



Washington State Office of Civil Legal Aid

1206 Quince St. SE
Olympia, WA 98504
MS 41183
360-704-4135
360-704-4003 (fax)

James A. Bamberger, Director
jim.bamberger@ocla.wa.gov

OCLA DIRECTOR POSITION OVERVIEW

The Washington State Office of Civil Legal Aid (OCLA) is an independent judicial branch agency established to administer and oversee the state's investment in civil legal aid services to low income residents.

OCLA contracts with and oversees the performance of non-profit "qualified legal aid programs" that provide civil legal aid services to eligible clients with civil legal problems falling within the areas of authorized representation set forth in RCW 2.53.030(2). OCLA monitors the use of these funds to ensure effective and economical delivery of civil legal aid services consistent with performance standards established by the Supreme Court's Access to Justice Board (ATJ Board), and to ensure accountability of such services to the low income people served, the Legislature and the taxpayers of the state of Washington. OCLA is not a provider of civil legal aid services.

OCLA's mission statement reads:

The provision of civil legal aid services to indigent persons is an important component of the state's responsibility to provide for the proper and effective administration of justice. The mission of the Office of Civil Legal Aid is to work within the judicial branch and with the Supreme Court's Access to Justice Board to ensure justice for low income residents of Washington State through the funding and oversight of effective, economical and responsive state-funded civil legal aid services and to ensure accountability for state-appropriated funds dedicated to this purpose.

As outlined in its Strategic Plan, OCLA's primary areas of focus are:

1. **Funding**: Secure funding necessary to address the most important civil legal needs of low income people as documented by the Civil Legal Needs Study and related reports of the Supreme Court's Task Force on Civil Equal Justice Funding.
2. **Accountability**: Ensure that state funding invested in civil legal aid delivery and infrastructure underwrites effective and economical service delivery that is consistent with applicable statutory and contractual requirements

and is responsive to the most significant civil legal problems experienced by eligible low income people within Washington State.

3. Equity: Eligible low income people will have equitable access to the type and quality of civil legal aid services they need to solve important personal and family civil legal problems, regardless of where they reside or barriers they may experience due to cultural, linguistic, ability-based or other characteristics.
4. State Support: [OCLA will help establish and, where appropriate, maintain] statewide support infrastructure necessary to enable the state-funded civil legal aid system to provide effective, economical and high quality client services ...
5. Integration Within Judicial Branch: The provision of effective and economical civil legal aid will be recognized as an enduring responsibility and high priority of the Washington State judicial branch.
6. Oversight: [By providing staff support for the Civil Legal Aid Oversight Committee,] ensure effective, ongoing bipartisan oversight of the activities of the Office of Civil Legal Aid.
7. Continuous Assessment and Reporting: Establish and/or support systems that allow continued assessment of the social, economic and legal environment affecting low income residents and the capacity of the state-funded civil legal aid delivery system to address the civil legal needs of eligible low income individuals and families; report and make recommendations on policies relating to the provision of state-funded civil legal aid in Washington State.

OCLA is the largest single underwriter of Washington State's Alliance for Equal Justice, a nationally recognized collaboration that works to ensure effective and economical delivery of relevant civil legal aid services to low income and vulnerable people and communities across Washington State.

Pursuant to Supreme Court Order, principal responsibility for defining statewide legal aid system policies and member organizational expectations rests with the ATJ Board. To the extent consistent with its authority under RCW 2.53.020 and .030, OCLA looks to the ATJ Board for guidance in establishing performance expectations for its principal client service contractor, the Northwest Justice Project and recipients of subcontracted funding. Further, OCLA, in consultation and with the support of the Civil Legal Aid Oversight Committee, looks to the ATJ Board for guidance and direction in determining whether, for what and to what extent it should invest in, host or support statewide civil legal aid system support capacity and infrastructure.

By statute, OCLA is headed by an agency Director who is appointed by the Supreme Court from a list of three names forwarded by the ATJ Board. The Director must be an

attorney admitted to practice in Washington for five years, have experience representing low-income people in civil matters (including experience as a volunteer attorney), be knowledgeable of and have a demonstrated commitment to promoting access to the civil justice system for indigent persons and have proven managerial or supervisory experience. RCW 2.53.020. The Director's performance is reviewed by the Civil Legal Aid Oversight Committee. RCW 2.53.010(4).

Since its inception, OCLA's Director has served as the only full-time employee of the agency. OCLA contracts with the Administrative Office of the Courts (AOC) for office space, fiscal, budget and other necessary administrative services. On an as-needed basis, OCLA will engage the services of independent professional and support assistance to meet the agency's work responsibilities.

