

The Impact of COVID-19 on California Legal Services Organizations: Lessons-Learned & Innovations

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Appendix A: Results of Initial April 2022 Survey
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Introduction

This report provides a snapshot of the innovative and committed ways in which California's legal aid community responded to the unprecedented challenges created by the COVID-19 pandemic. We hope it also provides a lens through which to consider necessary or potential changes to both service delivery and responsive workplace policies, recognizing that legal aid organizations and staff—along with the communities and clients they serve—are not done facing turbulent times.

In late 2021, staff of Stanford Law School's Levin Center for Public Service and Public Interest Law¹ reached out to the leadership of the Legal Aid Association of California² (LAAC) to ascertain whether there was ongoing research into the impact of the pandemic on the clients served by its members and on the workplace experience of its members. We knew that the legal services community was implementing changes to respond to rapidly evolving circumstances almost on a daily basis. We thought that documenting and memorializing the innovative responses of legal services providers would allow the sector to learn valuable lessons about its own resilience and capacities that could serve providers in the future.

After determining there was a research gap, LAAC worked with the Levin Center to delineate the parameters of a project that would gather information from legal services nonprofits in California in two core areas: (1) adaptations to internal employment policies and procedures in light

of the necessity to engage in remote and later hybrid workforces; and (2) adaptations to reaching and serving clients in response to workplace shutdowns, changes in court procedures, and increased demands for services by clients in communities disproportionately impacted by the pandemic. We asked respondents to focus on a specific time period: March 2020 through April 2022, when the survey was distributed.

The legal aid staff attempting to address the challenges were themselves confronting the strains and tensions experienced by all throughout the pandemic. Committed to serving their clients, leaders and staff of legal aid groups were required to pivot quickly and creatively to a new landscape defined by an inability to work within their known office and community-based settings.

From our interviews and survey submissions, we found examples across the state of lawyers and organizations committed to serving their clients, forging bonds and relationships across virtual platforms, and developing inventive approaches to outreach and communication. We describe what we learned in the proceeding sections of this report, acknowledging that some of these new approaches can inform service delivery when remoteness or inaccessibility might arise again due either to new waves of the pandemic or other large-scale challenges, like climate change-fueled disasters we can anticipate as residents of California.

¹ Formally established in 2007, the John and Terry Levin Center for Public Service and Public Interest Law at Stanford Law School engages in research and programming that seeks to support the development and strength of the nonprofit legal sector.

² The Legal Aid Association of California is a statewide organization that works with its over 100 members of legal services organizations.
<https://www.laaonline.org/>

We additionally wanted to better understand how the national conversation about racial inequity that was taking place simultaneously impacted organizations during this critical time. Introspection related to the systemic issues laid bare by both the pandemic and the protests following a series of police killings of African Americans and other people of color has prompted organizational change and a deeper recognition of the impacts of the lack of diversity in the legal profession. Many organizations had already undertaken significant work to increase their capacities around equity, diversity, and inclusion. Others were prompted to take further actions during this tumultuous time.

Even before the pandemic, the legal aid sector was experiencing challenges related to staff retention,³ leadership transitions, and engaging in important conversations related to equity, diversity, and inclusion.⁴ The challenges of the pandemic coupled with the racial reckoning motivates every sector of society to reflect, confront, and decide on the best paths to pursue moving forward. We hope this report provides some greater context for reflection and for considering

promising options as we, with luck, emerge into a different phase.

To quote Michael Forton and Farah Majid of Legal Services Alabama, “At some point, we and everyone else will look back at this time and reflect on how we contributed (or didn’t) to making the world a better place during a very difficult chapter of history. Although our efforts have been far from perfect, we did not give up, we did not give in to despair, and we continuously found ways to advocate and serve our clients when they needed us most.”⁵

From our interviews and the survey responses, we know that these sentiments were also strongly held within California’s legal aid community over the course of these last several, difficult years. In the following report, we document the changes that organizations made to address client needs in their outreach efforts, intake processes, and representation, as well as to address rapidly changing physical work environments. While these topics are inextricably linked, one responding to the other, each deserves some level of particular attention.

³ Carmody & Associates, *Justice at Risk: More Support Needed for Legal Aid Attorneys in California*, January 2020, at <https://www.dropbox.com/s/i0j9w6zyyexyqsb/CA%20RR%20Report%20final%20revised%20021420.pdf?dl=0>.

⁴ LAAC’s Inclusion, Diversity, Equity, Accountability in Legal Aid (IDEAL) Board Committee, *A Diversity, Equity,*

and Inclusion and Racial Justice Toolkit for Civil Legal Aid Organizations, April 2021, at <https://laaonline.egnyte.com/dl/WnHjKWNiyE>.

⁵ Michael Forton & Farah Majid, *Advocacy in the Age of Covid*, MIE Journal, Spring 2021, at p. 31.

Methodology

Following meetings with LAAC leadership, we conducted interviews with 23 leaders of California legal aid nonprofits, local bar associations, and statewide agencies. We then conducted a literature scan⁶ and reviewed publicly available data. Following this, we designed a survey based on the priority areas identified by those with whom we consulted. A draft of the survey was vetted by leaders of statewide organizations working with legal aid groups. Once completed, the survey was distributed by LAAC to its member organizations, as well as to a listserv comprised of executive directors of civil rights and advocacy groups. Approximately 120 individuals received the survey. We received completed survey responses from a total of 51 unique organizations.

The respondents represented a decent geographic spread across the state and a varied group based upon budget and employee size.

The following organizations completed the survey:

Affordable Housing Advocates	Legal Aid Society of San Bernardino
AIDS Legal Referral Panel (ALRP)	Legal Aid Society of San Diego, Inc.
Alliance for Children's Rights	Legal Aid Society of San Mateo County
Asian Americans Advancing Justice - Los Angeles	Legal Assistance to the Elderly
Asian Law Alliance	Legal Services for Children
Bay Area Legal Aid	Legal Services for Seniors
Bet Tzedek	Legal Services of Northern California
Casa Cornelia Law Center	LMU Loyola Law School Social Justice Law Clinic
Child Care Law Center	Mental Health Advocacy Services
Community Legal Aid SoCal	National Housing Law Project
Community Legal Services in East Palo Alto	National Immigration Law Center
Disability Rights California	OneJustice
Disability Rights Education & Defense Fund	Open Door Legal
Equal Justice Society	Prison Law Office
Family & Children's Law Center	Public Counsel
Family Violence Appellate Project	Public Law Center
Harriett Buhai Center for Family Law	Public Rights Project
Immigrant Legal Defense	Riverside Legal Aid
Inland Counties Legal Services, Inc.	San Joaquin College of Law - New American Legal Clinic
La Raza Centro Legal San Francisco	San Luis Obispo Legal Assistance Foundation
LA County Bar Association Counsel for Justice	Step Forward Foundation
Los Angeles Center for Law and Justice	Tahirih Justice Center
Legal Aid at Work	The Public Interest Law Project
Legal Aid Foundation of Santa Barbara County	Youth Law Center
Legal Aid Foundation of Los Angeles	Yuba Sutter Legal Center
Legal Aid of Sonoma County	

Following an initial review of data, we convened a meeting in May, inviting those who had completed the survey to hear some initial findings and provide feedback. Based upon that feedback, we conducted a brief follow-up survey focused on office space and related to remote, hybrid, and in-person work formats. We received responses from 20 organizations.

⁶ A write-up of our literature review can be found at Appendix C.

Acknowledgements

We want to acknowledge and thank *Salena Copeland* and *Zach Newman*, our primary thought-partners at LAAC, in this endeavor. We extend our gratitude to those who graciously spoke with us as we were first beginning to design the process, who also provided incredible contributions: *Silvia Argueta; Catherine Blakemore; Diego Cartagena; Tiela Chalmers; Cristina Dos Santos; Lisa Douglass; Jenny Farrell; Sarah Galvan; Elizabeth Hom; Bonnie Hough; Phil Hwang; Andy Imparato; Doan Nguyen; Pablo Ramirez; Julia Wilson; and Lauren Zack*. We also are grateful to the numerous leaders and staff members from the responding organizations who made time to complete the survey, participate in our May meeting to receive feedback, and who responded to follow up questions and calls.

Research Team

Diane T. Chin serves as Associate Dean for Public Service and Public Interest Law and a Lecturer in Law at Stanford Law School. She founded the John and Terry Levin Center for Public Service and Public Interest Law at Stanford and was a co-founder and Acting Director of its Center for Racial Justice. Prior to entering the academy, Diane served as a civil rights and public interest attorney as well as a nonprofit executive director. She is committed to bringing Stanford Law School's resources to support the work of the public interest, nonprofit legal sector and to teach and train new generations of public interest attorneys.

Bridget Morrison is a rising third-year student at Stanford Law School and Masters in Public Health Candidate at the Johns Hopkins Bloomberg School of Public Health. Between receiving her B.A. in International Relations from Stanford University in 2015 and starting law school in 2020, she pursued systemic reform work on behalf of children in foster care and in juvenile justice facilities, worked as a political organizer, and worked in mental healthcare reform. Last summer, she worked at the San Francisco Public Defender's Office. Ultimately, she hopes to utilize her JD/MPH and prior work experience to help people with mental health conditions in California, especially those at risk of being incarcerated for manifestations of their unmet needs. She is grateful for this opportunity to serve as a Research Assistant and to be exposed to the remarkable work, resilience, and innovation of California's legal aid sector.

Sherah Tan was a Stanford Program for International Legal Studies (SPILS) Fellow, who received her JSM candidate from Stanford Law School in June 2022, and is a member of the Singapore Bar. Her SPILS thesis, "*Whither Exploitation: Understanding 'Exploitation' for the Purposes of Prosecuting Human Trafficking*," was spurred in part by her fellowship experience in the Bangkok field office of International Justice Mission where she, as part of a local team, collaborated with Thai authorities to research and advocate for legal reforms in Thailand to ensure better outcomes for labor trafficking victims. Prior to her full-time pursuit of public interest law, she practiced as a commercial litigator and arbitration lawyer in Singapore. She is very grateful to Diane, Mike, Bridget, Salena, and Zach for their patience and guidance throughout this project, and remains in constant awe of the stalwarts of the legal services sector who have found it in themselves to keep pursuing justice in these difficult times.

Michael Winn is the Director of Pro Bono and Externship Programs and a Lecturer in Law at Stanford Law School. Mike regularly engages with California legal services organizations to develop and steward student pro bono projects and to place student externs with their organizations. Previously, Mike was Directing Attorney for OneJustice's Pro Bono Justice program. Before joining OneJustice, Mike served as interim executive director at Start Small Think Big, and at the start of his legal career was a litigation associate at Weil, Gotshal & Manges in New York. Mike holds a certificate in nonprofit management from his participation in OneJustice's Executive Fellowship program and is currently board president for Dolores Street Community Services in San Francisco.

