to have dinner with them. Make sure the meeting ends at the announced time. A successful initial meeting will do much to solidify your relations with the board.

YOUR ROLE IN THE STATE AND NATIONAL LEGAL ASSISTANCE COMMUNITY

There has rarely been a time in the last 50 years when local civil legal assistance programs were not buffeted by events at the state and national level. Networks of legal assistance programs and directors are not a convenience; they are an absolute necessity.

Your first few months should be devoted to learning everything you can about your program. Intense involvement in state and national affairs ideally should be a second step. Unfortunately, you will probably not have the luxury of a long period of exclusively local involvement: state and national events are likely to intrude into even the most carefully planned first phase in the most remote rural program.

Hence, you should plan to devote some time during your first few weeks on the job to developing your contacts at the state and national level. At a minimum, you should:

- Participate in the New Executive Director training offered by MIE.
- Participate in your state planning process (whose purpose is to design and then put in place, a system of legal services in your state). An effective state planning process should involve a broad cross section of state leaders, and all of the directors of civil legal assistance programs, whether LSC funded or not.
- Participate in any state meetings of executive directors.
- Establish links to NLADA, a membership organization composed of managers, advocates, support staff and clients, and which, among many services, represents civil legal assistance programs in Washington.
- Establish links to MIE, a network of managers of civil legal assistance programs, and a source of invaluable assistance to new executive directors.
- In the longer run, you should set aside money in your budget to:
 - Belong to NLADA, MIE and your state and regional executive directors' associations.
 - Regularly attend: state and regional meetings of executive directors; training for executive directors (figure on at least one event a year); the NLADA Conference in the fall; and the Equal Justice conference (co-sponsored by NLADA and the ABA) in the spring.
 - Attend other events such as MIE's regular topical trainings, or NLADA substantive law or advocacy director training.

IS YOUR PROGRAM EFFECTIVE?

All of the preceding sections assumed that you know something about civil legal assistance. This may or may not be true. Some boards have hired seasoned private attorneys—or even non-attorneys — with little or no legal services experience as executive directors. If that is your situation, then this section is intended especially for you. But even if you know legal services well, read on.

Legal services is in a state of flux: Partly, because of the impact of major changes in our clients' lives, such as welfare reform, immigration reform, and changes in housing programs. And partly because our community is in the process of rethinking its purpose and strategies.

This is a time for a thorough re-thinking of what it means to be an excellent civil legal assistance program. The recently published ABA's *Standards for the Provision of Civil Legal Aid* and the LSC Performance Criteria give a good sense of what must be done to ensure that a program is reasonably effective, but it does not distinguish between the merely good and the truly excellent. Dialogue with your colleagues, and experimentation in your program and in your state, will help you find the real meaning of excellence.

This is a very exciting time to be a legal services executive director. While resources may be slow to grow, and restrictions have been imposed on LSC recipients, there are still many opportunities to develop effective ways to address the problems of our clients.

Good luck, and keep in touch.

SOURCES OF ASSISTANCE

Money

Accounting and LSC money issues: Gerry Singsen, Singsen and Tyrrell Associates, (617) 926-0246.
E-mail: gerrysings@aol.com.

General assistance with financial management, relations with grantors, grant application writing: Management Information Exchange. Assistance, consulting and materials available at reduced costs to MIE subscribers. Contact Patricia Pap, MIE Executive Director at (617) 556-0288.
E-mail: ppap@m-i-e.org.

Guidance and legal advice on interpretation of LSC regulations and relations with LSC: Linda Perle or Alan Houseman at CLASP: (202) 906-8000. E-mail: ahouse@clasp.org, lperle@clasp.org.

Help with IOLTA and policies and procedures of grantors in your state: other legal services program executive directors, or your state support center. For names and addresses, see the Directory of Legal Aid and Defender Offices, published by NLADA. (There's a copy somewhere in your office). For a national perspective on IOLTA, contact the ABA Commission on IOLTA, 541 North Fairbanks Court, Chicago, IL, 60611, (312) 988-5771.

Fundraising: MIE's Fundraising Project (an activity whose purpose is to help legal services programs design, conduct and evaluate effective fundraising efforts, including private bar campaigns). Contact Patricia Pap, MIE Executive Director at (617) 556-0288. E-mail: ppap@m-i-e.org.

