



December 3, 2002

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Dear Minnesota Program Directors:

Please consider this letter formal notice of the Legal Services Corporation's concerns regarding the configuration of LSC recipient programs in the state of Minnesota.

LSC Program letter 2002-02 on Configuration

In program letter 2002-02, the section on *Configuration Review Process* notes:

“At the earliest possible time, LSC’s state planning team will advise the designated state planning body (DSPB) in each state and other interested and previously identified stakeholders who may not be members of the DSPB whether and to what degree issues of geographic service area configuration and/or the state planning process are matters of concern to LSC.”

Program letter 2002-02 sets out a timetable for the submission of a configuration plan, LSC’s response to such a plan and,

“To the extent reasonably practicable, LSC’s state planning team will work with the DSPB, LSC’s grantees, and other key stakeholders in such states to foster timely and effective consideration of the issues relating to the state planning process and service area configuration. States facing the possibility of service area reconfiguration will be instructed to submit their plans for service delivery and proposed configuration to LSC no later than December 31 of each year.”

This formal notice of configuration concerns triggers the provisions in LSC program letter 2002-02. Minnesota LSC-funded programs will be awarded two years of funding for calendar years 2003 and 2004. Thus we would set the deadline for the submission of the Minnesota configuration plan for December 31, 2003. LSC would then respond to the plan, leaving enough time for the Designated State Planning Body to ask that LSC’s response be reviewed by the Vice President of Programs and the President, if they so choose, before service areas are published in April 2004 for the 2005 funding competition.

We will hope for continued communication with the DSPB and the Minnesota’ justice community and will expect opportunities for direct LSC interaction with the ongoing planning process throughout next year.

Moving Forward with Planning

As Nancy Kleeman noted in her letter to me of November 22, 2002, the Minnesota justice community has:

“...begun the process of convening another high level commission to deal with statewide delivery system challenges. This would be modeled after the 1995 Joint Legal Services Access & Funding Committee appointed by the Minnesota Supreme Court in collaboration with the MSBA. We anticipate that such a commission would be appointed late in summer of 2003 to begin meeting in the fall of 2003. In anticipation of this process, several working groups are already

meeting including immigrant and refugee planning, Coalition peer review, legislative funding, IOLTA funding and litigation, technology and pro bono initiatives.”

Might I suggest the formation of a configuration working group that would bring a report or recommendations to the high level commission in the late fall? This working group would need to include broad civil equal justice stakeholder participation from the state bar, funder, pro bono, staffed delivery program, client and other communities.

We hope Minnesota’s justice community will take a serious and objective look at the structure of LSC-funded legal services programs in the state, utilizing, among other tools, the configuration standards codified in LSC Program Letter 02-3 to assess the effectiveness and efficiency of their configuration. LSC firmly believes that a state’s delivery system should be designed and configured to provide promptly-delivered, high-quality comprehensive effective legal services to clients throughout the state, by:

- Maximizing access,
- Maximizing the delivery of effective legal services to clients throughout the state,
- Insuring the principle of relative equity,
- Making the highest and best use of available resources,
- Avoiding duplication of capacities and administration, and
- Maximizing the ability to respond effectively and efficiently to new and emerging client needs and other changes affecting the delivery of legal services to the poor.

We look forward to working closely with you and with the members of the new planning body and/or configuration committee as you take up this important work.

I will be responding to you as regards your 2000-7 state planning self-evaluation report in the coming weeks. I also greatly look forward to beginning my visits to Minnesota’s LSC-funded programs after the first of the year, as that will provide a critical dimension to the body of knowledge LSC has about Minnesota’s justice community and its recipient programs.

Sincerely,

Melissa A. Pershing
Program Counsel

cc: Nancy J. Kleeman, State Planning Coordinator and Access to Justice Director

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