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# Introduction to Legal Aid Board Training

**What is governance?** Governance is the exercise of authority, direction and control of an organization in order to ensure that its purpose is achieved. Governance includes the structures, responsibilities and processes that the board of an organization uses to direct and manage its general operations.

**Impetus for new Board Development Curriculum:** Recently, several IOLTA and other state legal aid funders identified the need for training for members of legal aid boards. In response, CLAE has developed a training curriculum that reflects best practices underlying non-profit governance generally as well as those articulated in the ABA's Standards of Practice for Provision of Civil Legal Aid and the Legal Services Corporation's Performance Criteria. Together the Standards<sup>1</sup> and Performance Criteria<sup>2</sup> outline the expectations of and standards of practice related to board governance from the "overall functions and responsibilities of the governing body" to specific responsibilities with regard to fiscal matters, relations with the chief executive and resource development to governing body members' conflicts of interest and communications with low-income and legal communities. Four of the Standards in Section One explicitly reference the need for training<sup>3</sup> and Standard 1.2-3 outlines specific areas to be included in Board member training, including familiarity with the overall ABA Standards of Practice and LSC Performance Criteria.

**About the Curriculum:** The curriculum and associated materials reflect the specific context of civil legal aid practice – its unique mission and values, services provided, clients and communities served, and challenges faced – as well as the core principles underlying the Standards. Finally, the Board Development curriculum addresses the leadership dimension of legal aid governance and supports the notion that a strong board/staff leadership partnership is essential to ensuring legal aid programs' effectiveness in achieving their important mission.

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<sup>1</sup> A complete list of each ABA Standard within Section One is included as **Appendix A**; LSC Performance Criteria related to Governance are included as **Appendix B**.

<sup>2</sup> See **LSC Performance Criteria**, Performance Area Four, Criterion One (<http://www.lri.lsc.gov/LRI/LSCPerformanceCriteriaReferencingABASTandards.pdf>)

<sup>3</sup> ABA Standards that explicitly reference the need for training include: 1.1-3 Fiscal Matters; 1.1-6 Resource Development; 1.2 – Responsiveness to Communities Served; 1.2-2 Board Members from Communities Served; and 1.2-3 – Training members of governing bodies.

Legal aid providers work in increasingly complex environments. The central issues they address – housing and homelessness, intake and case triage, employment and training, outreach to the client community, access to health care, creation of new delivery mechanisms for providing legal services – are themselves subject to innumerable forces. As stewards of the organization, legal aid boards are responsible for overseeing their organizations' performance, accountability, fiscal integrity and regulatory compliance.

Beyond these basic fiduciary responsibilities, boards must also work closely with providers to ensure that program resources and services are responsive to evolving community needs and that they “accomplish lasting results<sup>4</sup>” for clients. They must also work with providers to anticipate and respond to change. In doing so, they must be able to take in and work with complex and ambiguous data, e.g., factors driving the local, state and national economies; political trends; emerging policy initiatives; changing demographics among eligible clients; the operation of courts, administrative tribunals and client serving institutions, as well as the needs and interests of staff, supporters, opponents and funders. This latter role calls for legal aid boards and senior staff to work collaboratively in ways that are forward-looking and pro-active.

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<sup>4</sup> See ABA Standards, Introduction

**Training Goals:** Through the Board Development curriculum, our goals are to provide a consistent framework and set of tools to:




- Clarify governing bodies' roles and responsibilities;
- Strengthen the capacity of boards and board members to carry out those responsibilities;
- Build a greater sense of purpose and commitment within legal aid boards;
- Deepen board members' understanding of and respect for the diverse experiences, perspectives and contributions of its various members; and,
- Increase the notion of partnership and shared leadership between legal aid providers and boards

**How to utilize CLAE Board Development Resources:** Drawing from the resources and potential session designs outlined on the following pages, we will work with interested boards and providers to craft trainings, board retreats or other programs that respond to your groups' needs and interests. Such offerings might consist of a single one-day workshop, a series of one-day or half-day workshops, or a more generic one or two-day training program about legal aid governance generally. Following an initial in-person training, we can also work with programs to design web-based follow-up training/discussion groups. We will also develop generic orientation materials to be used for new board members.