Personnel

Policies and procedures, for unionized and non-unionized programs: the MIE Resource Library, which has copies of recent union contracts and personnel policies; salary schedules; and job descriptions, etc. The library also contains materials on recruitment, orientation, EEO policies and procedures, evaluations, and conflict resolution. Call Patricia Pap, Executive Director, at (617) 556-0288. E-mail: ppap@m-i-e.org. Visit the MIE website at www.m-i-e.org.

The MIE Roundtable, convened twice a year—during the NLADA conference in the fall, and the ABA/NLADA Equal Justice conference in the spring—to allow directors to share problems and find solutions to personnel and other problems. See the MIE *Journal*, and the NLADA and ABA conference announcements for details on time and place of the Roundtable.

MIE Managers and Administrators Conferences. Review of current developments in employment law, labor law and human resource management, held as part of MIE events for directors, managers and administrators. See the MIE website, and call the MIE office for information on time and place.

Technical assistance and management consulting from MIE.

Your Program's Work

State and national legal aid organizations. See the NLADA *Directory of Legal Aid and Defender Offices* for descriptions of services provided, and names and addresses.

Training for managers (supervisors of legal work; managing attorneys; and you):

- MIE: Roundtables, New Executive Director training, Supervising Legal Work training, Managers Conference, Advance Beyond the Basics: Supervising for Excellence training, ongoing training events of topical interest for executive directors, managers, and supervisors: Visit the MIE website at www.m-i-e.org for announcements of training events. Call Patricia Pap, (617) 556-0288. E-mail: ppap@m-i-e.org.
- NLADA: annual conference (with events for advocates and managers) in the fall; substantive training on a wide variety of issues in the summer; and a joint equal justice conference with the American Bar Association in the spring. See the NLADA *Cornerstone* (published quarterly) for announcement of events, or contact Don Saunders, (202) 452-0620. E-mail: d.saunders@nlada.org Website: www.nlada.org.
- The Sargent Shriver National Center on Poverty Law, Chicago, IL. A treasure trove of materials on every aspect of civil legal assistance, and every substantive issue imaginable. See the Clearinghouse Review (published quarterly). Contact John Bouman, Executive Director, (312)263-3830, johnbouman@povertylaw.org. Website: www.poverty.law.org.
- Private Attorney Involvement (PAI). The ABA Center for Pro Bono, 541 North Fairbanks Court, Chicago, IL 60611, (312) 988-5759.

Your Board of Directors

MIE: Call Patricia Pap, (617) 556-0288. E-mail: ppap@m-i-e.org.

Materials: BoardSource, 1828 L St., NW, Suite 900, Washington, DC 20036, (202) 452-6262. Web-site: www.boardsource.org.

Your Role in the State and National Community

NLADA: Don Saunders, (202) 452-0620. E-mail: d.saunders@nlada.org. Website: www.nlada.org.

MIE: Patricia Pap, (617) 556-0288. E-mail: ppap@m-i-e.org. Website: www.m-i-e.org.

State and regional executive director associations: contact other directors in your state, or your state support center, for times when your executive directors association meets.

Access to Justice. For reports on what is happening in other states and names of contacts, contact the ABA Resource Center for Access to Justice, Meredith McBurney, (303) 329-8091, meredithmcburney@msn.com, and Bob Echols, (207) 833-7869, echols@suscom-maine.net.

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THINGS WE WISH WE HAD KNOWN WHEN WE BECAME PROJECT DIRECTORS

By Cynthia A. Metzler and M. Victor Geminiani

At the time of this article, Cynthia Metzler was a consultant with Daryl Punches Associates, Inc., in Washington, D.C. She is now President and CEO of Experience Works, meeting the training and employment needs of low-income seniors. Victor Geminiani was the Executive Director of Legal Services of Northern California. He is currently is Executive Director, Lawyers for Equal Justice. Victor may be reached at victor@lejhawaii.org.

During the past few years, when comparing notes about our work as project directors, we found that our separate experiences led us to similar conclusions about managing legal services. We know that experience is the best teacher. Still we think — perhaps naively — that if we had only known more, life would have been easier. We hope that at least some of the lessons we learned the hard way can be passed along to newer directors and managers. So we offer you our catalogue, in no order of importance, of the things we wish we had known when we became project directors.

1. Carry a Vision

Effective leaders have a clear vision for their work and their program, one they can convey to those they lead. This vision must be explainable and justifiable if it is to gather popular support and acceptance. Ideally it can be expressed succinctly, like “the New Deal” (Roosevelt), a “new frontier” (Kennedy) or “quality” (Iacocca).