The OCLA Director has responsibility for overall agency management and accountability. Specific areas of the Director's focus include:

1. Managing Agency Operations and Administration, Including Technology, Fiscal and Administrative Functions and Strategic Planning

The Director should have a basic understanding of state governmental operations, policies and practices; an understanding of strategic budgeting and budget management; ability to review and monitor agency expenditures over time; establish and maintain an appropriate technology plan and inventory (including disaster recovery plans); achieve basic competency with key agency software programs (Microsoft Office (principally Outlook, Word, Excel, PowerPoint), Adobe Contribute (agency website), Adobe Acrobat, PSTI Legal Server (agency case management system), MapBender (OCLA GIS system)); and be able to initiate, develop and execute the agency's core strategic agenda. The Director must develop and maintain agency operations in accordance with agency operational policies and procedures, that are consistent with judicial branch standards (where they exist) and otherwise with state laws and practices. The Director must maintain effective records production and retention policies. The Director often interacts with individuals seeking legal assistance and must have sufficient knowledge of the legal aid system to provide meaningful and effective referrals.

Basic Skills and Competencies:

- Experience in Providing Civil Legal Aid Services
- General Understanding of Civil Legal Aid, Poverty Dynamics, and Issues Relating to Social, Economic, Racial and Ethnic Isolation and Differential Treatment and The Impact of These on the Substance and Quality of Demand for Legal Aid
- Demonstrated Capacity to Manage and Oversee Basic Agency Operations
- Short- and Long Range Strategic Planning
- Budget Planning and Management
- Effective Written and Verbal Communications Skills

- Attention to Detail
- Initiative and Entrepreneurial Skills
- Diplomatic Communication and Problem Solving Skills
- Understanding of Core Considerations Relating to Inclusion, Diversity and Cross-Difference Communication
- Use of Language Lines to Assist Non-English Speaking Individuals Calling for Help or Referral
- Knowledge of Basic Technology Infrastructure and Services
- Competency in Core Software Programs
- Knowledge of Judicial Branch Policies, Practices and Procedures
- Knowledge of State Operating Policies, Practices and Procedures

2. Client Service Contract Development, Negotiation, Monitoring and Oversight, and Ensuring Timely, Transparent and Objective Responses to Complaints About State-Funded Legal Aid Services

The Director should have experience with contract development, management and oversight; the ability to establish and maintain effective and respectful relations with entities with which the agency contracts; achieve a practical understanding of relevant state and national standards for civil legal aid delivery, as well as trends in the effective assessment of legal aid delivery performance; maintain transparent systems and protocols to ensure timely and objective review, investigation and responses to complaints about state-funded civil legal aid providers.

Basic Skills and Competencies:

- Understanding Effective Civil Legal Aid Delivery, Including National Trends in Best Practices and Performance Outcomes
- Contract Negotiation, Management and Oversight, Including Experience With Fiscal and Administrative Systems Monitoring
- Strategic Intervention and Diplomatic Problem Solving
- Effective and Consistent Communication
- Attention to Detail

3. Budget Development and Legislative Relations

Working within the judicial branch agency process and in consultation with the Northwest Justice Project and the Alliance for Equal Justice, the Director develops and presents biennial and supplemental budgets for consideration by the Washington State Legislature. Maintaining strong bipartisan support for civil legal aid is the *sine qua non* of the Director's job. To this end, the Director must develop and maintain effective relations with legislative staff (including non-partisan and caucus staff) in both chambers. In addition, the Director must maintain effective bipartisan relations with legislative leadership and members of key budget and policy committees. The Director is required to develop and present effective materials in support of the budget requests

and respond to legislative inquiries. The Director coordinates messages and strategies with judicial branch agency peers and representatives of the Equal Justice Coalition.

Basic Skills and Competencies:

- Strategic, Mission-Oriented Marketing and Communications
- Demonstrated Ability to Work on a Bipartisan Basis
- Understanding of Basic Washington State Legislative Systems and Support Services
- Effective Working as a Team With Key Agency Partners, Supporters and Stakeholders
- Demonstrated Initiative and Entrepreneurial Skills
- Ability to Communicate Messages Succinctly and Effectively
- Capacity to Generate Information on Little or Short Notice
- Transparency and Accountability in All Activities
- Effective Verbal and Written Communications

4. Providing Effective Support for the Civil Legal Aid Oversight Committee

The OCLA Director provides staff support for and facilitates the ability of the Civil Legal Aid Oversight Committee to perform its statutory oversight and policy making functions. It is understood that the Oversight Committee is a peer body to the Access to Justice Board, and efforts are made to ensure that each body is kept informed of the work of the other and that, where appropriate, the work of the two bodies is coordinated. The Director provides notices of Oversight Committee meetings through the Washington State Register and the Alliance for Equal Justice Leadership Listserv, and ensures accommodations for individuals with disabilities.