**Board Development Resources** include materials within this training binder as well as references to additional resources – e.g., sample board committee descriptions, sample Chief Executive job descriptions and evaluation tools -- that can be accessed through CLAE's online campus. Materials are organized by subject area, e.g., Board of Director Roles and Responsibilities, Relationship to the Chief Executive – and generally follow the order of material to be presented and explored within each training module.

As we go through each training session, we will make reference to specific governance-related ABA Standards of Practice or LSC Performance Criteria, the full text of which are included in Tab \_\_\_\_\_. All of the materials within this binder are also available electronically through the Board Development Online Course site on CLAE's Online Campus ([http://courses.legalaideducation.org/board\\_development](http://courses.legalaideducation.org/board_development)).

**NOTES:** Several types of notes are used in these materials.

	<p><b>This is a key board role.</b> Board roles are described initially in Section 2 and then throughout the Board Development curricular resources.</p>
	<p><b>This is a sample.</b> We provide many samples – board assessments, Chief Executive Evaluations, descriptions of various board committees, etc. Some of these are included within course materials; others are accessible through CLAE’s online campus.</p>
	<p><b>This is a tool.</b> Tools provide resources used to strengthen board performance such as assessments related to various governance best-practices, board development grids; action plans and check-lists. Some tools are provided within course materials; others can be accessed through the Board Development site within CLAE’s online campus.</p>
	<p><b>This is a tip.</b> Notes of this format are used to highlight important information or to present asides relevant to the topic at hand.</p>
	<p><b>This is an ABA Practice Standard.</b> Training modules reference specific ABA governance-related Standards of Practice and the full text of these are included in the materials in Tab ___. Additional ABA Standards can be accessed through the Board Development site within CLAE’s online campus.</p>
	<p><b>This is an LSC resource:</b> Training modules reference specific governance-related LSC Performance Criteria and the full text of these are included in Tab ___. This icon also refers to other LSC resources such as regulations, program letters and manuals; the full text of these can be accessed through the Board Development site within CLAE’s online campus or directly through LSC’s website, <a href="http://www.lsc.gov">http://www.lsc.gov</a>.</p>



**Section One of the ABA Standards of Practice for Providers of Civil Legal Assistance** outline overall functions and responsibilities of legal aid boards of directors from specific responsibilities with regard to fiscal matters, relations with Chief Executive, to conflicts of interest and communications with low-income and legal communications.

A number of core values underlie the development of the revised ABA Standards; these are outlined below.

**1) *Responsiveness to the needs of low income communities and of clients who are served.*** A legal aid provider has an obligation to be responsive to the low income communities that it serves. On the broadest level, the provider needs to be aware of critical legal needs of the low income communities it serves and to deploy resources to respond. In some circumstances, the provider may be the principal or only organized source of assistance for low income persons with a legal problem. In other cases, the provider may be one of many organizations dedicated to addressing such needs. The Standards assert that in all cases, the provider needs to ground its choices about where it focuses its resources and what delivery strategies it employs on its awareness of the low income communities' critical legal needs.

**2) *Achieving results.*** The Standards also espouse the view that providers should strive both to achieve clients' objectives and to accomplish lasting results that respond to the low income communities' most compelling legal needs. They affirm that the objective of any strategy chosen—whether offering full representation, limited representation or legal information—should be to help the individuals served resolve their legal problems favorably. The Standards also acknowledge that there are often broad issues that affect large numbers of low income persons that can most effectively be addressed through systemic legal work that seeks to create lasting results for the low income community overall.

In representation of individual clients, the Standards note the provider's and practitioner's responsibility to be responsive to the specific needs of the client being represented. The Standards reiterate the ethical requirement that clients must decide the objectives sought by the representation and they emphasize the need for specific efforts at every stage of representation to assure that practitioners consult and communicate with their clients consistent with ethical requirements.

**3) *Treating persons served with dignity and respect.*** The Standards also affirm the responsibility of the provider and its practitioners to treat all persons who seek assistance from the provider with dignity and respect. Proper treatment of persons seeking and receiving assistance requires staff who can interact effectively with low income persons and who can competently relate to culturally diverse communities. It also calls for systems, such as intake, to be accessible and efficient and not inadvertently to demonstrate a lack of regard for applicants' and clients' time and sensibilities.