Our Board, staff and client community look to us as project directors to establish a vision for our program. What are we trying to create? Does it make sense? Is it achievable? If so, how? The task of creating and realizing a vision is the most difficult and most important of a project director’s work, because all our decisions flow from it — decisions affecting recruitment and retention of staff, case priorities, organizational structure, public perception, and the like. Without a compelling vision agreed upon by all, these critical decisions will inevitably be made in a haphazard way,

which can lead to confusion and resistance.

Ask yourself today if people understand what you are ultimately trying to accomplish in your program. Do they invest in your goal through their activities? Do your program decisions complement the goal and increase the likelihood of achieving it? If not, you may wish to assess your direction and find answers to these questions.

2. Know Your Program’s History

They say that those who ignore the lessons of history are bound to repeat the mistakes of the past. Each program has a unique history, which includes its roots, important events and personalities, program and community conflicts, funding growth or retractions, and external and internal frictions. To make difficult, often controversial decisions involving your program’s development, you need a foundation of knowledge about its history. We think that the importance of this knowledge is underrated by many project directors. Most programs have been around for a decade, if not much longer. Today’s issues are the results of past decisions. Without knowledge of the past, you run the risk of engaging in a blind decision making process.

It is relatively easy to become familiar with your program’s history. Look at board minutes, talk to staff members who have been around for a while, meet with former Executive Directors, Board Chairs or other members, and read old memos and monitoring reports. The time it takes will be repaid in more informed discussions and valuable decisions.

3. Keep in Touch with Staff

A disastrous effect of battles with LSC over the last several years has been precious time and energy drained from project directors. When we add to this the time necessary to resolve internal and external conflicts, plan, fund raise, facilitate Board activity, and so on, the day is often over. If you as director asked a

staff member to infer what you most value, judging from your use of time, you might learn that you have inadvertently set a tone contrary to your hopes for the program. Competent, dedicated staff may be largely ignored while we turn our attention to the conflicts and crises begging for attention daily on our desks.

In Search of Excellence, a book on management by Peters and Waterman, tells of a manager who spent 80 percent of his time out of his office, managing by “walking around.” He proudly explained that he was trying to reduce time spent in the office to ten percent, having found that the longer he spent in his office, the more problems he created for his staff. As we hear managers and directors around the country bemoan the gap between their hopes for their programs and what is actually occurring, we wonder how much of this gap can be attributed to LSC, the current staff and program environments. What about how we choose to spend our time and energy? You can convey your vision and values by interacting with individual staff members at least two or three times per year. We believe the frequency, nature and quality of the interactions needs to be substantial enough to allow a “trickle out” effect. If you cannot spend time with all staff, everyone at least needs to be aware of how you have spent time with others. The desirable result is to have staff around at all times who are familiar with what you are doing, and why.

More importantly, frequent interaction with individual staff will allow you to stay ahead of major problems by dealing immediately with present minor problems and anticipating future ones. Our ultimate job as managers is to facilitate the successful resolution of staff concerns. We need to allow these concerns to emerge through frequent interaction with staff.

4. Use Your Middle Managers Effectively

Two areas that need attention in our relationships with middle managers are delegation and setting out clear expectations.

Clear and supportive delegation is essential to building a productive management structure. Delegation provides opportunity to nurture professional growth. It also frees you up to accomplish program goals and (from a selfish viewpoint) to pursue the activities you enjoy.

Project directors often try to “protect” managers from issues not directly related to legal work or staff development. In this situation the project director maintains sole responsibility for problem solving, administrative functions, dealing with funding sources, and other overall program functions. The result can

be isolation and frustration. Other results may include poorer decision making because of the fewer minds at work; lack of ownership of decisions, hence lack of buy-in for implementation; blaming the project director or distancing from the director’s actions or inaction.

If you find it difficult to delegate many of your administrative responsibilities, you may want to ask yourself if your current middle managers are adequate for the job. If their competence is not the problem, some self-examination may be in order as to your personal motives for hoarding responsibility.

As to setting out expectations clearly, the absence of this skill can lead to inadequate performance, confusion, misunderstanding and resentment. We often fail to communicate expectations to others because we are unsure ourselves exactly what we want done. We also may not want to be clear about our expectations, for fear that the other may disagree. If expectations do not coincide, avoiding the issue is no solution. Instead, an honest negotiation process needs to occur to reach mutual agreement and accommodation.