Survey Result Highlights

- ❖ A significant majority (82%) of organizations plan for **hybrid workplaces** moving into the future, largely in response to staff feedback and preferences.
- ❖ A majority of respondents (59%) allowed staff to **work remotely from out of state**, and some organizations (20%) have already decided to continue allowing this moving forward.
- ❖ Many organizations (31%) changed their **management structures** during the pandemic, and a strong majority (76%) added new staff positions.
- ❖ Many organizations (39%) reported **increased staff turnover** because of the pandemic.
- ❖ A significant majority (70%) of organizations changed and increased **wellness supports**, policies, and programs for staff.
- ❖ A vast majority (98%) of organizations **enhanced staff access to technology, supplies, and internet access** through increased financial support and other resources.
- ❖ A majority (62%) of respondents indicated they **accelerated internal work related to diversity, equity, and inclusion** during the pandemic, and a similar number (65%) adapted or changed programs and services to address equity issues faced by their clients.
- ❖ A vast majority (98%) of respondents plan to continue to offer **remote appointments for clients**.
- ❖ A significant majority (73%) of organizations saw a **difference in the types of cases** they worked on during the pandemic, including increases in the need for non-eviction housing services, unemployment benefits work, and family law-related work.
- ❖ A decrease in **pro bono engagement** was reported by 66% of the organizations, but 34% instead saw an increase in engagement.
- ❖ Many organizations (40%) created **new programs to engage pro bono lawyers and law students**.

Report on Survey Findings

Changes to Work Arrangements

Work Locations

As of April 2022, a majority of legal aid offices continued to have remote workforces, with a significant number being fully remote (82% and 14%, respectively). A vast majority (82%) of organizations plan for their workforces to remain hybrid in the future.

During the pandemic, organizations used a spectrum of alternative work arrangements from full-time remote work to flexible work hours and shared hot-desking. Workplace policies that previously prevented remote or hybrid work were changed and are likely to continue to be more flexible and agile moving forward. A slight majority of the respondents (56%) indicated a change in policy that would allow positions to work from home that previously had not been allowed. Thirty respondents allowed staff members to work remotely outside of California. Ten will allow this moving forward, while 24 will not, and 17 have not yet decided whether they will.

There is an evolving debate about what “in-person” work means in the sector. For some, it means ensuring clients have the opportunity to meet in-person with legal aid staff. We heard many descriptions of attorneys and other staff who met with clients at their clients’ homes or at community centers or churches, while doing so-called “desk work” from their homes. For others, “in-person” work means having staff

physically together, which necessitates at least hybrid in-office schedules to ensure staff are spending some of their working time in the same physical space.

Among organizations there were varied approaches related to who has been required to be in-person in the office and those allowed to work primarily or entirely from home. Of those organizations who exhibited a difference based on employee designation, most required their clerical/administrative staff to work in-person in their offices.

However, for at least one organization,

administrative staff worked from home, while legal staff and/or management team members were required to be in the office to check mail and make bank deposits. One respondent

noted that it was less about titles of positions and more about the duties of the positions that dictated a requirement to work in their office. Another respondent used a balancing of four factors to determine changes: “the extent to which in-office presence is required for work, the proximity to the office of the employee’s residence, the needs of individuals at home, and maintaining office culture.”

Other issues that were identified as impacting how decisions were made about requiring staff to be in-person in offices included:

A vast majority (82%) of organizations plan for their workforces to remain hybrid in the future.

- Safety of staff and clients and the ability to engage in physical distancing within the office space;
- Ability of staff to achieve more balance and to focus on self-care and mental health;
- Whether staff had adequate space in their homes to effectively work;
- Impact of the digital divide on clients being able to access remote services;
- Staff family situations, including the availability of dependable child care, whether family members are at high risk of medical complications, etc.;
- Impacts on productivity; and
- Where staff lived in proximity to the office, including the fact that some staff were hired who are out of the area.

Ten of the 51 respondents specifically mentioned staff preference, staff morale, or staff retention as a reason to allow remote or

hybrid work. One respondent wrote, “Staff are insistent. We can’t compete with other legal aids if we are not hybrid.”

However, there were also comments made about the downsides to remote work, including a detrimental impact on office/team culture and the difficulty of onboarding, supervising, and providing professional development, especially for newer or younger staff.

Not all organizations are developing office-wide policies. Several organizations are

allowing supervisors to make decisions with each of their staff based upon individual circumstances and work responsibilities.

Approaches to Lawyering

A number of issues surfaced from responses to a question about whether types of lawyering or theories of change impacted decisions about remote or hybrid work. While many organizations cited their commitment to community-based lawyering, organizations differed in their opinions about whether this required staff to be in-person *and* in their offices.

Several respondents noted that being connected to the communities where their

offices are located means that 100% remote work is not feasible. Others indirectly raised the question about how “in-person” is defined within the sector right now. Meeting with clients “where they are” does not necessarily mean in a legal aid office but could

be at alternate sites that are more convenient to the clients. One organization indicated that not requiring clients to travel long distances to meet with a lawyer altered the power dynamics in positive ways. However, during several interviews conducted prior to the survey drafting and dissemination, it was noted that the inability of clients to drop into offices at their convenience for intake or brief services could have had a detrimental impact, particularly for clients of color.

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Changes to Staffing, Personnel Policies, Office Use & Fundraising

New Positions Created to Address Remote Work

Eleven out of the 51 respondents created new positions to address remote work issues. The titles and functions for these positions included: IT positions; a consultant to help switch to a new case management system; a quality assurance/database coordinator; a Legal IT manager (“to facilitate staff training of the platforms we use for remote work”); social media specialists; tech analysts and developers; an operations manager; a COO; a new Head of IT (“to help us think strategically about the use of IT”); and a year-long fellowship position to focus on “increasing our clients’ access to our services through technology.”

Staff Restructuring and Turnover

Sixteen organizations changed management structures during the pandemic. Several groups noted a need for more intensive supervision and the creation of more layers of supervisors and managers. Because some organizations that include a housing practice experienced a growth in their numbers of staff attorneys, they needed to create more management positions to review cases. Thirty-nine respondents reported adding staff (attorney and other) positions during the pandemic.

Twenty-one organizations experienced some form of leadership transition during the pandemic, but, for the most part, these

appeared to be planned resignations or transitions.

Twenty organizations reported that the pandemic increased staff turnover. Cited reasons for staff resignations during the pandemic included family issues (e.g., lack of childcare, unstable school access) (8%), work-related issues (e.g., compensation, workload) (32%), and health issues (8%). Additional reasons that were described included moving out of the area, shifting into government work with the new administration, and planned retirements.

Pipeline and Hiring Challenges

Organizations had been facing challenges to bringing on new staff attorneys even before the pandemic. Almost half (49%) of the respondents found that the pandemic decreased applicant pools and the pipeline for new

hires. Comments related to these issues noted that there have been fewer applications for positions, that there is a need for more bilingual attorneys overall, and that there is a feeling that all of the legal aid programs are essentially competing over the same pool of applicants within similar positions.

In response, a little under one-third (29%) of the organizations created new options for bringing on newer attorneys, including:

- Increased outreach directly to third-year law students and hiring recent graduates;

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- Expanded recruitment with a diversity focus, nationally and with law schools that had significant BIPOC enrollment;
- Creation of post-graduate fellowships with law schools; and
- Work with a DEI consultant to identify new recruitment opportunities.

Staff Community-Building

Organizations were creative and resourceful in attempting to build or maintain community during the pandemic. Various groups used icebreakers on Zoom, created new employee groups to gather in smaller clusters online or in-person, and developed committees whose functions were to identify games and fun activities.

Groups actively sought out ways to celebrate anniversaries, new hires, victories, and accomplishments as well as raising up wellness and self-care. When it became safer, outdoor, masked gatherings reinstated some semblance of community and reminded staff of the camaraderie previously enjoyed.

One respondent noted that there was regular polling of staff to identify workplace issues, which was well-received. Another described how, for its holiday party in 2020, the executive director delivered gifts to each staff member, followed by a Zoom gathering where everyone opened their gifts at the same time.

While every staff member did not necessarily respond to every type of effort, they for the most part appeared to appreciate that an effort was being made. Several

respondents commented that rebuilding morale will be a key issue moving forward.

Changes to Wellness Policies and Benefits

A majority of organizations (69%) adjusted HR policies to comply with public health mandates as well as to provide increased wellness supports. Many organizations created training programs around wellness and mental health. One noted creation of a wellness fund for employees. Changes to leave policies were the most identified by respondents, including increases in vacation time (even unlimited), holidays, PTO, and closing early on Fridays. Several groups created the ability to take one or more days

off per month specifically to address mental health issues, without counting toward vacation or sick leave. One organization is piloting a four-day work week.

Twenty-seven organizations intend to maintain the benefits changes moving forward, with many noting

that they are doing so to acknowledge staff, their experiences, and to also remain competitive as employers.

Workplace Adaptations

Fifty out of the 51 respondents provided new levels of support to staff for technology, supplies, and internet. This support took many forms, including stipends or reimbursements for use of home internet (ranging from \$35 to \$125 per month) to purchasing supplies (including computers, monitors, ergonomic office equipment, headsets, printers, etc.) to providing new technology platforms (e.g., Zoom). One

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respondent noted that they reimbursed for rental of a local post office box so attorneys could receive mail from clients near their homes. Others noted the purchase of personal protective equipment, including face masks and protective clothing. One respondent also noted that staff were provided with a comprehensive ergonomic assessment of their home-based workplaces.

Office Space

Ten of the 51 organizations that responded to the survey eliminated or decreased their office space. Several organizations allowed leases to expire, some sublet office space to other groups. A few organizations indicated that they would have decreased or eliminated office space but for the difficulty and/or cost of either breaking or amending current leases. Numerous organizations also indicated that they had implemented shared or flexible office workplaces.

Fundraising

The vast majority of responding organizations received new or additional funding during the pandemic. Over a quarter received Federal emergency funds, and nearly the same amount received new or additional foundation grants. Just over 20% received new or increased government contracts or State-funded grants. Only about 17% said they saw new or increased individual donations, and even fewer (~4%) saw increases in organizational donors or donations through fundraising events.

The inability to invest in technology and infrastructure by many organizations in the

sector became all too apparent with the need to pivot to remote work on virtual platforms to comply with public health mandates. This crisis situation led the California legislature, in 2021, to create a \$5-million-dollar fund for “infrastructure and innovation” grants to legal aid nonprofits, which are distributed by the California Access to Justice Commission.

Many respondents expressed concerns about the sustainability of both improvements to client services and workplace policies with the expiration of certain funding. As noted elsewhere, legal aid groups have faced difficulty with attorney recruitment and retention before and throughout the

pandemic. The need to increase technological capacity and maintain new software and other tech, create new positions to manage necessary organizational and service delivery changes, and improve financial and other support to a hybrid workforce creates greater

financial burdens and challenges for the legal aid community at large.

Collaborations Across Legal Aid Organizations

Twenty-one of the 51 respondents described increasing their collaboration with other legal aid groups during the pandemic. Increased collaboration was spurred by the need to stay on top of legal developments impacting services and clients (e.g., rent moratoria), to improve coordination of services to meet higher client needs, and to share information about operations. New listservs were created to exchange

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information and some found that the ease of meeting online allowed for more frequent attendance at established meetings.

