



Year End Report October 2001

The Legal Services Training Consortium of New England
Building Community, Commitment and Excellence in Legal Services Practice

We are pleased to share this overview of the Legal Services Training Consortium's second year accomplishments as well as our plans for the future.

In just two years, the Consortium sponsored **ten multi-day skills-oriented training programs** bringing together **over four hundred legal services advocates** as participants, trainers and design team members to learn together, refine skills and strengthen our sense of community and commitment to legal services work. We **updated and redesigned a number of training programs** (such as *Basic Lawyering Skills*, *Administrative Hearing Skills*, *Affirmative Litigation* and *Negotiations Skills*) that have long been the staple of legal services training. And in keeping with our commitment to innovation, we designed and sponsored **two completely original training programs**, *Representing the Whole Client* and *Renewing the Role & Practice of Community Legal Education*, that respond to emerging needs and interests of our community – both in terms of the client populations we serve and the delivery models we represent. We **developed successful partnerships** with national organizations such as Practicing Law Institute and NLADA, as well as such local institutions as UMass. Boston's College of Public and Community Service. We are increasingly looked to as a **national model of regional collaboration** and as **an inspiration and**

resource for others around the country.

In our first two years, we **increased the number and kinds of programming** we offer, going from four programs in Year One to six programs in Year Two. We will again expand our offerings in Year Three (2002) when we convene our first Advocacy Symposium and support local delivery of our Core Program on Negotiations Skills. And we will continue to expand the Core Curriculum as we design new programs in Year Three (*Case Planning and Discovery*, *Multi-Forum Advocacy* and *Leadership*) and Year Four (*Trial Skills*).

We continue to be heartened by the enthusiastic support we receive from our members and look forward to your ongoing involvement.

Building Community, Commitment & Excellence

Legal services advocacy is a powerful vehicle for protecting and advancing the rights of low-income people, elders and people with disabilities. Legal services advocates work on the front lines to help these individuals and groups secure and protect their essential human and legal rights – to safe and affordable housing, a living wage, quality healthcare, a decent education and other basic needs.

Continuing legal education, as offered through the Consortium, is a critical means to ensure that advocates have the knowledge, skills and attitudes necessary to obtain the best possible outcomes for clients. Whether we are providing individuals with counsel and advice, full representation or working on solutions to systemic issues, our advocates must continually fine-tune their legal skills and keep up-to-date with changes in the law and social policies affecting their clients.

But that is only part of a successful advocate's job. Our advocates also need to understand and respond effectively to the changing needs of our diverse client base. We need to build relationships with individuals and agencies outside of our programs who are striving towards similar goals. And we need to ensure that we have the requisite management and leadership skills to effectively run our legal services programs, develop our staff and ensure accountability to our clients and funders.

While some of this continuing education must occur within individual legal services offices through supervision, in-house training and mentoring, those efforts alone are not enough. There is also an ongoing need for the more intensive and formal training programs that the Consortium now provides and that individual legal services offices simply do not have the time, resources or expertise to either design or sponsor. And while traditional CLE and Bar Association-sponsored events provide a valuable resource, these also only address a part of our community's overall needs.

Recognizing the unique culture and values of poverty law practice, Consortium trainings go beyond mere information sharing and skills

transfer. Through Consortium events, advocates are given an opportunity to experience the larger legal services community of which they are a part, and, we hope, a renewed and heightened commitment to providing outstanding legal services to our clients.

What We Do

The Legal Services Training Consortium provides quality training specifically geared to the legal services community. To achieve its goals, the Consortium:

- Delivers a regular schedule of core curriculum legal skills trainings;
- Designs new and creative training programs to respond to emerging staff and client needs;
- Uses existing technology (such as CD ROM and internet-based training) to support delivery of local legal services training;
- Maintains a library of training resources through our legal services website; and
- Supports the development of new and experienced trainers, broadening the capacity of trainers for both regional and local deliveries.

How We Do It

None of our work would be possible without the financial commitments of our member programs as well as the generous contributions of time and talent by a broad range of experienced legal services advocates who serve as trainers and design team members. Our staff includes **Ellen Hemley**, Director of Training at Massachusetts Law Reform Institute and our skilled and highly valued training consultant, **Wendy Janett**. We will also be joined this coming year by consultant **Shari Zimble**, a long-time legal services lawyer, who will work with us on selected projects. The Consortium is guided by a

Regional Training Advisory Committee which helps set the yearly training calendar, identify emerging needs and recruit staff to serve as trainers and design team members.