Basic Skills and Competencies:

- Demonstrated Ability to Provide Strategic and Logistical Support for Committees and Boards
- Timely Development of Materials and Maintenance of Records
- Effective Verbal and Written Communication Skills

5. Coordination With The Access to Justice Board, the Legal Foundation of Washington and the Broader Alliance for Equal Justice, Including Priority State Support Functions and Strategic Initiatives

The Director serves as the agency and Oversight Committee's liaison to the ATJ Board. The Director participates, as appropriate, on ATJ committees and work groups that develop or oversee policies and strategic initiatives that inform or affect the state-funded civil legal aid delivery system. Within the scope of its statutory authority, the Director may fund or otherwise support ATJ Board priority statewide support initiatives. The Director also coordinates with the Legal Foundation of Washington on matters of

common concern in the areas of funding, oversight and accountability of entities that receive state funding (directly or through subcontracts).

Basic Skills and Competencies:

- Capacity to Work Closely and Achieve Workable Unity With Peers and Colleagues on Matters of Common Strategic Interest
- Effective Verbal and Written Communications Skills
- Diplomatic Problem Identification and Solving Skills

6. Coordination With Judicial Branch Agencies in Support of Judicial Branch Policies, Planning and Strategic Initiatives

As a leader of an independent judicial branch agency, the Director must maintain awareness of applicable judicial branch policies and participate in key judicial branch planning and strategic initiatives. Active working relationships must be established and maintained with the leadership of the Board for Judicial Administration, Washington State Bar Association, Administrative Office of the Courts (including the Management Services Division), the Office of Public Defense, the Supreme Court, Court of Appeals, Commission on Judicial Conduct and Law Library. Effective relations should also be maintained with the rotating leadership of the Superior Court Judges Association and the District and Municipal Court Judges Association, Clerks Association, the Clerks Association and other entities that interface with the judicial branch.

Basic Skills and Competencies:

- Capacity to Work Closely and Achieve Workable Unity With Peers and Colleagues on Matters of Common Strategic Interest
- Effective Verbal and Written Communications Skills
- Diplomatic Problem Identification and Solving Skills

7. Project Management, Including Development and Execution of Project-Based Contracts and Subcontracts as Required (e.g., QIC ChildRep Best Practices, Dept. of Commerce Home Foreclosure Legal Aid)

OCLA is periodically asked to play a supporting role on matters that touch its core jurisdictional responsibilities. Recent examples include its role as a partner in a four-year study to assess the effectiveness of best-practice representation of children in child welfare cases (the QIC study) and to implement the civil legal aid component of Washington's Foreclosure Fairness Act. The Director must be aware of and identify effective ways to support novel and innovative means of bringing resources to and upgrading the quality of representation for eligible low income people in civil matters.

Basic Skills and Competencies:

- Project Development and Management

- Contract Negotiation, Execution and Oversight
- Initiative and Entrepreneurial Skills

8. Establishing and Maintaining Effective Interagency Relations (Including Relations With Key Executive Branch Agencies)

The OCLA Director must establish and maintain effective relations with key leaders and staff in the Governor’s office, the Office of Financial Management (budget and policy), the Office of the Attorney General and other governmental agencies as appropriate.

Basic Skills and Competencies:

- Capacity to Work Closely and Achieve Workable Unity With Peers and Colleagues on Matters of Common Strategic Interest
- Effective Verbal and Written Communications Skills
- Diplomatic Problem Identification and Solving Skills

9. Maintain Awareness and Participate as Appropriate in National Efforts to Secure Funding For and Delivery Effective Civil Legal Aid Services

The Director maintains awareness of activities at the federal level affecting governmentally funded civil legal aid services, including policy and regulatory initiatives at the Legal Services Corporation that may affect the Northwest Justice Project’s operations or incidentally affect OCLA’s capacity to perform core oversight functions. Additionally, the Director maintains awareness and, as appropriate, works with national support organizations such as the National Legal Aid and Defender Association, the ABA (including its Standing Committee on Legal Aid and Indigent Defenders and its ATJ Resource Center) and other entities dedicated to the effective delivery of civil legal aid services to low income people.

Basic Skills and Competencies:

- General Understanding of Civil Legal Aid
- Experience With Civil Legal Aid Delivery
- Capacity to Monitor, Assess and Intervene in Matters of Concern to the Agency

Core General Experience, Skills and Competencies:

- Attorney Licensed to Practice in Washington State for 5 Years (statutory)
- Experience in the Delivery of Civil Legal Aid Services to Low Income People (statutory)
- Leadership
- Integrity
- Accountability

- Responsiveness
- Flexibility
- Understanding of Core Considerations Relating to Inclusion, Diversity and Cross-Difference Communication
- Ability to Manage Multiple Tasks Simultaneously
- Consistency in Messaging and Strategic Engagement
- Ability to Listen, Hear and Respond Effectively to Criticism