Recommended Platforms

Slightly less than half of the responding organizations (45%) recommended particular platforms for facilitating effective remote work. Recommended platforms include:

- [Slack](#), a messaging program designed specifically for the workplace;
- [Zoom](#), a video platform used for meetings, chat, phone, webinars, and online events;
- [Google Drive](#), a file storage and synchronization service developed by Google;
- [Microsoft Teams](#), a workspace-chat and videoconferencing platform that also offers file storage and application integration;
- [WhatsApp](#), a free messaging application, used for texting clients;
- [Salesforce](#), a customer relationship management software;
- [Basecamp](#), a real-time communication tool that helps teams stay on the same page;
- [Cvent](#), a software tool for event planners and marketers for online event registration, venue selection, event management and marketing, and attendee engagement;
- [Jamboard](#), a digital whiteboard that lets staff members collaborate in real time;
- [SignNow](#), a platform that provides electronic signature technology;
- [LegalServer](#), a case information management system, tailored specifically for organizations that provide legal assistance to low-income and vulnerable populations;
- [LawYaw](#), a document automation software that helps legal practices save time and avoid mistakes without sacrificing quality (note, however, that one organization did raise concerns over its data collection policies);
- [Docusign](#), a platform that allows organizations to manage electronic agreements;
- [Egnyte](#), a platform that enables cloud-based document recovery;
- [Signal](#), an encrypted instant messaging service;
- [DialPad](#), a communications platform that connects teams through voice, video, messages, and online meetings;
- [Asana](#), a project management tool that helps teams organize, track, and manage their work;
- [EasyRetro](#), a retrospective tool used for sprint-session discussions of what went well and what did not. It enables teams to easily identify obstacles and discuss ideas for improvements;
- [NetDocs](#), a cloud-based document and email management service; and
- [PowerDMS](#), a software platform designed to recruit, train, equip, and protect employees and used for policy management, community engagement, and staff scheduling.

Diversity, Equity & Inclusion Initiatives

The pandemic and its impacts highlighted the stark, systemic inequities that continue in our country. These inequities were brought even greater attention with the widely broadcast murder by Derek Chauvin of George Floyd and the racial reckoning that followed.

While many organizations had pre-existing programs, committees, or policies related to diversity, equity, and inclusion at their workplaces before 2020, most legal aid organizations (62%) accelerated that work during the pandemic. The following showcases the most common efforts pursued by respondents:

- 33 respondents reported increasing or altering staff training;
- 26 groups engaged with their board members to address DEI policies and practices;
- 22 organizations created new internal policies to support DEI efforts;
- 15 groups hired a DEI consultant;
- 15 added new DEI/racial justice responsibilities to an existing position; and
- 6 organizations created a new position focused on DEI.

Organizations reported budgeting to hire consultants, to provide more training for staff and board members, reviewing value and mission statements, creating new employee groups or committees, and adding specific DEI goals to strategic plans. Several groups engaged in an internal review of policies and created more formal opportunities for staff to discuss

organizational climate and culture. One organization noted that it asked its workgroups to adopt racial justice components to their work if they had not already and created a targeted summer internship, with funding, for law students of color.

A majority of organizations (65%) also adapted or changed programs and services to better identify and/or address equity issues for their clients. Examples of these activities include:

- Conducting a demographic survey to identify low-income, Black communities throughout the state and expanding clinic locations accordingly;
- Partnering with historically Black churches to provide services and conduct outreach;
- Increasing the collection of demographic information for all clients;
- Explicitly focusing on racial justice in creating case priorities, where before it was one of many factors;
- Increasing outreach to communities of color with new staff hired for this purpose who share the lived experiences with client communities;
- Contracting with community organizations located in historically underserved populations; and
- Reframing advocacy campaign language to be more explicit about the priority of racial equity.

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Changes to Client Services

Shifting Needs, Changing Demographics & Hard-to-Reach Communities

A significant majority (73%) of respondents indicated they saw a difference in the types of cases they worked on during the pandemic. Many organizations saw increases in the need for non-eviction housing services (*e.g.*, nuisance cases, breach of lease cases, landlord/tenant cases). Because it was harder to get into court, one organization saw an increase in mediation services. Some organizations saw increases in unemployment benefits work and various family law-related work (*e.g.*, restraining order continuances, visitation cases, other DV-related work).

A significant number of organizations saw changes to the demographic compositions of their clients. Those changes varied across organizations. One saw more unhoused people, while others saw an increase in clients who were above 200% of the federal poverty threshold, clients in so-called “white collar” professions, English-speaking clients, and white clients. An organization in Southern California saw fewer African American clients, while others saw decreases in elderly clients and clients from rural areas.

Many organizations found it noticeably harder to reach elderly clients. Respondents cited technological knowledge as a significant reason for the difficulty in reaching elderly clients. Other clients that organizations found hard to reach included survivors of domestic violence, youth at residential halls and camps, unhoused people, non-English speakers, and individuals living in rural areas.

Adapting Client-Facing Strategies

Most organizations adapted their outreach strategies during the pandemic, and most adjusted their strategies specifically to get to harder-to-reach communities and individuals. Organizations moved to virtual platforms and relied more on Zoom and other platforms to connect with potential clients. Some organizations stopped in-person outreach entirely, depending solely on hotlines, referrals, websites, social media, and video presentations. Other organizations started buying advertisements in local media publications. Several updated their websites to be more oriented toward potential clients. One organization, however, went—as they called it—“old school” and focused more on in-person outreach by placing flyers in ethnic markets and stores, as well as in the free lunch boxes circulated by the local school district. A significant majority of respondents held trainings and know-your-rights events remotely, with only a few holding in-person events either at their offices, outdoors, or in other indoor, community-based settings.

Organizations found several outreach strategies to be particularly effective. Several organizations noted that utilizing existing relationships with nonprofits—and building new ones—were effective methods of drawing clients to their organizations. And, more than half of respondents said they established new partnerships with community-based organizations during the pandemic specifically to facilitate client outreach. Targeted outreach through media ad-buys and flyering in particular locations also was cited as successful in drawing more clients from those targeted communities.

Other organizations lamented that their outreach efforts during the pandemic were not particularly affective.

The vast majority of organizations conducted intake through remote means, including by video conference, phone, and online forms available on their website. The most popular means for intake among respondents were video conference and phone. In-person intakes were exceedingly rare among respondents, with only 12% saying that they offered this option to potential clients. Many organizations changed their staffing configurations in response to shifting intake processes. Several organizations added new positions, including increased intake paralegals and receptionists.

Dealing with Changed and Inconsistent Court Systems

Legal services organizations had to grapple with many changes to the way that courts worked in California. Responding organizations had mixed feelings about those changes. Among the changes that were seen as positive by some respondents included improved online filing systems, and virtual hearings. But, in some contexts, virtual appearances were seen as more negative than positive, including in immigration court and eviction hearings. One issue noted by several respondents was the inconsistent response from different courts (or even courtrooms within the same court). This made it difficult not just for staff attorneys, but also for instructing pro bono attorneys on how to navigate different courts.

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Impact on Pro Bono Engagement & Organizational Responses

The impact on pro bono programs varied greatly between responding legal services organizations. Over 66% of responding organizations said they saw a decrease in pro bono engagement (of both attorneys and law students). One respondent noted that law firms and law schools were experiencing their own challenges, including increased turnover at law firms, which reduced pro bono levels. Another noted that pro bono attorneys wanted bite-sized work, shying away from more long-term projects. And one organization noted that some pro bono attorneys were afraid to make in-person appearances in court.

A significant portion of respondents (around 34%), however, saw an increase in participation. At least two organizations saw an initial decrease, but then a significant

increase after a few months. One of those responding organizations noted that this increase came after the creation of a new pro bono program formed during the pandemic. Another noted that remote volunteering options have kept pro bono volunteers engaged.

Confidence in pro bono attorneys fell among nearly a third of respondents, with the remainder feeling more (~12%) or equally confident (~56%) in pro bono attorneys.

Over 40% of respondents developed new programs aimed at engaging pro bono attorneys and law students during the pandemic, and those organizations were

significantly more likely to have reported an increase in pro bono engagement.

Unsurprisingly, most new programs were remote or virtual in nature. New programs included:

- Unlawful detainer answer preparation project;
- Remote eviction clinics;
- Emergency rental assistance programs;
- COVID-19 related rental debt assistance programs;
- DACA and asylum representation clinics;
- Small business assistance clinics; and
- “Court Watch” program.

Planning for the Future

Every respondent except one said they planned to continue offering remote appointments for clients after the pandemic. Many respondents noted how remote appointments help particular clients access their services, including clients with mobility challenges, those who lack good transportation options, those with childcare needs, and those with the inability to take

time off of work. One organization noted the general convenience of remote appointments, saying: “This was a long time coming. Simply stated, a client could literally take hours to keep an in-office appointment. The efficiency and convenience to the client simply cannot be ignored.”

Nearly every respondent identified client-facing innovations or changes that they plan to keep moving forward. Several respondents told us that they plan on keeping all of their innovations/changes, while others identified specific elements of their new ways of working with clients. Some specifically identified incorporation of technological systems as things they would keep, including using SMS to receive documents from clients, online forms used to gather information from clients, online intake systems, and—of course—use of video conferencing to communicate with clients. Others noted programmatic changes, including a racial justice campaign started during the pandemic and a general prohibition on walk-in clients.

Conclusion

California's legal aid service providers have faced this unprecedented economic, public health, and social justice set of crises with grace, courage, and dedication. They have much to be proud of.

The community of legal aid service providers has always faced and overcome challenges. The obstacles they confronted and continue to deal with due to the pandemic, however, are among the most difficult they have had to tackle. We know that lawyers, administrative staff, paraprofessionals, IT specialists, and so many others provided critically important support and services during this time.

Legal aid service providers are the first responders to civil legal catastrophes and disasters. When our systems fail to provide for those who are least supported in our society, it is legal aid providers who partner with their clients and communities to find solutions and try to repair the broken safety net – sometimes with duct tape and fishing line, or their legal equivalents, due to scarce resources and the limited commitment of policy makers and philanthropy to provide the funding truly necessary for these important services. During a period of time when those without means experienced so many losses, legal aid service providers stepped forward into the breach.

These organizations have met clients where they were, showing up on their front stoops to sign documents, pivoting quickly to remote services, and creating new processes to ensure the most vulnerable clients did not fall through the cracks. Staff across the state were “willing to do whatever it would take to ensure a client could be seen and

assisted.” Even “when times got really tough,” organizations established new practice areas; created new ways to keep clients and partners abreast of the ever-changing regulatory landscape; implemented novel systems to protect vulnerable populations, including systems involving youth, seniors, immigrants and their families, children with Individual Education Programs, people experiencing incarceration, and people at risk of eviction; expanded their networks of support through virtual trainings; pursued new legislative advocacy projects; and worked hard “to keep [their] clients healthy and safe at the same time that [they] worked to keep [their] staff healthy and safe.” Organizations are planning on continuing to implement the practice changes that enabled them to better serve clients during the pandemic, including heightened use of video-conferencing and virtual training, when appropriate.

Amid myriad internal challenges (including turnover, profound uncertainty, and leadership transitions), organizations established new benefits and management systems, cultivated cultures of care and belonging, modernized their case management systems and processes, and were more intentional about pursuing racial equity and anti-racism.

Of course, challenges are still ongoing. Many respondents noted that staff are perhaps exhausted, disengaged, or facing their own personal, family, and health challenges. Funding is still too limited and unstable. The transition to new technologies is not always smooth and management of a remote workforce can be very difficult, as we all learn how to better address the

blurring of lines between home life and work life and try to protect against burnout.