Year Two Accomplishments

Expanding the Core Curriculum

The Core Curriculum teaches basic skills that legal services advocates need at various developmental levels. Since its inception two years ago, the Consortium updated or designed anew **six multi-day training programs** which are now part of our Core Curriculum. These are *Basic Lawyering Skills*, *Administrative Hearing Skills*, *Affirmative Litigation*, *Representing the Whole Client*, *Renewing the Role and Practice of Community Legal Education* and *Negotiations Skills*. We are now **developing additional programs** to be added to the our Core Curriculum. These include *Case Planning and Discovery* and *Multi-Forum Advocacy* which will be offered, respectively, in the early winter and fall of 2002.

Innovations

We are especially proud to have designed and delivered two completely new training programs this year. In keeping with our goal of “helping staff respond creatively to emerging client needs”, the Consortium offered “*Representing the Whole Client*” and “*Renewing the Role and Practice of Community Legal Education*,” each of which is described in the section below on “Delivering the Core Curriculum..”

A National Resource

Moving forward on our commitment to

provide our resources nationally, the Consortium continues to post training materials and other resources on the **Masslegalservices** and **EqualJustice** websites. With the help of Dan Puro, the Masslegalservices Website Coordinator, and advisory committee member, Hugh Calkins, we will soon have posted materials from all Consortium trainings sponsored to date. Legal services advocates throughout the region and nationally can access these materials at www.equaljustice.org/training or www.masslegalservices.org/training. We will make a presentation at the upcoming NLADA conference in November to let the national legal services community know more about our resources.

Distance Learning Institute

In April, the Consortium submitted a technology grant proposal to the Legal Services Corporation to fund a “Distance Learning Institute” which, utilizing state-of-the-art distance learning technology offered by Practicing Law Institute, would provide legal aid programs across the country with ready access to technology-enhanced high quality core curriculum training programs. This proposal was submitted by Meg Connolly of the Volunteer Lawyers Project on behalf of the Consortium. Sadly, LSC did not approve our grant proposal, but we are looking for alternative funding to initiate this and other activities intended to support a revitalized national training infrastructure.

Developing Experienced Trainers

Twenty experienced legal services advocates recently attended a two day “Train the Trainer” workshop presented by David Cruikshank, a consultant with Practicing Law

Institute who is a former law professor and expert on the design and teaching of professional legal training. Our goal in sponsoring this event was to enhance the training skills of experienced advocates who have already or are interested in working with us on Consortium regional events and to support local training delivery around the region. We are grateful to NLADA, whose partnership with PLI allowed us to sponsor this event at minimal cost to the Consortium.

Evaluating our Effectiveness

We recently distributed a “post-training evaluation” to ascertain what the long-term impact is of participating in our Consortium events. To assess the efficacy of our programming, we sought answers to the following questions: In what ways are advocacy skills actually enhanced? To what extent do participants feel more committed to legal services practice and how does that commitment translate into successful outcomes for clients? How can our trainings be improved to better meet advocates’ needs? Henceforth, we will solicit post-training evaluations from participants approximately six months after they have completed each training event and we will use what we learn to fine-tune and strengthen our programming. A post-training evaluation is included with the Year End Report for those of you who have not yet returned your forms.

Delivering the Core Curriculum

The Consortium sponsored six multi-day skills training programs in Year Two, including two events which were original training designs.

- **Representing the Whole Client.** The underlying premise of “Representing the

Whole Client” is that clients come to us as whole people, rather than just “legal issues” or “poor people with legal problems”. The “Whole Client” training, geared for all advocates including intake staff, paralegals and attorneys, included sessions on working with clients from diverse cultures, working through an interpreter with non-English speaking clients, and working with clients who are chemically dependent or who face emotional impairments. Additionally, the training incorporated presentations by local legal services advocates about innovative delivery models (such as GBL’s Asian Outreach Project and WMLS’s mental health/housing clinic) which address the needs of the whole client. The “Whole Client” training was extremely well received and is now part of our Core Curriculum. We will offer it again in Year Four.

- **Renewing the Role & Practice of Community Legal Education.** Twenty-six legal services advocates attended the new “Community Ed” training in May of this year. Approaching community legal education as a vehicle for empowering low-income people to make positive changes in their lives and communities, training participants explored a number of key issues in community education such as: how to design and present community legal education that is accessible to clients and responsive to their actual interests and needs; how to ensure that community people who attend our trainings are engaged and learning; how to convey complex information and ideas with confidence and clarity; and how to generate participation and inspire action. The training culminated with small groups

of participants presenting mock training sessions for such audiences as first time home-buyers, teen mothers and victims of domestic violence. At the end of the training, participants created a list-serve so they could continue to provide resources to each other as they implement the theory and practice of Community Legal Education in their local programs and communities.