- 4) **Access to justice.** A core mission of a legal aid provider is to facilitate access to the legal systems for resolving civil legal problems and to help low income persons with legal problems obtain fair and lasting results. The Standards recognize that there are a number of ways in which this responsibility might be carried out. First, is in the direct assistance to individuals to advocate on their behalf or to assist them to do so themselves. The second is in the choice of delivery methods that efficiently use resources to facilitate access for large numbers of people in ways that respond effectively to their legal needs. The third is to work with other providers, the courts, the organized bar and other community organizations to increase the overall responsiveness of the system to the need for effective access to justice.
- 5) **High quality and effective assistance.** The legal work undertaken by a legal aid provider should be of high quality and should be effective in responding to the need it is intended to address. The Standards state that, at a minimum, a practitioner should meet the competency norm that is stated in the Model Rules of Professional Conduct and should aspire to a benchmark of high quality. To this end, the Standards address issues of practitioners' qualifications and training, supervision systems that support quality, specific quality assurance mechanisms and the fundamental elements of effective representation.
- Some of the assistance offered by a provider will involve non-representational assistance, such as community legal education and legal information to help individuals avoid legal problems and take steps on their own to address their situation. In all cases, the Standards state that the provider should undertake the activity with commitment to high quality. The Standards also express that strategies should be deliberately chosen and should be evaluated periodically to determine if they are successful in achieving their intended result.
- 6) **Zealous representation of client interests.** All lawyers should pursue their clients' interests with zeal consistent with the law and applicable standards of professional conduct. Zealous pursuit of clients' interests has particular implications for legal aid providers. When effective resolution of individual clients' problems is circumscribed by existing laws and practices, or when existing laws and practices result in the same or similar problems for many low income persons, a practitioner may be called upon to reach beyond the individual problem to challenge the law, policy or practice.

### **Standard 1.1 On Overall Functions and Responsibilities of the Governing Body**

A provider should have a governing body that establishes its mission, sets and oversees implementation of broad general policies to guide the provider and actively participates in planning for its future.



#### **Standard 1.1-1 On Governing Body oversight of the provider**

The governing body should regularly review the provider's operations to assure effective operation as well as compliance with its policies and with pertinent legal requirements.

#### **Standard 1.1-2 On Prohibition against interference in the representation of clients**

The governing body and its individual members must not interfere directly or indirectly in the representation of any client by a practitioner.

#### **Standard 1.1-3 On Fiscal Matters**

The governing body should assure the financial integrity and viability of the provider.

#### **Standard 1.1-4 On Relations with the Chief Executive**

The governing body has the responsibility to hire the provider's chief executive and should hold the chief executive accountable for the provider's operations.

#### **Standard 1.1-5 On Serving as a Resource to the Provider**

The governing body should serve as a resource for a provider, assist in community relations and, when appropriate, engage in forceful advocacy on behalf of the provider.

#### **Standard 1.1-6 On resource development**

The governing body should assure that the provider engages in resource development and should directly assist in those efforts.

### **Standard 1.2 On governing body members' responsiveness to the communities served**

A provider should have a governing board whose membership and manner of operating are responsive to the low-income communities served.

#### **Standard 1.2-1 On Individual Members' commitment to the provider**

All members of the governing body should be committed to the mission of the provider and devote adequate time to meet board responsibilities.

#### **Standard 1.2-2 On Board Members from the communities served by the provider**

The governing body should include members who are or have been eligible to receive legal assistance from the provider.

**Standard 1.2-3 On Training of Members of the Governing Body**

The provider should assure that all members receive orientation and training necessary for full and effective participation on the governing body.

**Standard 1.2-4 On Governing Body Members' Conflicts of Interest**

Governing body members must not knowingly attempt to influence any decisions in which they have a conflict with the provider or its clients.

**Standard 1.3 On governing body Communication with low income and legal communities**

The governing body should operate in a manner that invites communication with the low income and legal communities.