If unacceptable performance is at issue, immediate steps need to be taken to discuss and remedy the situation. Making endless excuses for unacceptable performance — instead of confronting and remedying the situation while remedies are still possible — leads us to assume responsibility for others’ conduct and deprives our managers of a chance to learn and improve performance.

5. Decision Making Is Situational

Should we make the decision or should others participate? Many legal services managers vacillate on this question.

The first step in a decision situation is settling on an appropriate process. The decision-making process you choose is key to the quality and implementation of the decision. The right process will vary depending on who has knowledge needed for making the decision; who has to implement the decision; how much time is available; the requirements of a collective bargaining agreement; the nature and importance of the decision itself; the importance of acceptance of the decision; how difficult it might be to achieve implementation; how well the potential group of decision-makers will work together, and whether they have adequate leadership.

The egalitarian, participatory culture of legal services often creates an atmosphere where anyone’s desire to participate in decision making is presumed to be valid. The result can be too many meetings and concern

that too much time was devoted to the process. All too often, the necessary decision never gets made, reminding us that “not to decide, is to decide.” In some cases, resentment builds up among participants because they feel that they were not listened to or their involvement was a sham.

Whatever your choice about the degree of participation, those who are consulted should be informed of the nature and degree of their involvement at the outset. If staff are only giving input, they should know this; those who believe they will make the decision will likely be resentful if they disagree with it. For a manager to be obscure about final authority while hoping for consensus or agreement is a dangerous and misleading ploy.

Past decision styles and practices will have an impact on the process you choose. Past process may result in no decision, poor decisions, decisions not implemented, or increased hostility in the program. Any of these results may be a signal that a new approach to decision making is appropriate. If you do depart from past practice, explain your reasons to minimize speculation and confusion.

An entire article could be written on process and decision making styles. Our basic message here is to choose a relevant and feasible process based on each situation that arises.

6. Planning Works

In earlier years, when LSC was particularly vigorous in its onslaught of policy change and information searches, we felt like we were being pulled along on a train with a runaway engine. Creating space to plan became critical so we could feel that we were directing our programs instead of allowing them to run aimlessly, on their own steam.

Planning has taken on negative connotations in legal services. Much planning is viewed as an endless process which has no result. Our view is that planning allows you to be creative and to have a sense of where you want to go. Plans provide the basis for proactive rather than reactive work. The planning process allows you to educate staff about issues, gather opinions, ease isolation of individuals and offices, take on projects that would not ordinarily get done and show participants how their effort fits into the grander picture. Planning around delivery of services to clients is a better place for a director to be involved with staff and their work, than planning around administrative issues.

The director plays a key role in creating plans for the program, especially at the policy level. The director is the one person required to have the total internal and external picture of the organization. On some issues the director is particularly equipped to propose plans for others to react to. On others the management role might be better relegated to creating a process and then actively ensuring that implementation occurs. It seems to us that those who are most involved in implementation or most affected by the issue should be involved in the planning process.

Negative attitudes about planning can be changed by being serious about follow-through, by building in ways to measure small, visible results as part of plans, and by quickly examining why plans have gone astray.

We prefer a series of localized planning efforts to one integrated effort for the total organization. The smaller plans may overlap and interconnect and build to a total organizational plan.

What works for one group of staff members may not work for others. For example, complex litigation planning by staff who are too inexperienced, or who lack the resources to carry out the work, may not result in litigation.

Managers need to examine their desired outcome to determine whether a planning process will help or hinder. Our experience has shown that making a pretense of planning is worse than no plans at all. But a realistic and visionary set of plans can serve as a road map during difficult times, when perpetual forces seem to be at work to thwart you from your program goals.

7. Change, However, Takes Time

Individual and organizational changes do not occur overnight. The barriers are enormous. When as individuals we attempt to make changes in ourselves, we need to let go of old behaviors, attitudes, and feelings. Most often, this requires experiments and practice before we can feel comfortable with the new. The same holds when we try to make changes in organizations. We encounter the history, attitudes, behavior patterns, and norms of the organization, its components and its individuals. We face the existing policies, procedures and practices as well as the environment in which the organization operates. The established ways of operating and behaving, no matter how unpleasant, are at least known. The changed way, however wonderful its promise, still appears different and threatening.