- **Negotiations Skills Training.** Thirty-two advocates attended a two-day Negotiations Skills training presented by Bob Burdick, Director of the BU Legal Aid Clinic at GBL. Through four simulated negotiations, participants learned techniques and strategies to effectively prepare and conduct negotiations to optimize outcomes for their clients. Note that the Consortium plans to support local deliveries of this successful Negotiations training in the coming year.
- **Basic Lawyering Skills Training.** The Consortium sponsored its third delivery of BLST in March of this year, bringing our total number of BLST participants to **close to 140 new lawyers!** Striking an effective balance between community-building and skill-building, BLST serves both to introduce new advocates to the values, vision and mission of legal services and to help them develop specific skills in basic areas such as interviewing and client communication, negotiation and presenting an oral argument. Participants also examine a number of non-litigation strategies including community legal education, policy advocacy and working with the media.
- **Affirmative Litigation Training.** Our second Affirmative Litigation training will take place on October 29 - November 1.

Targeted primarily toward mid-to-experienced-level lawyers, Affirmative Litigation training presents a much-needed opportunity for skill building, idea-sharing and networking for a more veteran group of advocates. Through the training, participants develop skills necessary to plan and file actions in state or federal court, seek preliminary relief, pursue discovery and survive a motion to dismiss. And since Halloween actually falls during the Affirmative Litigation training, there might be some interesting opportunities for off-beat training exercises or costumed presentations.

- **Training of Trainers:** See description above.

♪ **A Song for Every Occasion**

It may be corny but we believe that singing together helps us to build a sense of community and belonging. In furtherance of our desire to produce a “Best of Legal Services” CD in the not-too-distant future, we successfully authored three new songs to commemorate several of our recent trainings. These include the BLST Anthem (to the tune of “Somewhere Over the Rainbow”), and, with inspiration provided from Bob Dylan, “Community Ed - It is A’Changin’” and “Negotiations Rag”. The full lyrics for all of these tunes can be found at the end of this report and on our web page!

And a T-Shirt, Of Course

Imagine this. Hundreds of legal services advocates singing and wearing matching T-shirts with the Consortium logo emblazoned on their chests. You can be a part of this movement by ordering your T-shirt as soon as the first shipment comes in. We will keep you posted.

Planning for Year Three

The Consortium has proposed an ambitious calendar of activities for Year Three (2002). These include six programs from the core curriculum, sponsorship of an Advocacy Symposium sometime in the spring of 2002 and technical assistance and funding for local deliveries of Negotiations Skills training.

Delivering the Core Curriculum

The Consortium will sponsor six Core Curriculum programs in Year Three. This calendar includes three programs that will be offered by the Consortium for the first time: Case Planning & Discovery, Multi-Forum Advocacy and Leadership. Unless otherwise noted, all events will take place at the Wachusetts Village Inn in Westminster, Mass. (Please note that dates listed below are subject to change; formal announcements will be sent out in advance of each event.)

2002 Training Schedule

January 28 - 31 Basic Lawyering Skills

Geared for attorneys new to legal services, BLST introduces participants to the mission and spirit of legal services practice and provides instruction in basic legal skill areas.

March 20 - 22 Case Planning & Discovery

This training, geared toward beginning-to-midlevel attorneys, will present a systematic approach to case analysis and planning and will guide participants through the process of creating the best possible case for their clients. Topics will include legal and factual analysis, establishment of a theory of the case (and consideration of the opponent's case),

determination of the evidence needed to prove the elements of the case, and the acquisition of that evidence through informal and formal discovery. Specific exercises will allow participants to practice techniques in written discovery and depositions.

June 5 - 7 Administrative Hearing Skills

This training, geared for paralegals and newer attorneys, helps participants build and reinforce skills to prepare for and present a case at an administrative hearing.

September '02 Training of Trainers

Through this training, participants gain skills that will enhance their ability to serve as effective design team members, presenters and small group facilitators for legal services trainings, both at Consortium-sponsored events and within their own programs.

October 16 - 18 Leadership Skills

This training will explore the role of "leader" in the legal services community and how leadership skills can be used to build commitment and direction within and beyond the legal services program.