### Performance Area Four — Criterion 1



**Criterion 1. Board governance.** The program has effective board oversight and involvement in major policy decisions, including board members who are each committed to the program and its mission, and a board that holds program management accountable for effective performance in the areas delineated by these criteria. The board also meets its affirmative responsibility to help develop resources for the program, promote awareness of the program, enhance its effectiveness and influence, and protect and defend the interests of the organization.

#### Indicators

- The board is involved in major policy decisions, aware of issues in and performance of the program, while leaving day to day management of program operations to program management personnel.
- The board effectively evaluates the chief executive officer.
- The board as a whole, and members individually, are committed to the program and its mission, are free from organizational or personal conflicts, attend meetings regularly, and as appropriate, assist in fundraising and development activity.
- As a whole, the board is appropriately diverse and representative of the various geographical areas and low-income populations served by the program.
- The board effectively promotes and expands the reach and influence of the program in the communities it serves, and develops additional resources for the program.
- The board exercises effective financial oversight.

#### Areas of Inquiry

- How are major policy decisions made?
- Is the board supportive of the program?
- Are its individual members?
- Do board members and officers understand the major issues at stake for the program?
- Are board members aware of and accurate in their perception of the requirements of the program's funding sources?
- Is the board aware of any major problems or issues within the program?
- How does the board exercise its oversight of program operations?
- Are board decisions appropriately documented in board minutes?

- Does the board exercise judgment independent of the executive director, where appropriate?
- How frequently does the board evaluate the executive director?
- Do board members assist effectively in fundraising and development activity?
- Is the board membership diverse and representative of the service area?
- Are client board members actively engaged in board decision making?
- Does the board have a policy or practice that effectively deals with conflicts of interest or potential conflicts of interest? Is the policy or practice in writing?
- Are organizational or individual conflicts addressed quickly and effectively?
- Does the board meet its external responsibilities as delineated in this criterion?
- Are board members given appropriate orientation and continuing training, including training on the role of the board, potential conflicts of interest, and on fiscal, fiduciary, and other responsibilities?
- Does the board have a policy or practice regarding length of service on the board?
- What is the level of attendance at board meetings?
- What systems and procedures does the board have to ensure effective financial oversight?

**Instructions:** Review the various types of legal aid governance illustrated below. In pairs, discuss which of the four types most accurately reflects how your legal aid provider is governed?

<b>Strong Board</b>	<p><b>Type 1:</b> <b>Governance by Fiat</b> in which the board imposes most decisions</p>	<p><b>Type 2:</b> <b>Shared governance</b> in which both senior staff and the board are actively engaged in governance.</p>
<b>Weak Staff</b>	<p><b>Type 3:</b> <b>Governance by default</b> in which neither board nor staff plays a strong, forward-thinking role</p>	<p><b>Type 4:</b> <b>Executive governance</b> in which the CEO governs</p>
	<b>Weak Board</b>	<b>Strong Staff</b>



# Board of Director Roles & Responsibilities

**Session Description:** Provides an introduction to roles and responsibilities of civil legal aid boards as a whole as well as roles and responsibilities of individual board members.

**Learning objectives:** at the end of this session, participants will be able to:

- a) Identify board member responsibilities in relation to duties of care, loyalty and obedience;
- b) Identify the board of director's overall functions and responsibilities;
- c) identify responsibilities of and expectations in relation to individual board members;
- d) Identify potential conflicts of interest between individual board members and the organizations on whose boards they serve.

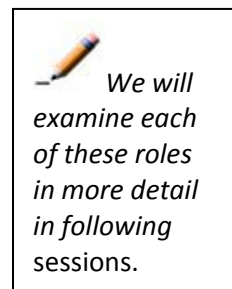
Members of legal services boards of directors are fiduciaries and guardians of their organizations. “Fiduciary” is defined as a “person to whom property or power is entrusted for the benefit of another.” As fiduciaries, board members are entrusted by the public with the responsibility to act for the good of the organization. The legal duties of the non-profit board, governed by both state and federal law, can be summed up in the “three D’s”: duty of care, duty of loyalty, and duty of obedience.