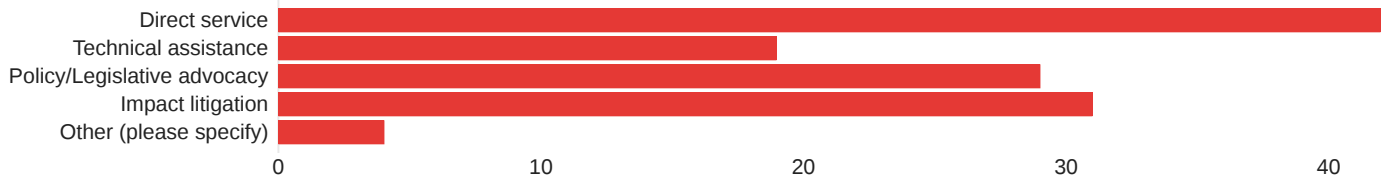
An important conversation has started about the relationship between serving clients and supporting staff that will, and must, continue. Two quotes summarize the sentiments of many who shared what they have learned emerging from their experiences since March 2020:

- “The pandemic has been hard on staff and our clients but we are coming out of it a stronger organization but with many lessons learned on how we can improve our capacity to serve and how small things matter, [e.g.,] a day off; creating a book club to show staff that the organization cares about them. And that our clients must be front and center when making decisions about how we operate.”
- “Part of the reason why this is all important - whether it be re-opening the office and having staff work on a hybrid schedule or improving our technology - is that we think it improves clients’ ability to access our services. It’s important that we care for our staff and address their needs, but at the end of the day we’re here to serve clients. Everything we do should in some way, shape or form enhance our services to clients and ultimately make their lives better.”

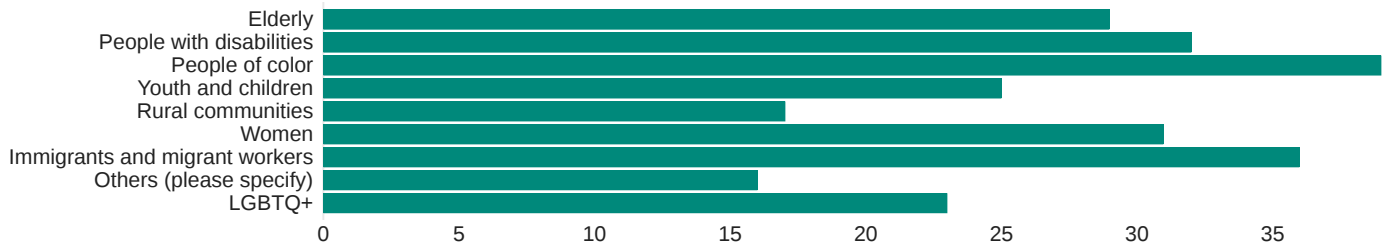
We are honored, and grateful, to describe and highlight the resilience, creativity, and commitment this community of professionals has shown during these troubling years. We thank them for their service and dedication.

APPENDIX A: Results of Initial April 2022 Survey (Narrative Answers Excluded) Based on 51 Complete Responses

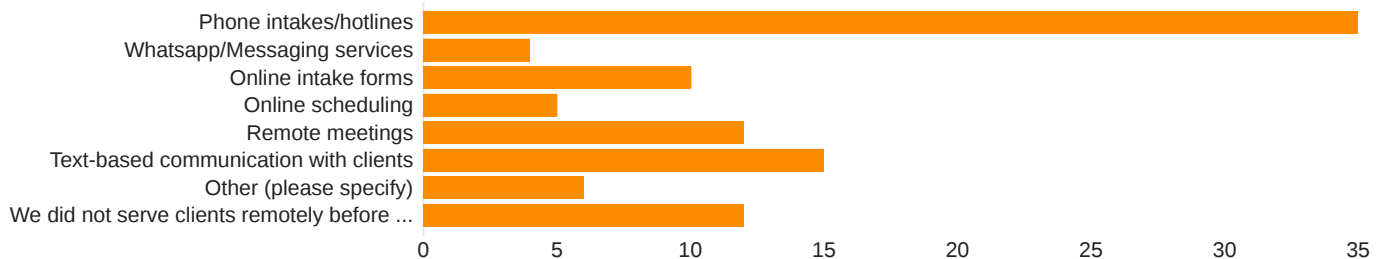
What kind of legal services does your organization provide? Check all that apply:



Who are the primary client communities you serve? (Check all that apply):

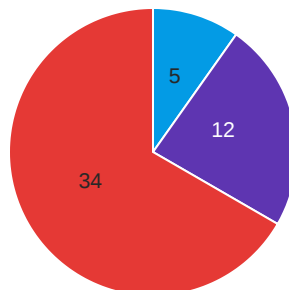


In what ways did you serve clients remotely BEFORE the pandemic? Check all that apply:

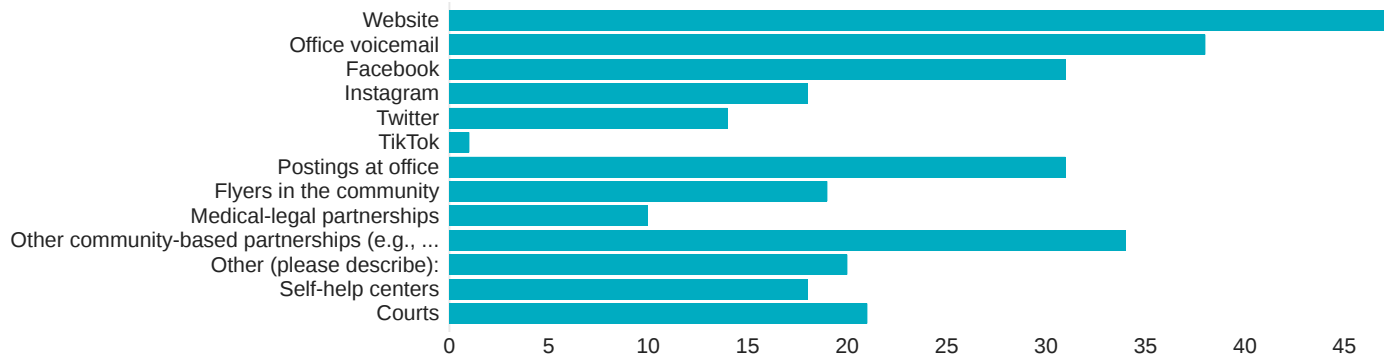


Did your client outreach strategies change during the pandemic?

● No ● Somewhat ● Yes

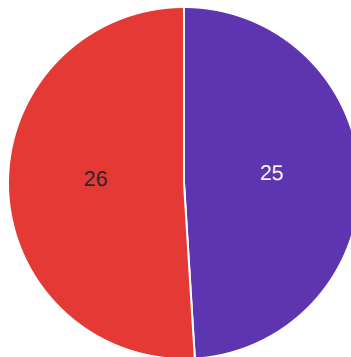


During the pandemic, how have you communicated with clients about how to access your services? Check all that apply:

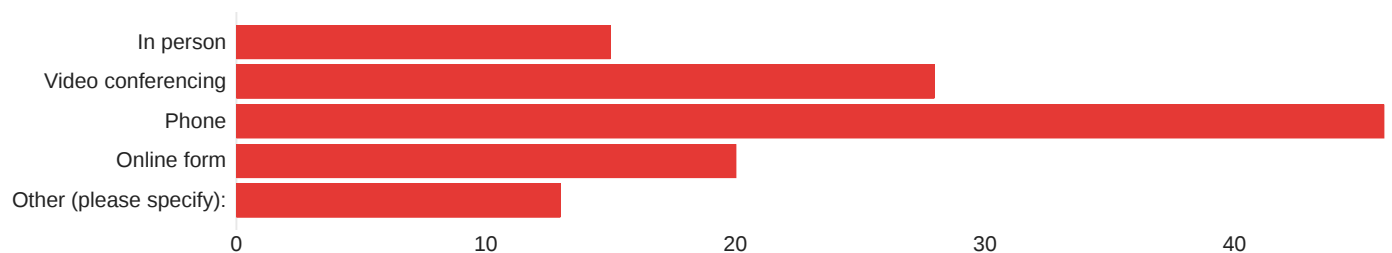


Did you establish any new partnerships with community-based organizations to facilitate client outreach during the pandemic?

● No ● Yes

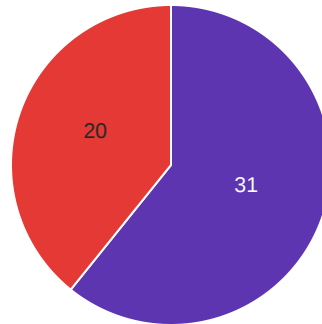


How did you offer intake to clients during the pandemic? Check all that apply:



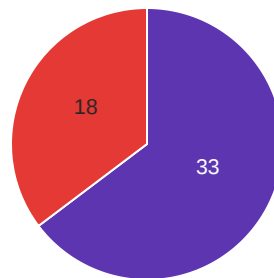
Did you change the staffing configurations of your intake processes in any way in response to the pandemic?

● No ● Yes



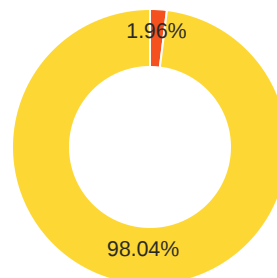
Did you notice a change in the demographics of clients (e.g., more rural, more elderly, etc.) who used your services?

● No ● Yes

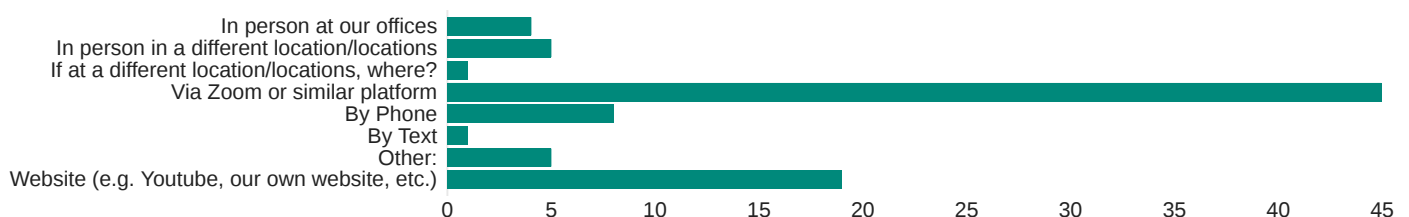


Do you plan to continue to offer remote appointments for clients after the pandemic?

● No ● Yes

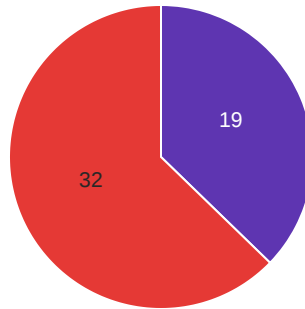


How and where did you conduct client Know Your Rights or other trainings during the pandemic? Check all that apply:



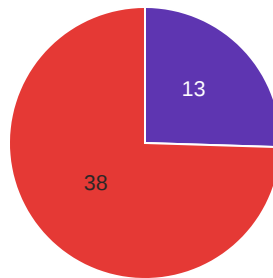
Did you adapt outreach strategies to try to reach these harder-to-reach populations in particular?