Project directors, especially new ones, who try to implement change may face resistance from those who created or benefited from the established methods.

Before making any change, it is helpful to assess who created the current situation, why it is maintained, who benefits from it, who will benefit from a change and who will lose something from the change. Consider, too, whether staff may perceive that they lack the ability or skills to operate in any different way. Each of the preceding issues, unless anticipated and addressed, can lead to a change effort which fails.

Other complex forces preclude rapid change at the organizational level. Understanding these forces permits the project director to maintain a long range perspective, allowing for constant experiments and false starts on the road to one's goals.

8. Confront Conflict and Differences

Managers must value the differences that individuals and groups bring to the organization, rather than fear or deny them. Differences are natural; conflicts are inevitable. Indeed, without them there would be no creativity or energy in an organization.

Management of conflict and differences requires a level of skill which many of us wonder if we possess. Law school focused more on resolving disputes to the satisfaction of one party, than on how to manage the interpersonal dynamics of differences on an ongoing basis. Many managers attempt to smooth over or avoid conflict because they are unsure of their own competence in such matters.

We have found that most conflict will not resolve itself and, if avoided, will escalate. Use of power or tactics of winning and losing which characterize a litigious approach to problem solving are not likely to result in a satisfied staff. One of the key skills of a project director or manager is to be able and willing to recognize a potential or actual situation of difference or conflict, to diagnose it and to confront it in a flexible, non-antagonistic manner.

Confronting behavior requires the manager to know and to voice what you want and to be willing to actually listen to the wants of others. The skills to manage conflicts between third parties are also necessary. The style a manager uses to face conflicts will vary depending on the persons involved and the situation.

9. Acknowledge Informal Organizations

Subgroups and informal organizations exist in every organization. To recognize them and their impact on the morale and effectiveness of the organization is an important undertaking for a project director. To ignore their existence is to court unproductive conflict.

Informal subgroups or organizations can be dis-

concerting for those in formal leadership positions, because they are not the leaders of the informal organizations. Some may even feel their power and authority to be undermined or threatened. Regardless of the reasons for informal organizations to exist, the leader needs to try to understand them. What needs of the individuals involved are being met by the organization; why has the formal organization failed to meet these needs? These informal organizations will continue to exist as long as they meet the needs of their members.

Managers need to be aware when actions or inaction of the formal organization might be influenced by the sub-organizations. They need to gather input from leaders of the informal organization on needs not being addressed by the program or significant changes of policy. It may be, for example, that the most influential attorney in the program lacks a formal leadership role, but is the person to whom all other advocates go for information and advice. This person's opinion is no doubt important to acceptance of a programmatic litigation change desired by the formal leadership.

The formal leader cannot lead the informal organizations unless you happen to be part of them. And if that is the case, it is a source of potential conflict with those who are not part of your informal subgroup or allegiances.

10. Avoid Memos Whenever Possible

Attorneys seem to love paper and written communication. Maybe this preference was gained during law school. However appropriate written communication is to other circumstances, it is often inappropriate when a manager is trying to communicate with staff. The desired results — understanding, agreement, compliance, or the beginning of a serious dialog — rarely emerge. Instead, memos typically bring on a combination of these reactions: a) Relief (you didn't waste my time by talking to me); b) Anger or hurt (why didn't you discuss this with me first, or why didn't you care enough to talk to me directly?); c) Confusion or uncertainty about what is really being communicated, sometimes accompanied by anger, disgust or frustration); d) Rejection, through efforts to rally forces that will change your mind or attempt to undercut what you said; e) Distrust (you are afraid to talk to staff and thus are hiding behind a memo); f) Resignation (you have already invested so much into your idea that discussion is pointless.)

Chances are that even the clearest memo will encounter these reactions; but they are almost certain to occur when you use a memo to announce a change which affects the way individuals work, where the is-

sues involved are ones they know and own. In such circumstances, communicating with staff other than verbally will rarely result in acceptance or compliance.

Verbal communication creates an opportunity for you to state your position, and then clarify it. It allows the staff to give input and perhaps influence the discussion. When you hear the responses and questions of others you may wish to exercise flexibility and modify the suggested change.

Whether intended or not, written communications take on an aura of finality. Furthermore, if the memo creates confusion and hostility, you may not realize it until difficulties with implementation occur. We believe only the simplest, least controversial of issues should be communicated initially via memo. All other issues should be subject to verbal dialogue before a memo is sent. Although many subjects need to be finalized in writing, the issue here is how staff are first approached about the matter. If the use of a preliminary memo is deemed advisable, some disclosure about the nature and purpose of the memo may help to control unwanted reactions which may hinder your goals.