**Duty of Care** Board members must exercise due care in all dealings with the organization and its interests. **The duty of care is carried out by the following:**

- Consistent attendance at full board and committee meetings;
- Advanced preparation for board meetings, such as reviewing reports and minutes;
- Obtaining information about organizational issues, especially before voting on them;
- Raising questions whenever something is unclear or questionable;
- Using independent judgment;
- Awareness of and compliance with state and federal filing requirements;
- Review of the provider’s finances;
- Review of the credentials and performances of the staff.

**Duty of Loyalty** The duty of loyalty requires board members to exercise their power in the interest of the provider and not in their own interest or interest of another entity. When acting on behalf of the provider, board members must put the provider’s interests before their personal and professional interests. **The duty of loyalty is carried out by the following:**

- Disclosure of any conflicts of interests
- Adherence to the provider’s conflict-of-interest policy
- Avoidance of the use of opportunities for personal gain or benefit
- Nondisclosure of confidential information about the provider



**Duty of Obedience** Obedience to the provider’s mission and purpose must guide all decisions. The board must also ensure that the provider functions within the law, both the “law of the land” and its own by-laws and other policies. The board members must remain the guardians of the mission. **The duty of obedience is carried out by the following:**

- Compliance with all regulatory and reporting requirements (e.g., IRS Form 990; requirement to pay employment taxes; reporting requirements related to federal, state, other funders )
- Examination of all documents governing the provider and its operation, such as bylaws
- Making decisions that fall within the scope of the organization’s mission and governing documents

## Duties of Care, Loyalty & Obedience: Standards, References & Tools

The **Three D's – Duties of Care, Loyalty & Obedience** – articulate the basis of the board's fiduciary responsibilities.

Duty	Standards, Legal & Compliance	Samples & Tools
<p><b>Duty of Care</b> Board members must exercise due care in all dealings with the organization and its interests.</p>	<ul style="list-style-type: none"> <li>• <b>ABA Standard 1.1-1:</b> On Governing Body oversight of the provider</li> <li>• <b>ABA Standard 1.1-3:</b> On Fiscal Matters</li> </ul>	<ul style="list-style-type: none"> <li>• Sample board member expectations</li> </ul>
<p><b>Duty of Loyalty</b> Requires board members to exercise their power in the interest of the provider and not in their own interest or interest of another entity. When acting on behalf of the provider, board members must put the provider's interests before their personal and professional interests.</p>	<ul style="list-style-type: none"> <li>• <b>ABA Standard 1.2-4:</b> On Governing Body Members' Conflicts of Interest</li> <li>• <b>IRS Form 990</b> asks whether the organization               <ul style="list-style-type: none"> <li>○ has a written conflict-of-interest policy</li> <li>○ requires directors, officers, key employees, and others to annually disclose interests that could give rise to conflicts</li> <li>○ regularly monitors and enforces compliance with the policy</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Sample conflict of interest policy</li> <li>• Sample conflict of interest disclosure statement</li> <li>• Sample Form 990 section related to conflicts</li> </ul>
<p><b>Duty of Obedience</b> Obedience to the provider's mission and purpose must guide all decisions. The board must also ensure that the provider functions within the law, both the "law of the land" and its own by-laws and other policies. The board members must remain the guardians of the mission.</p>	<ul style="list-style-type: none"> <li>• <b>IRS Form 990</b> requires disclosure of certain transactions with current or former directors, officers, and key employees</li> <li>• <b>The Sarbanes-Oxley Act (SOX), Section 1107,</b> makes it a federal crime to retaliate against whistleblowers in certain circumstances.</li> <li>• <b>IRS Form 990</b> asks whether the organization has a written whistleblower policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Sample legal aid program mission statement</li> <li>• Sample by-laws</li> <li>• Sample whistleblower policies</li> <li>• Sample Form 990 sections related to whistleblower policy and transaction disclosures</li> </ul>

## Legal Aid Boards: Roles and Responsibilities




Within the context of the board’s overall purpose, the board is also expected to fulfill the following roles and responsibilities.