● No ● Yes

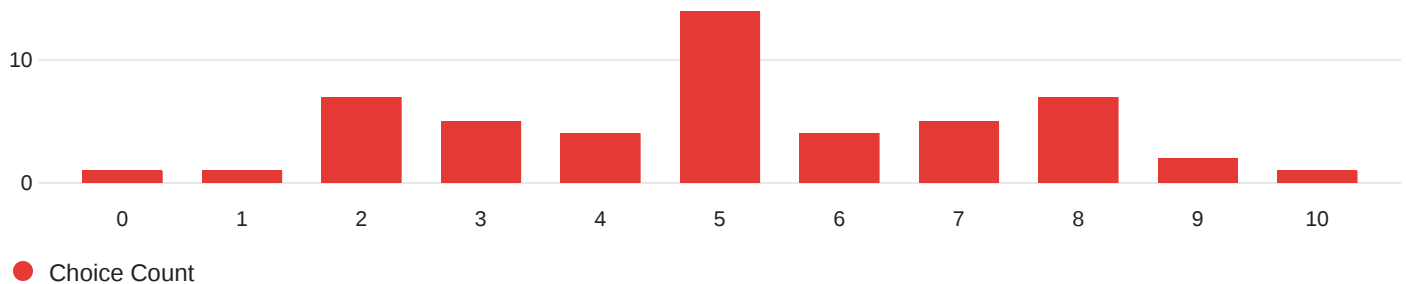


Did you see a difference in the types of cases (i.e., substantive legal needs) you worked on during the pandemic?

● No ● Yes

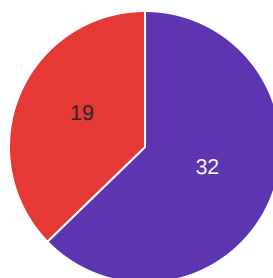


On a scale of 1 to 10 (1 being the most negative, 10 being the most positive), how did you feel about courts' changes in response to the pandemic?



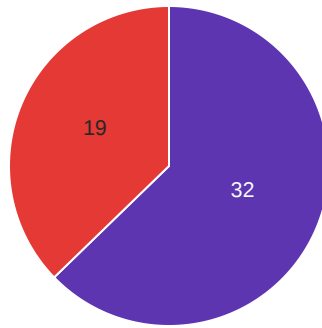
Did you adapt your outreach programs or client services based on the racial reckoning following George Floyd's murder and the subsequent activism?

● No ● Yes

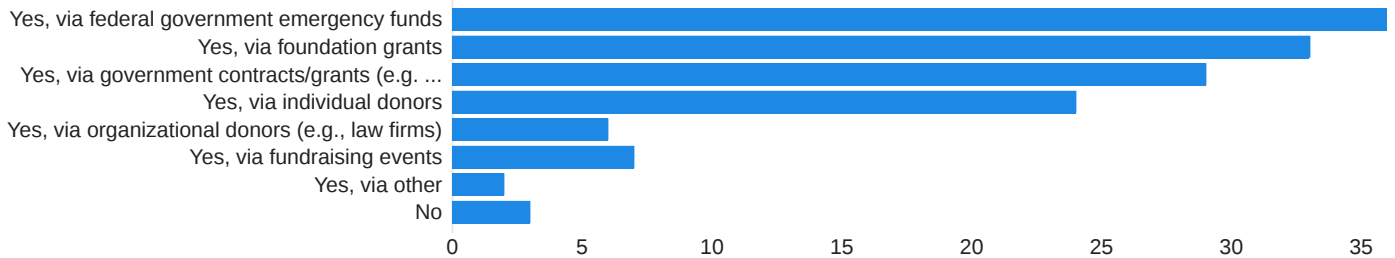


Were there barriers to adopting changes that you wanted for your organization?

● No ● Yes

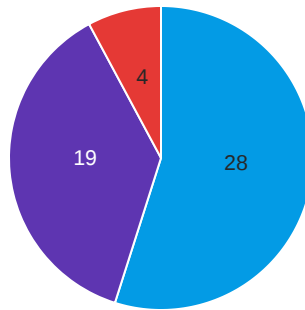


Did you receive new or additional funding during the pandemic (check all that apply):



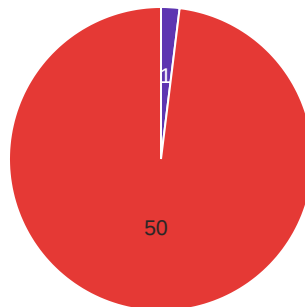
If you saw increases in funding, do you expect these funding increases to be sustained?

● Unsure ● No ● Yes



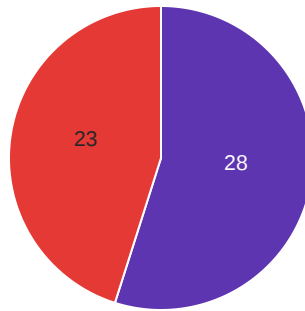
Were you able to provide financial support for technology, supplies, and internet to your staff?

● No ● Yes



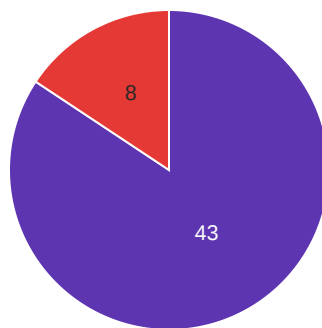
Do you recommend particular platforms for facilitating effective remote work?

● No ● Yes



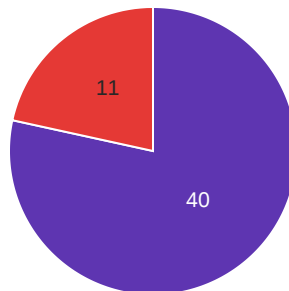
Did you encounter any cybersecurity issues with platforms you used during the pandemic?

● No ● Yes

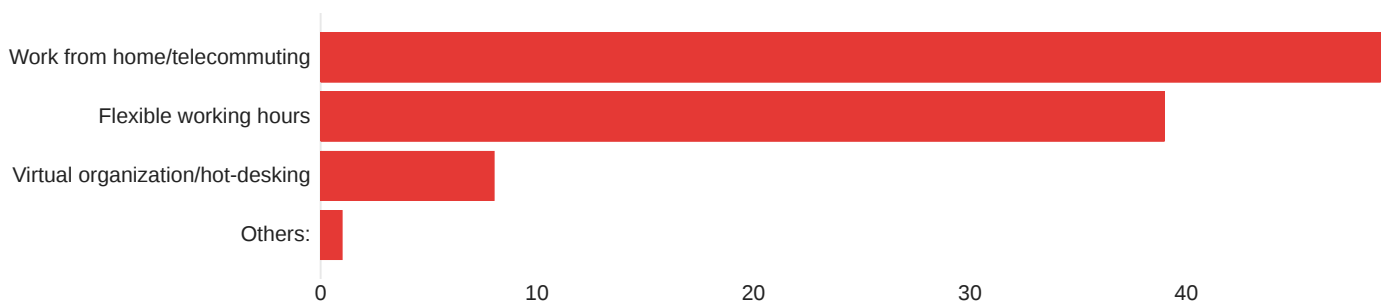


Did you create new positions to deal expressly with technology and remote work during the pandemic?

● No ● Yes

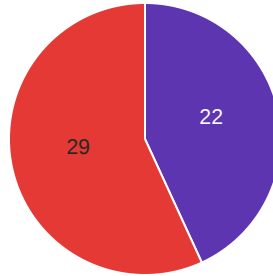


What kind of alternative work arrangements did your organization adopt? Check all that apply:



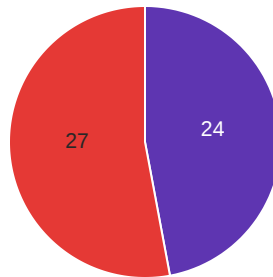
Have you changed your policies to allow for any positions that were previously in-person (before the Pandemic) to now work from home indefinitely into the future?

● No ● Yes



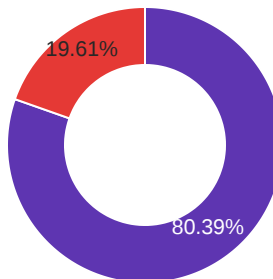
Did changes in work arrangements differ based on employee designation (e.g., attorneys, administrators, etc.)?

● No ● Yes



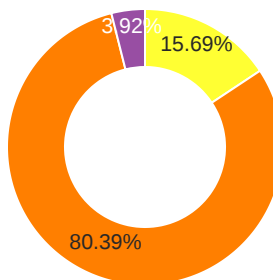
Did you eliminate or decrease your office space during the pandemic?

● No ● Yes



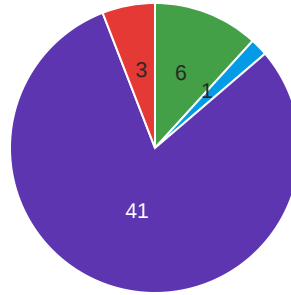
How would you describe your workforce at the moment?

● Fully remote ● Hybrid (both remote and in person) ● Fully in person

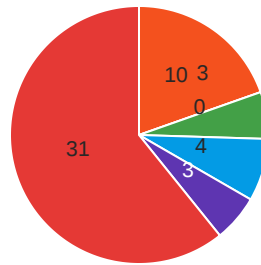


Moving forward, do you plan on your workforce being:

● Undecided
 ● Fully remote
 ● Hybrid
 ● Fully in person



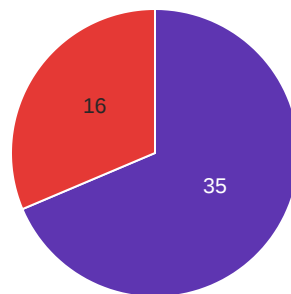
If you are bringing staff back to the office (even if not full time for all employees), when are you planning to do so?



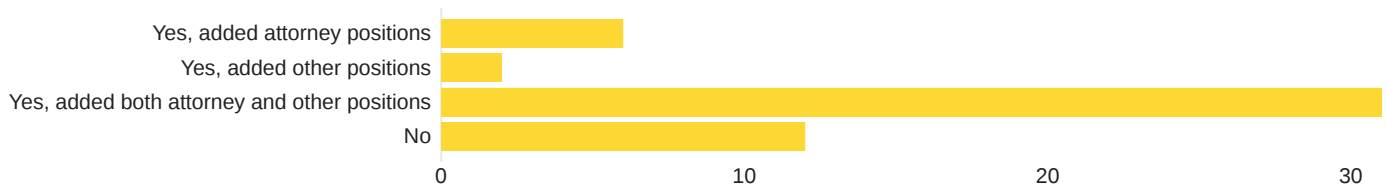
● Other:
 ● Early 2023
 ● Fall 2022
 ● Summer 2022
 ● Spring 2022
 ● They are already back

Did you change your management structure (team structure, supervision structure, reporting structure) during the pandemic?

● No
 ● Yes

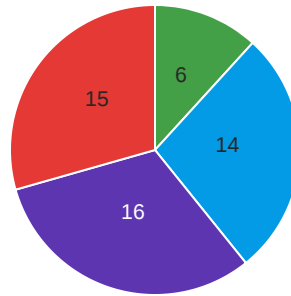


Did you increase the size of your staff during the pandemic? Check all that apply:



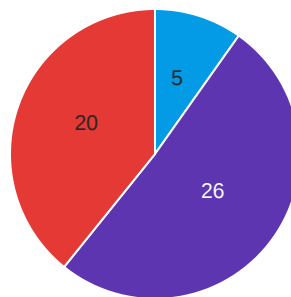
How did collaboration within different offices/departments change during the pandemic (i.e., from March 2020 to December 2021)?