11. Participate Actively in Hiring

A successful program must have staff with the interests and skills necessary to carry out its tasks. When vacancies occur through expansion or turnover, important opportunities arise for a manager to create change. Hiring selections can dramatically affect the quality and nature of the legal services delivered to clients. They can influence the tone, value structure, atmosphere, morale and culture of the organization, and the type of supervision, management and leadership you provide. Hiring choices will also affect the type of recruits attracted to your program in the future.

In light of the far-reaching impact of hiring decisions on the director's ability to create, implement and maintain a vision of the program, recruitment and selection is a fundamental and critical dimension of the director's role. Because of the opportunity it provides to influence the direction and future of the program, we believe it should never be delegated completely.

In order for recruitment and selection to result in fortunate hiring decisions, the program must first identify the traits, skills, qualities and values it needs to carry out its mission. Traditional but vague selection criteria like "commitment," "intelligence" or "competence" may be the source of future confusion regarding

a match between individual, staff goals and interests, and those of the program; such words may not mean the same to everybody. All those involved in the hiring of staff should establish agreement about the specific hiring criteria, and a common understanding, of their meaning.

For some reason, inquiring about an applicant's attitudes and values is a scary prospect, if not a forbidden one. Questions of this nature, however, may address the concern expressed by many experienced leaders that a gap exists between their vision of legal services and the type of law which is practiced in many programs. If particular values, experiences, or attitudes are important to carrying out the program's mission, use the time spent reviewing resumes, interviewing, and checking references to find out whether the applicant possesses these traits.

In the event the program is in transition and the director is purposely leading the transition, the type of staff which the director believes is necessary for the program may differ from the type of staff which the program has traditionally hired. In such circumstances, there are several options available: attempt to make connections between the traits of the new staff you want and the traits possessed by existing staff; be prepared to sell your criteria to staff actively; be willing to face criticism and hostility; or, when necessary, compromise on candidates who possess most of what you are looking for, if not everything.

The director, of course, is not the only stakeholder in hiring. Staff members, other managers, and unions all have their interests and claims. The director, as the formal leader, needs to facilitate, lead and manage a hiring process that serves the ends of the total program. In most cases, such efforts can succeed by your establishing the hiring criteria (with other management and staff involvement); being involved in some aspects of the screening process (by reviewing applicants on paper or by overseeing others who are engaged in the process); and by participating in the interview process.

Naturally, in larger programs, it may not be feasible for the director to participate in the hiring of all staff. Director involvement is fundamental for those who are deemed critical to the program's mission. For others, it is sufficient to set the parameters of authority for the managers who do the hiring. If inappropriate people are hired, a more meaningful use of the probation period may reduce future serious conflict.

12. Do Not Take Union Activities Personally

The formation or presence of a union in a legal services program presents unique challenge to the project director. In many cases, directors philosophically believe in unions. Nevertheless, they feel personally attacked by the formation of a union and by positions taken by the union.

Ultimately unions and management may share the goal of providing legal services to clients, but unions are separate entities with their own organizational goals. The project directors are not the leaders of these organizations, nor do they direct their activities. In fact, one function of a union is to represent members in their dealings with directors.

It is difficult for a director not to feel attacked or mistrusted by staff who have decided to create their own organization with its own leadership to interact with you, the formal leader of the program. In spite of this, it is possible for a director to focus on the positions and issues involved and to try to remove personality from being at issue. Of course, many issues do become personalized (either by management or labor), but the director is not without clear choices whether to take on the personalization of the issues or to try to see yourself more as a symbol of the position. As director you usually have real options about how you behave.

The ways project directors act in the role enhances or diminishes the potential for personalization of labor/management relations. The behavior you choose will tend to escalate or defuse tension, conflict and personalization of the situation. Sometimes it takes two to maintain a conflict.

13. There's No Success Like Failure

Since creativity comes from experimentation, managers who want creativity from staff must permit mistakes to be made. To expect that every decision is the correct one is unrealistic. Mistakes and errors only become problems when instead of learning from them, we continue to repeat them. By examining what went wrong and why, we can learn from our failures and build new successes.