December 4 - 6 Multi-Forum Advocacy

This training will provide an overview of various advocacy tools that can be used in lieu of, or as an adjunct to, traditional litigation and administrative forums to help clients attain their goals. Specific topics will likely include policy advocacy, community legal education, working with community groups, and media.

Advocacy Symposium

The Consortium will convene its first "Advocacy Symposium" in the late spring of 2002. The goal will be to bring together different groups of advocates - in terms of

experience levels, role groups or delivery models -- to explore critical poverty law issues. Potential topics for the first Symposium include various strategies that hotline and other legal services programs utilize to aid pro se litigants. We will convene a design team sometime in the late fall of this year to help us develop the content and agenda for the Symposium.

Local Deliveries of Negotiations Skills Training

The Consortium will allocate funds to support local deliveries of Negotiations Skills training in at least three sub-regions within New England. For example, individual states might collaborate to offer a training for staff in Vermont, New Hampshire and Maine, Massachusetts and Rhode Island, and Connecticut. Trainings will be presented by Bob Burdick or another experienced trainer chosen by the subregion. These trainings will be coordinated by local staff with technical assistance and funding provided by the Consortium. At the end of the year, we will evaluate the success of these local events and consider whether a "Negotiations Skills Training of Trainers" is a viable next step for developing local capacity.

Looking towards Year Four

We have already identified a number of Core Curriculum programs to be repeated in Year Four, including *BLST*, *Affirmative Litigation*, *Representing the Whole Client*, and possibly *Renewing the Role and Practice of Community Legal Education*.

Trial Skills. The Consortium will also sponsor a regional *Trial Skills* training in the beginning of 2003 as part of our Core Curriculum. At a minimum, the training will include sessions on evidence, direct and cross-examination of witnesses and opening and closing statements.

Time Management. Interest in time-management skills continues to rank high on our needs assessments. We have concluded, however, that Time Management training does not lend itself to a regional delivery approach and will instead develop a set of Time Management materials and training designs for use by local programs. We will also sponsor a Time Management "training of trainers" in Year Four which will allow individual staff to offer Time Management trainings within their local programs or on a statewide level.

Conclusion

We have accomplished a great deal together over the last two years. As we look toward the coming year, we will continue to strengthen our existing training programs, develop new programs and expand our base of experienced trainers. Finally, we wish to acknowledge the extraordinary group of legal services advocates and private attorneys who have given generously of their time and talent. (See trainer list on following page). We couldn't have done it without you!

A Regular Schedule of Training Programs

When the Consortium formed two years ago, a primary goal was to create a regular schedule of core curriculum training programs for legal services advocates in New England. Following is a review of training programs we have already offered in our first two years and will offer in the next two.

Training Program	Year 1	Year 2	Year 3	Year 4
BLST	√√	√	√	√
AHT	√		√	
Affirm. Litigation	√	√		√
Whole Client		√		√
Negotiations Skills		√	√* *	
Community Education		√		√*
Training of Trainers		√	√	
Case Planning & Discovery			√	
Trial Skills				√
Multi-Forum Advocacy			√	
Leadership			√	√
Advocacy Symposium			√	√
Time Management				√**

* Subject to approval by the Consortium Advisory Committee.

** The Consortium will provide support so that local programs can offer these training sessions regionally or within local programs.

From the Legal Services Training Consortium Songbook

Community Ed, It is a' Changing

(to the tune of "The Times They are A'Changing")

Come gather round colleagues and please hear
our song

It seems our community eds been all wrong
We lecture and lecture and lecture too long
And it makes the people feel dour
Our role we see is to help them feel strong
'Cause we know they have the power.

Listening and surveys and small groups it
seems

Help us discover the generative themes
That motivate people and unleash their dreams
So they can talk and plan by the hour
Through dialogue and praxis they'll say what
they mean
When they know they have the power.

Knowledge, attitudes and also skills
No more rote learning or mind-numbing drills
The values of critical thinking instilled
As the learners open like flowers.
Their lives transformed, it gives us the chills
When they act and act on their power.
Their lives transformed, it gives us the chills
When they act and act on their power.

BLST Anthem

(to the tune of "Somewhere over the Rainbow")

Somewhere in Massachusetts
There I'll be
With other legal aid lawyers

Learning to fight injustice and end poverty

How to speak with clients
Prepare for trial
Motions I never even heard of
I hope I'll get a chance to file

When I get back I hope I'll see
Not too many pink slips there for me
Or deadlines, looming
My colleagues all will gather round
Excited by the self-confidence I've found
My voice now booming

With colleagues now across the region
And friends I've made
When I get stuck there'll now be a legion
I'll no longer be afraid

We had a "blst" and this we know
We'll fight injustice as we go!