● Not Applicable ● Decreased ● Stayed the same ● Increased



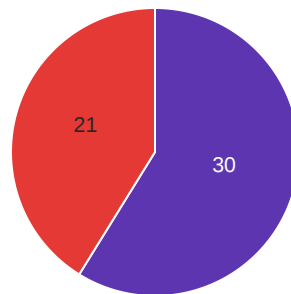
How did the pandemic affect staff turnover?

● Decreased turnover ● Remained roughly the same ● Increased turnover

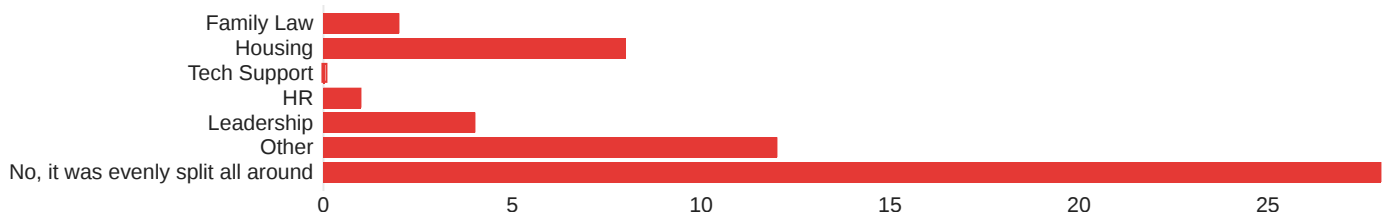


Did your organization undergo leadership turnover during the pandemic?

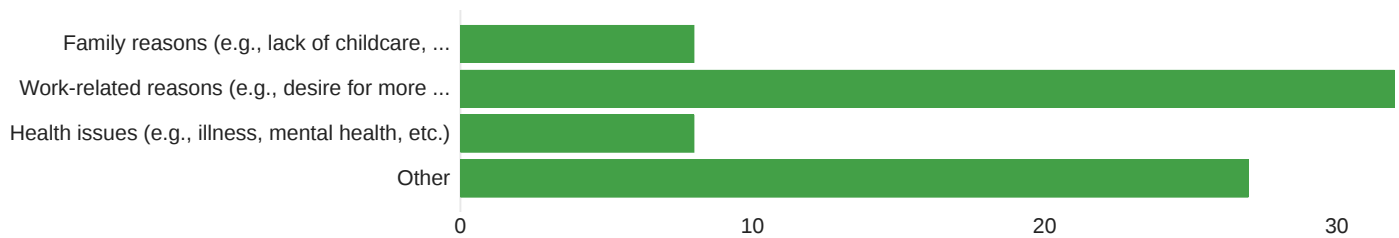
● No ● Yes



Were there particular practice areas where staff seemed to retire/resign at higher rates?

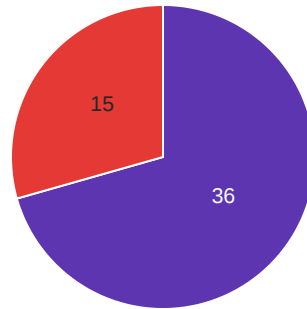


What were the cited reasons for staff resignations during the pandemic? Check all that apply:



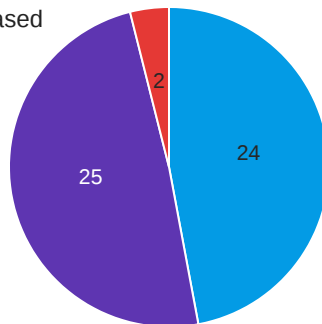
Did you create any new pipelines for hiring during the pandemic?

● No ● Yes



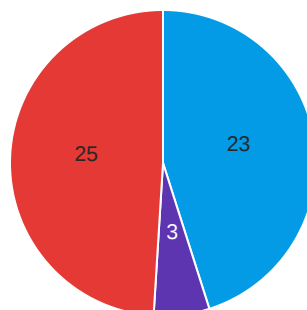
Have you noticed any changes with respect to the pipeline of potential new staff attorney hires as a result of the pandemic?

● No ● Yes, it decreased ● Yes, it increased



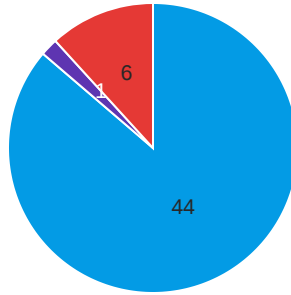
Did you change the frequency of staff and team meetings?

● No, we did not change them ● Yes, we decreased them ● Yes, we increased them



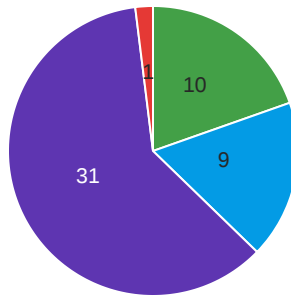
Did you change the composition of staff and team meetings?

● No, they did not change ● Yes, they involved fewer staff ● Yes, they involved more staff



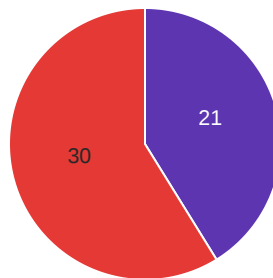
How will staff and team meetings be conducted moving forward?

● Undecided ● Fully remote ● Hybrid (both remote and in person) ● Fully in person



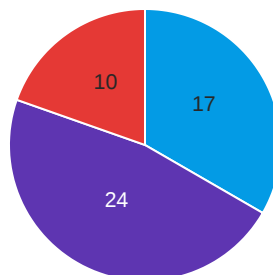
During the pandemic, have you allowed staff members to work remotely outside of California?

● No ● Yes



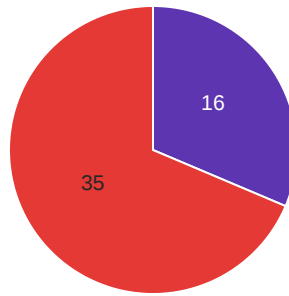
If you have allowed staff members to work remotely outside of California, do you plan to continue to allow out-of-state work?

● Undecided ● No ● Yes



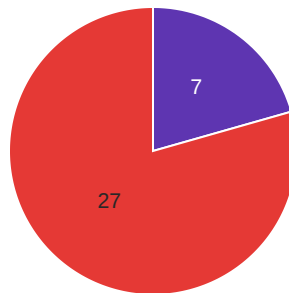
Did you change any benefits, wellness policies, or leave policies during the pandemic?

● No ● Yes



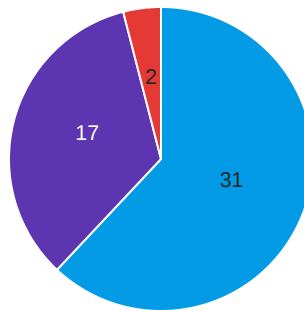
Do you plan on maintaining these changes going forward?

● No ● Yes

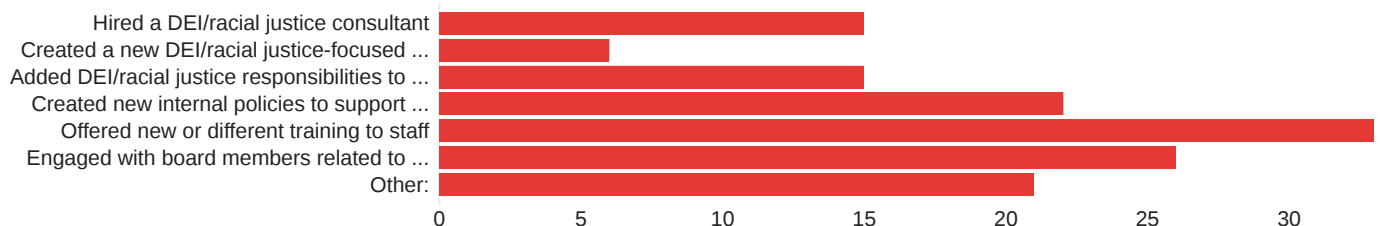


How did the pandemic and/or George Floyd's murder and the subsequent activism change your organization's focus on DEI and racial justice?

● Accelerated ● No change ● Stalled

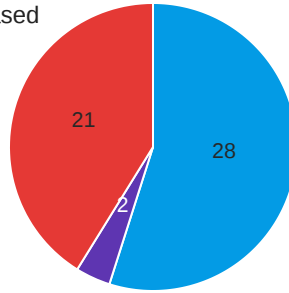


Has your organization done any of the following since the pandemic began? Check all that apply.



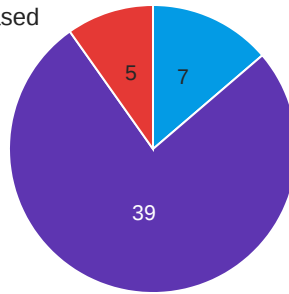
How did collaboration with other legal aid organizations change during the pandemic (i.e., from March 2020 to December 2021)?

● Stayed the same ● Decreased ● Increased



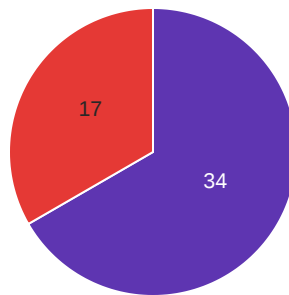
How did collaboration with educational institutions change during the pandemic?

● Decreased ● Stayed the same ● Increased



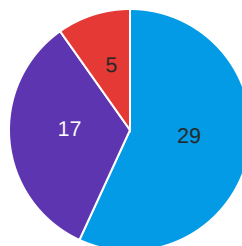
How did the pandemic impact pro bono engagement levels (including both at the attorney and the student/externship/internship level) at your organization?

● Decrease ● Increase



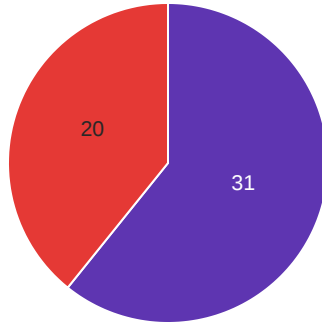
Are you more, less, or equally confident in the ability of pro bono attorneys to work with your clients remotely as opposed to in-person?

● Equally confident ● Less confident ● More confident



Did you develop any new programs aimed at engaging pro bono attorneys or law students during the pandemic?