Those who permit themselves to make mistakes are more tolerant of others mistakes. You set an example through willingness to admit your mistakes and experiment until a solution is reached. Staff who believe there is no penalty for not succeeding on the first try are more likely to try something new. This creates an atmosphere that is the source of innovation, creativity and energy.

Managers in their late 30's, 40's and 50's have a

history of failures and successes which have led to the refinement of their judgment, instinct, values, and opinions about legal services. Younger staff need to be permitted to err and learn, and experienced managers need to allow themselves the same latitude.

14. Seek Out Peer Support

The role of project director is unique. Traditionally, it holds more power and authority than any other position. No matter how much power is shared or how much participative management employed, the fact remains that the director is ultimately responsible for the success or failure of the program. The role offers tremendous responsibility and challenge, as well as stress and anxiety.

Although we can find support and encouragement from Boards of Directors; management team and staff, each of these groups has limited responsibilities and organizational perspectives. More importantly, others in a program tend to rely on the director for support and encouragement. In order to seek help from others inside a program the director needs to be willing to put aside the sense of infallibility and all-knowingness. To expect your support needs from these individuals may feel risky; it can be scary to demonstrate vulnerability. Indeed, such a demonstration may be inappropriate to certain situations; but in many cases where support is solicited, facilitated and encouraged, it is forthcoming.

Because of the diversity of roles within a program, developing relationships with other project directors is one key to success and sanity. Supportive relationships with other project directors create a safe opportunity to discuss issues and strategies and to learn how others would approach an issue. It allows us to build friendships at the same time. A support network can serve to reduce one's isolation and paranoia as well as increase the quality and energy of one's devotion to the job. In the end such relationships can reduce the stress of the job and perhaps even prolong the time a director remains productively in the position.

Conclusion

The list of topics we could include here is endless. Those we selected we believe are significant to the personal and organizational success of a project director. Each topic deserves more attention than can be given in this newsletter, and we hope that the article leads to discussion and comment among directors and managers. We invite your commentary for publication in these pages. With such dialog all of us learn and grow.



SUPPORTING LEADERSHIP

*By LeAnna Hart Gipson, Executive Director,
Monroe County Legal Assistance Corp.*



FOR THE PAST FOURTEEN YEARS, I have been a participant in a leadership support group. It is part of the reason I believe I have been able to “hang in” for these many years. The group is composed of other directors and deputy directors of LSC-funded programs and non-LSC funded programs. While the composition of the group

has changed over the years, the basic format of our meetings has not. I believe that the value of this group has as much to do with this unchanging format as with

We wanted a group of people who could break that isolation and support our continued attempts to do what was right, even when we made mistakes.

the wonderful men and women who have been members of the group. Below, I have tried to explain the format and the underlying principles which I believe have supported our goals in the hopes that others might find the group process valuable to them.

I became Executive Director of Monroe County Legal Assistance Corporation fourteen years ago. Before that I had been the director of a small state support program with five employees. A very good friend of mine had also just become a director for the first

time. One of the things that both of us knew from other social action work that we had done with Re-evaluation Counseling (RC) was that leaders often become isolated and unsupported, leaving them open to misunderstandings and attacks from staff.

New leaders are often put on a pedestal with the hope that they will “rescue” their program from whatever ails it. When they don’t fulfill the often unexpressed expectations, staff are disappointed. This disappointment can come out in lots of different ways — outright attacks, indirect undermining, or just a reduction in hope and energy within the program. Most new directors have experienced this honeymoon period when hopes are high and the director is forgiven their initial mistakes. What we seldom talk about is the disappointment which follows when we prove we are not perfect. We wanted a group of people who could break that isolation and support our continued attempts to do what was right, even when we made mistakes.

RC theory had also reinforced for us that all human beings are incredibly intelligent but often need the full, non-judgmental attention of another human being in order to sort through their thoughts. Our RC training had taught us how important just listening to someone was. Too often we equate listening with agreeing and so, if we don’t agree with something someone says, we interrupt immediately to make sure no one else thinks we agree. Many of us never have the chance to spin out a thought all the way to the end, without interruption. We wanted a support group where we could talk openly about how our jobs and lives were going for us without being told what we should have done. We needed a place where we could look at mistakes without being punished in order to learn and grow.

In terms of group composition, we looked for members who had an interest in management issues

and a demonstrated commitment to providing high quality services to clients. We wanted a wide range of perspectives and agreed early on to balance the group by gender and race. We also decided to limit the group to no more than six people to insure that we each got a lot of quality attention.