Board of Director Responsibilities	Related ABA Standard
<p><b>Determine organization’s mission and purpose:</b> The Board is responsible for creating and periodically reviewing a statement of the organization’s mission and purpose that articulates its goals, ascertains the means it will utilize to accomplish those goals, and identifies the primary constituents to be served. Each individual board member must understand and support the organization’s mission.</p>	<ul style="list-style-type: none"> <li>● <b>Standard 1.1:</b> On Overall Functions &amp; Responsibilities of the Board</li> <li>● <b>Standard 1.2-1:</b> On Individual Member’s Commitment to the Provider</li> </ul>
<p><b>Select and support the Chief Executive and assess his or her performance.</b> The Board is responsible for hiring the organization’s Chief Executive and holding the Chief Executive accountable for the organization’s operations. The Board should provide necessary support, oversight, and feedback to ensure that the Chief Executive is able to fulfill the organization’s mission and goals. The board should also conduct periodic formal evaluations to assess the Chief Executive’s overall performance.</p>	<ul style="list-style-type: none"> <li>● <b>Standard 1.1-4:</b> On Relations with the Chief Executive</li> </ul>
<p><b>Determine, monitor and strengthen the organization’s programs and services:</b> The Board is responsible for monitoring the organization’s programs and operations to ensure that they are consistent with the mission, functioning effectively and in compliance with its policies.</p>	<ul style="list-style-type: none"> <li>● <b>Standard 1.1-1:</b> On Board Oversight of the Provider</li> </ul>
<p><b>Ensure adequate resources:</b> One of the Board’s primary responsibilities is to ensure that the organization has adequate resources to fulfill its mission. The board should work in partnership with the Chief Executive and other staff to support those efforts.</p>	<ul style="list-style-type: none"> <li>● <b>Standard 1.1-6:</b> On Resource Development</li> <li>● <b>Standard 1.1-3:</b> On Fiscal Matters</li> </ul>
<p><b>Ensure legal and ethical integrity and maintain accountability:</b> The Board is ultimately responsible for ensuring the organization’s adherence to legal standards and ethical norms. Consistent with the organization’s mission, the board has responsibility to set broad general policies, including, in the first instance, articles of incorporation and by-laws.</p>	<ul style="list-style-type: none"> <li>● <b>Standard 1.1:</b> On Overall Functions &amp; Responsibilities of the Board</li> <li>● <b>Standard 1.1-7:</b> On Board Members’ Conflicts of Interest</li> </ul>

## Legal Aid Boards: Roles & Responsibilities

Board of Director Responsibilities	Related ABA Standard
<p><b>Ensure effective organizational planning:</b> The board should actively participate with staff in organizational planning that furthers the provider’s mission and fosters the effective and efficient utilization of its resources to meet the most compelling legal needs of its clients.</p>	<ul style="list-style-type: none"> <li>• <b>Standard 1.1:</b> On Overall Functions &amp; Responsibilities of the Governing Body</li> <li>• <b>Standard 2.1:</b> Identifying legal needs and preparing to respond</li> </ul>
<p><b>Recruit and orient new board members and assess board performance:</b> The Board is responsible for building a diverse board that reflects a broad cross-section of the low-income and legal communities as well as other sectors such as business, social service organizations and law schools and that represents the wide range of expertise and skills necessary for overall board and organizational effectiveness. Boards must also orient new members to their responsibilities and to the organization’s history, needs, and challenges.</p>	<ul style="list-style-type: none"> <li>• <b>Standard 1.3:</b> On Training Members of the Board</li> <li>• <b>Standard 1.2-2:</b> On Board members from communities served by the provider</li> <li>• <b>Standard 1.2-1:</b> On Individual Member’s Commitment to the Provider</li> </ul>
<p><b>Enhance the organization’s public standing:</b> The board is the organization’s primary link to the community -- including clients, other constituents, the public and the media. Board members should assist in public relations and when appropriate, engage in forceful advocacy on behalf of the provider.</p>	<ul style="list-style-type: none"> <li>• <b>Standard 1.1-5:</b> On Serving as a Resource to the Provider</li> <li>• <b>Standard 1.1-6:</b> On Individual Members’ Commitment to the Provider</li> <li>• <b>Standard 1.3:</b> On board communication with low income and legal communities</li> </ul>

## Board Responsibilities: Organizational Assessment

 **Instructions:** With a partner, review each of the core roles and responsibilities outlined below and discuss how and to what extent your board fulfills these responsibilities.