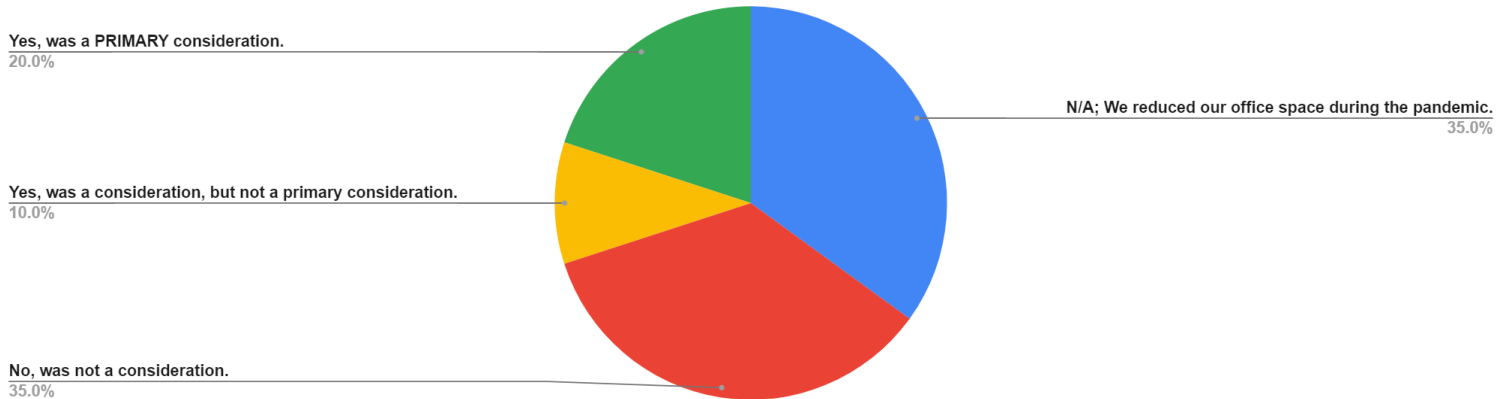
● No ● Yes



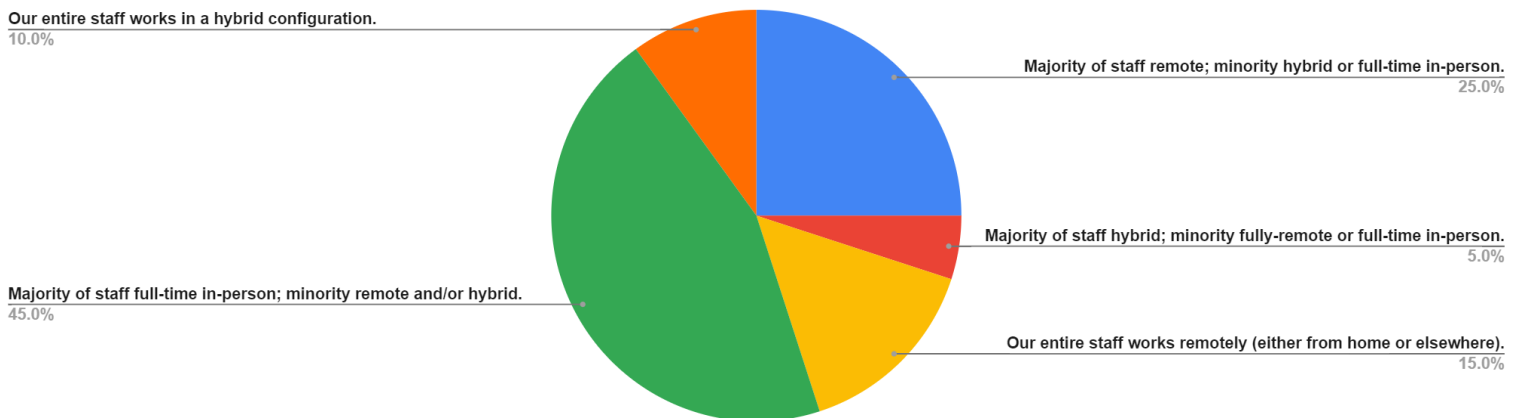
APPENDIX B: Results of May 2022 Follow-Up Survey (Narrative Answers Excluded)

Based on 20 Complete Responses

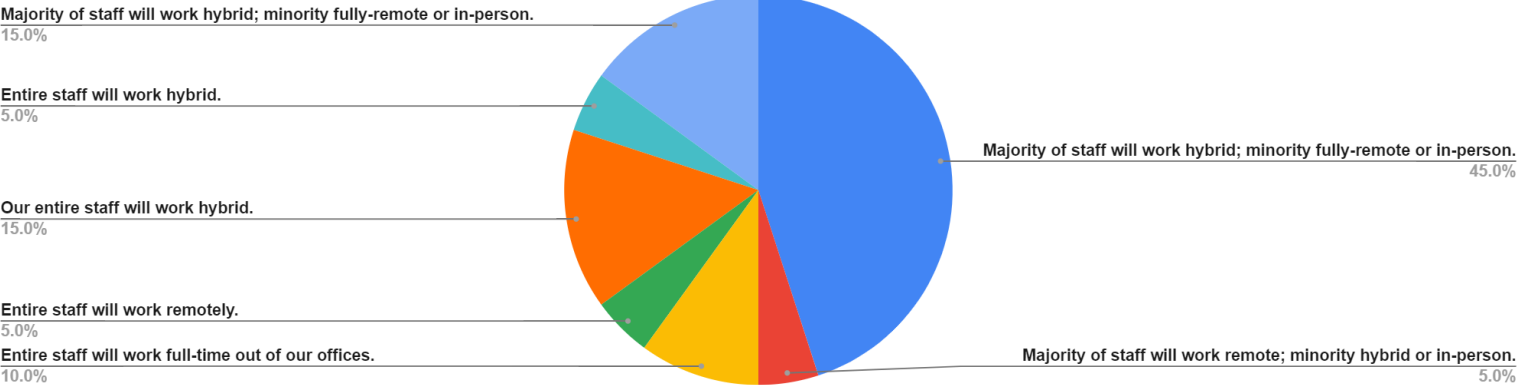
CHANGES IN OFFICE SPACE: If your organization did NOT reduce your office space during the pandemic, was the difficulty and/or cost of breaking or amending your lease a consideration in your decision?



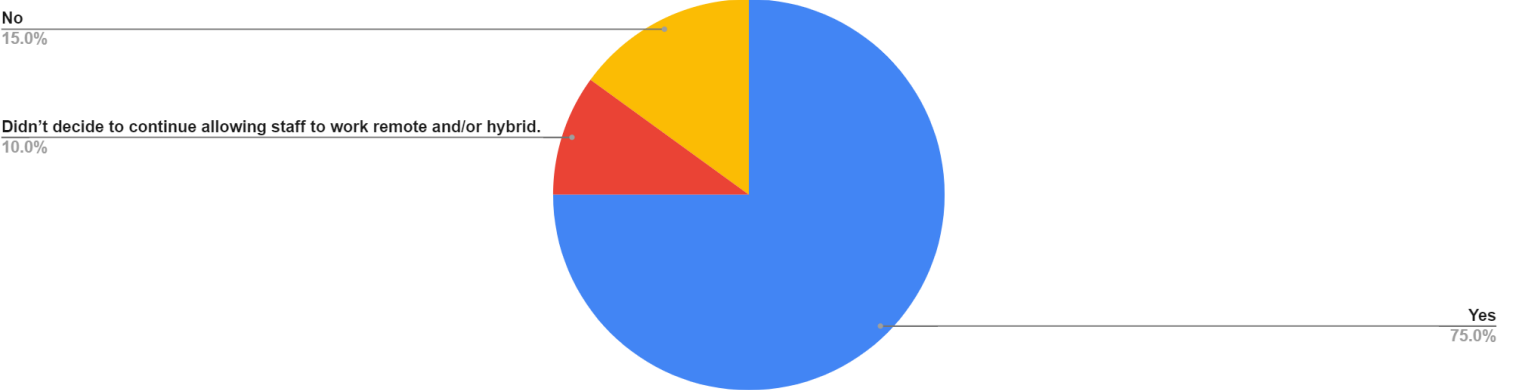
CURRENT WORKFORCE: Which of the following best describes the nature of your workforce CURRENTLY:



FUTURE WORKFORCE: Which of the following best describes how you expect the nature of your workforce to look like IN THE FUTURE:



DECISION TO CONTINUE REMOTE OR HYBRID WORK POLICIES MOVING FORWARD: Was your decision to continue allowing staff to work remotely and/or in a hybrid fashion (some time at the office, some time at home) impacted by staff concerns about regional affordability related to costs of housing, transportation, etc.?



APPENDIX C: Literature Review

In late January and early February 2022, we conducted a literature scan to help shape the contours of this research project. We searched for reports, white papers, news articles, and scholarly articles that analyzed how legal service providers were responding to the pandemic. We found the Management Information Exchange (“M.I.E.”) Journal to be a particularly fruitful source of information. This research process yielded several themes that helped inform our survey construction. We delve into these themes below.

COVID is Both a Crisis and Opportunity for Legal Service Providers Nationwide.

Much of the literature we found focused on the challenges to legal service providers and clients wrought by COVID. The pandemic has “compounded existing equity gaps,” making “more widespread and more acute the life-changing events that people too often face without adequate legal help—like evictions, workplace discrimination, domestic violence, and incarceration.”¹ While the Legal Services Corporation (LSC) received a record-level of funding for Fiscal Year 2020, it remained insufficient to meet the skyrocketing demand for legal aid services,² as COVID-19 left “countless Americans and citizens of the world with new and unanticipated challenges.”³ Still, “[e]very crisis affords opportunity.”⁴ As articulated in a federal report about access to justice in the COVID-era: “[Legal aid] efforts are inspiring and hold lessons . . . to help build back an improved and crisis-resilient justice system that meets the demands of the twenty-first century.”⁵

Particular Populations are Especially Vulnerable to the Impact of COVID-19, Nationwide and in California Specifically.

The literature highlights that certain populations are especially vulnerable to COVID-19 and its impacts, both nationally and in California in particular. These populations include:

- Survivors of domestic violence;⁶
- People experiencing incarceration and their families;⁷

¹ The Legal Aid Interagency Roundtable, *Access to Justice in the Age of COVID-19: A Roundtable Report*, THE LEGAL AID INTERAGENCY ROUNDTABLE (Sept. 2021), <https://www.justice.gov/ag/page/file1445356/download>, at 3-4; see Joann Lee & Julianna Lee, *Unequal by Design: How the Pandemic Response Exacerbated America's Two-Tiered System of Justice*, 34 M.I.E. J., Winter 2020, at 25-31.

² Benjamin P. Cooper, *Preliminary Thoughts on Access to Justice in the Age of COVID-19*, 56 Gonzaga Law Review 227 (2021).

³ Joshua Crabtree, *Coronavirus Has Changed the World Permanently. Legal Aid Will Remain on the Front Lines*, 34 M.I.E. J., Summer 2020, at 2.

⁴ Jayme Cassidy, *Pro Bono in the Time of COVID-19: Fortifying Your Program for a Healthier Future*, 34 M.I.E. J., Summer 2020, at 19.

⁵ The Legal Aid Interagency Roundtable, *supra* note 1 at 4.

⁶ See, e.g., Caroline Bettinger-Lopez & Alexandra Bro, *A Double Pandemic: Domestic Violence in the Age of COVID-19*, COUNCIL ON FOREIGN RELATIONS (May 12, 2020), https://www.jstor.org/stable/pdf/resrep29816.pdf?refreqid=excelsior%3Afd4a235cc4f34e2b5ba54c9e6aa60dce&ab_segments=&origin=&acceptTC=1; Beth M. Rehaus et al., *Addressing the Increase of Domestic Violence and Abuse During the COVID-19 Pandemic: A Need for Empathy, Care, and Social Equity in Collaborative Planning and Responses*, 50 AM. REV. OF PUB. ADMIN. 668 (2020).

