## Innovation Grant, ABA Access to Justice Commission Expansion Project

### Feasibility of Statewide Campaign to Raise Funds From Major Donors Who Are Not Lawyers

**Massachusetts Access to Justice Commission**  
Grant period: January 1, 2013-December 31, 2013  
Date of report: March 2014  
Information Updated: ---

ABA Innovation Grants were funded by the Public Welfare Foundation, the Kresge Foundation, and the Bauman Foundation. This summary was prepared by the ABA Resource Center for Access to Justice Initiatives, based on information submitted by the grantee. It is intended to help guide Access to Justice commissions and others in deciding whether to replicate or adapt the initiative in their state. For more complete information, see the reports from grantees and other resources available at [www.ATJsupport.org](http://www.ATJsupport.org).

### About the Project

#### Goals

**What did the project seek to achieve?**

- Determine the feasibility of raising significant contributions to support civil legal aid from business, business leaders and non-lawyers, and estimate potential costs.
- Plan and make the decisions necessary to implement a major statewide fundraising campaign aimed at these targets.

#### Role of ATJ Commission

**What role did the ATJ Commission play in carrying out the project’s activities?**

- Commission’s Revenue Enhancement Committee identified the potential value of the feasibility study, developed Request for Proposal, contracted with fundraising expert to perform study, provided supporting materials and information, reviewed study, and has begun to implement a plan to develop a fundraising campaign, independent of the Commission, based on its findings.

#### Partners

**What other partners were involved in the project?**

- Massachusetts Legal Assistance Corporation (MLAC) is Commission’s fiscal agent.
- Commission’s Revenue Enhancement Committee consists of commission members and representatives from legal aid, IOLTA program, and MLAC.
### Completed activities

**What activities did the project complete during the grant period?**

Were any activities originally planned not completed or substantially modified?

<table>
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<tr>
<th>Activity</th>
<th>Description</th>
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<tr>
<td>• A feasibility study was completed. Findings include the following (see study for methodology and full findings and recommendations):</td>
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<td>o Outside of the legal community, awareness of the need for civil legal aid is very low. However, once the basic definition is understood, most people recognize the value of these services. A well-crafted, carefully considered message can increase support. Key values of fairness and “justice for all” should be stressed.</td>
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<td>o Investment in a campaign targeted at wealthy individuals (including business leaders) and private foundations could generate a significant return ($4-5 million). Seeking corporation charitable donations, in contrast, is unlikely to be successful.</td>
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<td>o An annual appeal is appropriate (as opposed to a capital campaign for one-time contributions).</td>
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<td>o Potential donors are attracted to the use of their funds for innovations and targeted projects that will have a clear impact. They are not very attracted to hiring more lawyers to replace laid-off staff or do more cases.</td>
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<td>o It is very important that the person making the &quot;ask&quot; for major initial contributions be a credible and respected philanthropic leader.</td>
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<td>o Non-lawyers will expect the legal community to be a key leadership partner in a campaign.</td>
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<td>o The poor economy should not deter launch of a campaign.</td>
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<td>o The impact on current fundraising activities by civil legal aid providers needs to be carefully considered. The organization responsible for the campaign can expect a high level of scrutiny and questions. Potential problems should be discussed and planned for in advance.</td>
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<tr>
<td>• The Commission has begun to implement a plan to develop a fundraising campaign independent of the Commission, based on recommendations of study.</td>
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### Next steps

**What additional steps are planned for carrying forward the project? Who is responsible?**

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<td>• The Massachusetts Equal Justice Fund has been incorporated, a board is being recruited, and a fundraising team assembled, with an initial target of $4-5 million.</td>
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## Results to Date, Challenges and Lessons Learned

### Results to date
What has changed so far as a result of the project?

- As a result of the feasibility study process, Massachusetts has begun to plan its first statewide fundraising effort for civil legal aid and its first concerted attempt to raise charitable dollars from non-lawyer donors and foundations.

### Assessment by ATJ Commission
Does the ATJ Commission consider that the project accomplished what it set out to do? What evaluation findings were considered?

- The Commission considers that the success of the project will be determined by the amount raised by implementing the recommendations of the consultant.

### Added value of ATJ Commission leadership
Did the ATJ Commission’s leadership role bring benefits that might not otherwise have been present?

- While the project could have been implemented by a legal aid funder or collaboration among programs, the ATJ Commission brought additional credibility and access to contacts.

### Challenges
What challenges arose or were identified during the course of the project?

- Fundraising consultants need substantial education in the complexities of funding and delivery of civil legal aid.

### Lessons learned
What insights were gained in the course of the project?

- Many of the findings of the feasibility study are very similar to those of the national research conducted by the Kresge Foundation and the Public Welfare Foundation in connections with Voices for Civil Justice. The study’s findings reinforce the national research likely to be useful to other existing efforts to expand resources and support for civil legal aid.

## Replicating the Project: Guidance for Other States

### Resource materials
What documents or other resources were produced and have been available for use in other states? These documents are posted on-line at www.ATJ support.org.

- Feasibility Study report from consultant.
- Feasibility Study RFP.
- “Business Case” and “Case Statement” documents on legal aid funding, with supporting materials, proposed for use in educating potential donors (these need to be considered in light of report’s conclusions and recommendations concerning the likely effectiveness of various messages).
- Memorandum re: planned campaign, structure, Commission’s role.
### Replicability
**Can the project be replicated by other states? Can materials be used directly or is adaptation required?**
- The Feasibility Study could be adapted for use in other states, but the findings of the study are state-specific.
- The campaign, if successful, could provide a model for other states.
- “Business Case “ and “Case Statement” and materials may be adaptable for other purposes.

### Resources required
**What level of investment would be required for another state to implement the project?**
- Feasibility Study: moderate cost; significant staff and volunteer time.
- Campaign: significant cost; significant staff and volunteer time.

### Sustainability
**What level of resources would be required to maintain the project after its initial implementation?**
- Campaign: significant cost; significant staff and volunteer time.

### Potential benefits
**Why should a state Access to Justice commission consider replicating this project?**
- If successful, the campaign would represent a new source of funding and support for civil legal aid, with the added benefit of raising the visibility of civil legal aid with a group of influential people.

### Similar projects in other states
**Have similar initiatives been implemented by Access to Justice Commissions in other states? By other entities?**
- None.

### Factors to consider
**What other factors should be taken into consideration in deciding whether to implement this project in your state?**
- Other states may want to defer replicating this initiative until the Massachusetts statewide campaign based on the feasibility study’s recommendations has been implemented and results are in. If the campaign is financially successful, the model can be implemented or adapted in other states.
- The ability to recruit key leadership to the Board and the fundraising team is not yet proven.
- Is there significant disagreement among key stakeholders, especially funders and legal aid programs, about whether or how to proceed and, if there is, can the Commission provide effective leadership to resolve the differences?
- Factors that make the model seem promising in Massachusetts may not be present in your state.
- Massachusetts already has a sophisticated civil legal aid fundraising infrastructure and has tapped most bar- and court-related potential sources of funding.
- Developing a campaign would require buy-in and support from all key stakeholders, especially funders and legal aid programs.