Responsibilities	My board supports this responsibility by:	My board could improve this responsibility by:
Determine organization's mission and purpose		
Select and support the Chief Executive and assess his or her performance.		
Determine, monitor and strengthen the organization's programs and services		
Ensure adequate resources		
Ensure legal and ethical integrity and maintain accountability		
Ensure effective organizational planning		
Recruit and orient new board members and assess board performance		
Enhance the organization's public standing		

Membership on the governing body of a legal aid provider involves significant responsibilities.



**ABA Standards 1.1-2 and 1.1-5** outline the following expectations of individual board members:

- 1) **Adequate Time:** Members need to commit adequate time to carrying out their responsibilities. They should commit to regular attendance at board of director meetings and any committees to which they are assigned. They also need to commit time to completing any projects or tasks they agree to take on, including the direct support of the provider's resource development strategies.
- 2) **Serving as a Resource to the Provider:** Standard **1.1-5** outlines the following concrete ways in which board members can serve as a resource to the provider.
  - Provision of pro bono assistance – in individual cases, co-counseling cases in litigation or through legislative or administrative advocacy.
  - Explaining the nature and purpose of legal aid to other important elements of society.
  - Making connections between the provider and other members of the legal profession and with the organized bar.
  - Increase understanding about and sympathy towards problems of low income persons
  - Advocate on behalf of the provider or its clients in the legislature and within organized bar.
  - Defend the provider's role as an advocate and help educate the public about the provider's mission
  - Provide training to provider's staff
  - Provide assistance in matters related to non-profit organizations
- 3) **Understand and Support Legal Aid Mission:** In addition to the member responsibilities outlined above, civil legal aid boards also seek board members who understand and support the general mission of civil legal aid.
- 4) **A Willingness to Learn:** Effective participation begins with a willingness to learn about the provider's mission, how it operates, how it is funded and what the legal requirements are that govern its operation. It also calls for each board member to learn about the important characteristics of the low income communities served by the provider and the legal problems they face. Such knowledge and awareness is important to the governing body making appropriate decisions regarding service delivery, budgeting, financial management, and other pertinent matters.

### Sample Board of Directors – Responsibilities and Expectations



XYZ Legal Services and the clients it serves benefit from the generous and dedicated service of its Board of Directors. The Board recognizes that its responsibilities include ensuring:

- Delivery of high quality legal services to the client community;
- Sound planning and policies;
- Good management;
- Sound resources and financial dealings;
- Compliance with legal requirements; and
- Good governance.

A person who joins the Board of Directors commits to:

- Attend board meetings and planning retreats.
- Be an informed participant in program planning, policy making and oversight. This includes:
  - It is expected that board members will seek, and XYZ will provide, training and information so that members can fulfill these responsibilities.
- Actively assist in raising funds for XYZ by:
  - Making personal financial contributions to the extent of his or her capacity.
  - Soliciting contributions from friends, relatives and colleagues.
  - For lawyer board members in law firms, ensure the firm's financial support;
  - Recruiting new members of the board who can help ensure the success of the fundraising effort.
- Participate in at least one board committee.
- Assist with marketing and public relations.



See other sample board member expectations in Section \_\_\_\_



**Instructions:** On a scale of 1 (strongly agree) to 5 (strongly disagree), assess the extent to which you fulfill your general responsibilities as a legal aid board member.

	Expectations of Individual Board Members	Assessment	Comments
<b>Adequate Time</b>	I allocate adequate time to fulfill board member roles.		
	I regularly attend board meetings.		
	I prepare fully for board meetings by reviewing all materials in advance.		
<b>Providing Resources</b>	I provide resources to the provider in the following ways:		
	•		
	•		
	•		
<b>Mission</b>	I fully understand and support the provider’s mission		
<b>Willingness to learn</b>	I am adequately knowledgeable about:		
	• How the provider operates		
	• How the provider is funded		
	• Legal requirements governing the provider		
	• Characteristics of low-income communities served by the provider		
	•		
•			