We meet three to four times a year on a Friday/Saturday in each others' homes. We rotate each meeting. Originally, we met in each other's homes on Friday and then went to the host's office on Saturday. Seeing each other in our non-work setting gave us much more depth about each other. Going to each others' offices gave us a chance to see "mission control" for each of us. However, after we had been to

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each other's offices a few times, it was much more comfortable to meet in the host's home for Saturday.

The "host" provides lunch on Friday and breakfast on Saturday. We all go out to eat together on Friday night often with spouse/partner of our host. Often we are able to sleep in the host's home or in near-by hotels where we usually shared rooms. We always try to maintain the groups' geographic proximity so that no one had to travel too far.

In order to create the safety needed to put "real" problems out on the table, we used a very particular format that we had learned from our RC work. We always began our time together by sharing something that had gone well since the last time we met. As leaders in social change agencies, it often feels like our work is never done. We focus a lot of our attention on what is not yet accomplished. We often hear nothing but complaints that we are supposed to fix. We have learned that looking at what we had done well often gave us a more accurate picture of who we were and created the energy we needed to keep going. It was a chance to put our attention on our power rather than our failures.

After sharing what we had done well, we always answer a question that gives us an opportunity to share with each other who we are. Some of these "icebreakers" have been:

- What happened in your life during the 50's, 60's, 70's and/or 80's that led you into legal services?
- Who are your heroes?
- Robert Frost's poem "The Road Not Taken" — what was your road not taken?
- Talk about three people of the other gender whom you admire?
- Talk about your office's diversity — what's hard?
- Who or what influenced you the most growing up?
- What was a defining moment in your life?
- What is your class background?
- What do you dream about for your own future?

These icebreakers led to personal disclosures on a deeper and deeper level as our time together progressed. It gave us all a chance to look at the shoes in which each of us walked.

Over the years as our respect and understanding for one another has grown, our ability to share where we are struggling has increased. These struggles are shared during the remainder of our time together. We divide the rest of the time equally among the number of people in attendance. Each person gets equal time to talk about an issue in their office/lives. Each person gets to decide what kind of help they want. Sometimes people want advice, sometimes they want examples, sometimes they just want to be supported, reminded that they are doing the best they can. This often came up during union negotiations. We found that sometimes, by saying something out loud in an environment where we are not attacked, we figured out what we wanted to do on our own. Often we discover that just having the chance to talk to people who will listen allows us to think better and come up with our own answers.

Over the years we have been able to talk about gender and race discrimination in our offices, how to deal with personal attacks, how to maintain integrity in a variety of difficult situations, as well as nuts-and-bolts issues like how to work with the board, personnel

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● SUPPORTING LEADERSHIP ~~Continued from page 7~~

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policies, comp time, computers, and how to get anyone to clean up the kitchen. We have laughed and cried together, suffered through the death of one of our founding members, and celebrated our survival through the last three years (make that twenty-five years!) of political attacks.

In addition to getting everyone's best thinking about a variety of issues, big and small, we have learned:

- What you put your attention on — grows. This is true for staff as well as for us individually. Over the years, we developed positive evaluation forms of staff that reinforced what they were doing well instead of focusing on what was wrong. Staff often left an evaluation meeting energized and proud of the work that they had done.
- People who are silent often have important concerns and/or wonderful ideas. We had an informal rule in our consultations that no one should speak twice until everyone had spoken once. Some of us immediately leap to conclusions from a small amount of information while others love to gather lots of facts before concluding anything. It was often easy for the former to dominate the consult.
- By trying to be “democratic” managers we sometimes inhibit individual leadership. Though there is a need for teamwork and consultation in any successful undertaking, the rhetoric of cooperative efforts often leaves no one in charge. As a result, many times nothing gets done. It is far more effective to encourage people to take individual initiative and then back them up.
- Our aim for tolerance of differing views can become permissive if we are not willing to set standards, express them clearly, and fight for them. The fact that we might be attacked is not an excuse for hiding our values and our best thinking. Caring about our colleagues does not mean accepting behavior that is detrimental to our clients or to our offices.
- Human beings can do incredible things if they have hope.

After fourteen years, I am now leaving the group. Family responsibilities and a move to part-time work has forced me to limit my travel obligations. The support group is continuing without me, but I continue my work in legal services because of the wisdom shared and the strength developed through those who were a part of this support group.

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