Negotiation Rag

(To the tune of "All I Really Wanna Do" by Bob Dylan)

I ain't lookin' to bash your guy
Tell a lie
Or make you cry
I just wanna share clues we found
Find common ground
Not get unwound
All I really wanna do
Is baby agree with you

I ain't lookin' to make you glower

We'll share our power
Our talks won't sour
A package for the best first offer
I will proffer
To sweeten the coffer
All I really wanna do . . .
Is baby agree with you

Kent and Kathy, Lois Lane
They're a pain
What's to gain?
They should brainstorm and disarm
Not shriek in alarm
Tell all – what's the harm?
All I really wanna do . . .
Is baby agree with you

I'll be fair as we analyze
Open our eyes
And strategize
We just wanna control our fate
A deal create
Negotiate!
All I really wanna do . . .
Is baby agree with you

Affirmative Litigation Theme Songs

(to the tune of "Greensleeves")

Legal services lawyers came from near and far
from many different programs and six state bars
to learn about courts that are federal and state
so that they can affirmatively litigate.

The training on affirmative litigation
began with pre-case filing preparation
David Hall told us to chase the justice dream
But when we looked at the schedule we thought
we would scream

Standing, state action, 1983.
Causes of action presented by Shel-ly.
Jurisdiction, mootness, preclusion

Made us feel like we'd had multiple contusions.

Rebecca Just and the Homeless Friends
Writing a complaint, learning how to amend
Document production and discovery
In our small groups we were intimate and cozy.

While it true that class actions and attorneys fees
can't be used by programs funded by LSC
We learned they can still do systemic work
Filing lots of great cases with the court clerk.

(to the tune of "Somewhere" from West Side Story)

A motion to dismiss we can survive
Our clients of their rights will not be deprived
With feedback from trainers and our other mates
We'll learn to better litigate.

Sovereign immunity
will no longer frighten me
Seminole Tribe and Pennhurst
will no longer be the worst

Retroactive relief, the state treasury
is no longer a haze to me
though Lucy's flip charts were a blur
even this
will not deter
us from filing
lawsuits

for clients who are treated badly
whose wages are often quite sadly
not paid
on time...

Fair Labor Standards Act
we'll cite with aplomb and tact
Due process, First Amendment, discrimination
all lend themselves to litigation
Affirmative
Litigation
Let's file!

The Legal Services Training Consortium of New England

Building Community, Commitment and Excellence in Legal Services Practice

The Legal Services Training Consortium of New England represents twenty-five legal services programs in New England who pool their resources to fund the design and delivery of training programs geared specifically for the legal services community. Consortium members believe that training and professional development are integral elements of our legal services delivery system through which we

- **communicate the values, vision and mission of legal services;**
- provide staff with **knowledge, skills and attitudes** necessary to provide effective, high quality legal services;
- help staff **respond creatively to emerging client needs;** and

Member Programs

Massachusetts Members

Greater Boston Legal Services
Legal Assistance Corporation of Central MA
Legal Services of Cape Cod and Islands
Massachusetts Justice Project
Massachusetts Correctional Legal Services
Massachusetts Law Reform Institute
Massachusetts Legal Assistance Corporation
Merrimack Valley Legal Services
Neighborhood Legal Services
New Center for Legal Advocacy
South Middlesex Legal Services
Southeastern Mass. Legal Assistance Corp.
Western Mass. Legal Services
Volunteer Lawyers Project

Connecticut Members

Greater Hartford Legal Services
Connecticut Legal Services
New Haven Legal Services

Maine Members

Pine Tree Legal Services
Legal Services for the Elderly
Maine Equal Justice Foundation

Vermont Members

Legal Services Law Line
Vermont Legal Services

New Hampshire Members

New Hampshire Legal Assistance
Legal Advice and Referral Center
Disability Rights Center

Rhode Island Members

Rhode Island Legal Services

Advisory Committee

Hugh Calkins, Pinetree Legal Services;
Jacqui Bowman, Greater Boston Legal Services; Pat Rae, Western Mass. Legal Services; Jan Chiaretto, Mass. Justice Project; Liz Segovias, Rhode Island Legal Services; Joanne Lewis, Connecticut Legal Services; Sarah Parker-McKernan, Legal Advocacy Resource Center; Karen Richards, Vermont Legal Aid; Laurel O'Connor, New Hampshire Legal Assistance; Maria Del Rio, Legal Advice & Referral Center

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