⁷ See, e.g., Elizabeth S. Barnert, *COVID-19 and Youth Impacted by Juvenile and Adult Criminal Justice Systems*, 146 PEDIATRICS 1 (2020); Michael Williams, *Coronavirus Outbreak Infects 20% of East Bay Women's Prison*, S.F. CHRON. (Dec. 23, 2020), <https://www.sfchronicle.com/bayarea/article/Coronavirus-outbreak-infects-20-of-East-Bay-15825744.php>.

- Immigrants⁸ and farmworkers;⁹
- Non-English speakers;¹⁰
- The growing population of people at risk of consumer debt¹¹ and “catastrophic job loss;”¹² and
- The growing population of people at risk of eviction.

There are Mixed Feelings and Trade-Offs Regarding Whether and How the Legal Services Sector Should Be Remote.

Even before the pandemic, there was some literature about shifting to remote work. Pro Bono Net, for example, generated a report before the pandemic that illustrates the barriers in developing remote legal services for rural and immigrant communities and examples of nonprofits that were already successfully using technology to provide remote support and amplify service-provision capacity.¹³

The pandemic has now forced every legal-service provider to confront this issue. Simply put: “[t]here is no question that the availability of alternative work options is a very hot topic in organizational management nationally, including in the legal services sector.”¹⁴ Several articles, primarily from M.I.E., have explored whether a remote workplace is a good fit for legal aid and what the benefits and costs of remote work are to legal aid service provision and internal operations.¹⁵

The literature also discusses the shift to remote courts and the benefits of doing so.¹⁶ Specifically, remote access enables litigants to overcome the barriers to participation in court

⁸ See, e.g., Roberto Suro & Hannah Findling, *State and Local Aid for Immigrants During the COVID-19 Pandemic: Innovating Inclusion*, CENTER FOR MIGRATION STUDIES (July 2020); Lauren Hepler, *Facing Immigration Uncertainty and COVID-19, SF Family Gets Help from Season of Sharing*, S.F. CHRON., Nov. 25, 2021, <https://www.sfchronicle.com/bayarea/article/Facing-immigration-uncertainty-and-COVID-19-S-F-16650527.php>; Jacqueline Garcia & Erica Hellerstein, *Undocumented Workers Face Obstacles Qualifying For Benefits During the Pandemic*, CALMATTERS (Apr. 14, 2020), <https://calmatters.org/california-divide/2020/04/undocumented-workers-benefits-coronavirus/>.

⁹ Ivan Marquez, *CA Must Invest in Public Health Infrastructure for Farmworkers*, SACRAMENTO BEE, May 8, 2021.

¹⁰ Carolyn Said, *Language Barriers Stymie Jobless Californians seeking EDD Benefits*, S.F. CHRON. (Feb. 5, 2021), <https://www.sfchronicle.com/business/article/EDD-language-barriers-stymie-jobless-Californians-15929335.php>; Carolyn Said, *California’s EDD Is So Hard To Reach that Unemployed People Are Paying Go-Betweens To Do It For Them*, S.F. CHRON. (June 1, 2021), <https://www.sfchronicle.com/local/article/California-s-EDD-is-so-hard-to-reach-that-16211432.php>.

¹¹ Ann Carrns, *What Happens If You Are Sued by a Debt Collector?*, N.Y. TIMES (May 8, 2020), <https://www.nytimes.com/2020/05/08/your-money/coronavirus-debt-collection.html>.

¹² Drake Hagner, *Responding to Catastrophic Job Loss during COVID-19: Mobilizing Resources for Unemployment Insurance Legal Matters*, 34 M.I.E. J., Summer 2020, at 28.

¹³ Jessica Darling, *Remote Legal Support: A Guide for Nonprofit and Pro Bono Innovation*, PROBONO.NET (March 11, 2020), <https://www.connectingjusticecommunities.com/remote-legal-support/2020/03/>.

¹⁴ Katherine Hollingsworth, et al., *Alternative Schedules and Remote Work: Is a Non-Traditional Workplace a Good Fit for Legal Aid?*, 34 M.I.E. J., Spring 2020, at 34.

¹⁵ Kathleen A. Carnes, *Is this the Calm Before the Storm? Worsening Legal Needs of Low Income Clients and the Impact of a Remote Workforce*, 34 M.I.E. J., Summer 2020, at 40-46; Hollingsworth, *supra* note 14, at 35; Rowena Jones, *Pandemic Reflections*, 35 M.I.E. J., Spring 2021, at 34; Karlee M. Naylor et al., *Civil Legal Aid Funding in the Time of COVID-19*, 34 M.I.E. J., Summer 2020, at 9; Jan Allen May, *Client Service, Creativity, Camaraderie and Commitment to Mission: Some Considerations in Planning Your Organization’s Post-Pandemic Future*, Fall 2021, 43.

¹⁶ Judicial Council of California Workgroup on Post-Pandemic Initiatives, *Interim Report: Remote Access to Courts*, JUD. COINS. OF CAL. (Aug. 16, 2021), <https://newsroom.courts.ca.gov/sites/default/files/newsroom/2021-08/P3%20Workgroup%20Remote%20Access%20Interim%20Report%2008162021.pdf>; California Access to Justice Commission, *Remote Hearings and Access to Justice During COVID-19 and Beyond*, CAL. ACCESS TO JUST. COMM’N (May 18, 2020), <https://www.calatj.org/publication/remotes-hearings-and-access-to-justice-during-covid-19-and-beyond-2020/>; Alessandra Luissi, *Analysis of Technology Implementation Impact in LA County Superior Court after COVID-19*, CAL. STATE UNIV., NORTHRIDGE (Aug. 2021), <https://scholarworks.calstate.edu/downloads/12579z574?locale=en>.

proceedings (such as job constraints, childcare needs, transportation issues, traffic, and length of travel).¹⁷ The literature also highlights some of the potential downsides of remote work.¹⁸

Providers Have Also Documented Other Recommendations for How to Best Position Legal Aid Organizations During and After COVID.

Practitioners have provided specific advice on the following topics:

- How to pursue effective fundraising and financial planning during the pandemic and beyond,¹⁹ especially given that “pandemic fallout includes dramatic declines in traditional legal aid funding sources,” amidst dramatically rising need;²⁰
- How to plan events in the time of COVID;²¹
- How to address pipeline issues;²²
- How to invest in employee well-being, provide support for trauma and vicarious trauma, and create a culture of wellness²³ “in the midst of fear, anxiety, illness, technology challenges[,] and the ever-present issue for our clients—poverty.”²⁴
- How to protect certain client populations during the pandemic and beyond, including those at risk of debt collection, foreclosure, and utility shutoffs;²⁵ older adults;²⁶ and domestic violence survivors.²⁷

The Pandemic Also Changed the Provision of Pro Bono Services, With Mixed Impacts.

Unsurprisingly, our review found that the pandemic changed how volunteers provided pro bono services, shifting operations online.²⁸ The Association of Pro Bono Counsel advocates that some of these changes should remain after the pandemic.²⁹ More surprisingly, it is unclear whether COVID increased or decreased pro bono services. The ABA Journal, for example, reported that pro bono increased during the pandemic.³⁰ Additionally, one M.I.E. Journal article described that “[p]ro bono organizations and departments in legal services entities have been flooded with new

¹⁷ *Id.* at 4-5.

¹⁸ Carnes, *supra* note 15, at 40-41; Yvonne Maria Jimenez, *Legal Aid After COVID-19—Remote Operations Worked. So Why Return to the Office?*, 35 M.I.E. J., Fall 2021, at 21, 29-30; Hollingsworth, *supra* note 14, at 36, 37; May, *supra* note 15, at 43-44.

¹⁹ Meredith McBurney, *Private Fundraising During the Coronavirus Crisis: Thoughts from Wise Legal Aid Leaders*, 34 M.I.E. J., Spring 2020, at 30-31; Catherine Carr, *What if Our Funding Goes Away?!: Planning for Financial Loss in Uncertain Times*, 34 M.I.E. J., Summer 2020, at 32-35; Lonnie Powers et al., *Financial Planning for Legal Aid in the Time of the Pandemic*, 34 M.I.E. J., Spring 2020, at 24-30.

²⁰ Nylon, *supra* note 15, at 5.

²¹ Melinda Hugdahl, et al., *Event Planning in the Time of COVID*, 35 M.I.E. J., Fall 2021, at 45-47.

²² Tiffany Tsao, *Protecting the Public Interest Pipeline—Engaging Law Students During COVID-19*, 34 M.I.E. J., Summer 2020, at 49-52; Erica Briant, *Levaging Law Student Volunteers and Building the Next Generation of Public Interest Advocates*, 34 M.I.E. J., Fall 2020, at 46-48.

²³ Aimee Patras, et al., *‘We’re Not Alright’: Creating Organizational Support for Pandemic-Related Impacts to Employee Well-Being*, 35 M.I.E. J., Spring 2021, at 18-21.

²⁴ Alicia F. Williams, *From the Journal Committee*, 35 M.I.E. J., Spring 2021, at 2.

²⁵ Carolyn Carter et al., *How Legal Services Programs Should Prepare to Protect Low-Income Consumers in the COVID-19 Crisis*, 34 M.I.E. J., Summer 2020, at 23-27.

²⁶ “Amid the COVID-19 pandemic, legal services providers find creative ways to serve older adults” (ABA Journal 01/04/2021).

²⁷ “Remote Justice for Survivors: A Domestic Violence Hotline and a Remote Hearing Studio” (M.I.E. Spring 2021, at pp. 32-34).

²⁸ The Association of Pro Bono Counsel, *Positive Change: How the Pandemic Changed Pro Bono and What We Should Keep*, THE ASS’N OF PRO BONO COUNS. (Jan. 18, 2022), <https://apbco.org/wp-content/uploads/2022/01/APBCo-Remote-Pro-Bono-Report-January-2022.pdf>.

²⁹ *Id.*

³⁰ Amanda Robert, *Pro Bono Work Increased During the COVID-19 Pandemic, Reports Show*, ABA J. (Oct. 29, 2021), <https://www.abajournal.com/news/article/reports-show-pro-bono-work-increased-during-covid-19-pandemic>.

volunteers.”³¹ At the same time, however, a different M.I.E. Journal article described that “about fifty percent of Legal Services Miami's regular volunteers dropped out and stopped taking referrals of any type of case, COVID and non-COVID alike.”³² In California, 96.7% of cases closed in 2020 were not closed by pro bono volunteers, suggesting that, even if there was an increase, pro bono work still constitutes a small portion of legal aid service provision in the state.³³

³¹ Amy Petkovsek, *Silver Linings of the COVID-19 Pandemic for the Legal Services Community*, 34 M.I.E. J., Summer 2020, at 53.

³² Kesha James & Jayme Cassidy, *Pro Bono Lessons Learned and Transformation in the Time of COVID*, 35 M.I.E. J., Spring 2021, 40.

³³ Legal Services Corporation, *By the Numbers: The Data Underlying Legal Aid Programs*, LEGAL SERVS. CORP. (Oct. 13, 2021), <https://lsc-live.app.box.com/s/amlce75n3jdgjw6omzjewm61eghavzt/file/872174451862>, at 49.