Evaluating the OEO Legal Services Program

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ABSTRACT

During 1970 and 1971, the complex and politically sensitive OEO Legal Services Program received its first independent national evaluation. This paper describes how evaluators dealt with the policy issues arising during the evaluation. Their decisions involved the interaction of three factors: conceptual problems, access to data, and a sense of what would be relevant to public policy. They found only a small area of intersection between a large set of issues important to policy-makers and an equally large, but usually different, set of issues amenable to systematic research.

One finding was that the program's use of full-time "poverty lawyers" is a less expensive way to provide poor clients with legal services than underwriting the fees of private lawyers would be. Another was that the Legal Services attorneys' strong emphasis on law reform apparently adds very little to the cost of providing more routine services.

This paper is a report on an evaluation of the Office of Economic Opportunity Legal Services Program performed during 1970 and 1971. It contains two parts. The first describes the original objectives of the evaluation and explains why OEO modified or abandoned many of them. The second describes the analysis that was actually performed and provides a brief summary of the principal findings.

The main purpose of the paper, however, is neither to provide a chronology of events nor to disseminate data. It is rather to describe how evaluators of a complex social program decided what was possible to do and, more important, what was worth doing. These decisions involved the interaction of three factors: conceptual problems, access to data, and a sense of what was relevant to public policy.

* The writer was the government's technical representative on this contract, but the viewpoints expressed in this paper do not necessarily reflect the official position of the Office of Economic Opportunity.
I. The Original Evaluation Plan

The Background of the Evaluation

The office responsible for planning and overseeing the evaluation was the Office of Planning, Research and Evaluation (PRE), an independent staff office within OEO whose director reported to the head of the agency. It was charged with evaluating all major OEO programs and, at the time of the Legal Services study, had already conducted or had underway evaluations of Community Action, Head Start, several manpower programs, family planning, and comprehensive health centers.

Almost all of PRE's data collection and analysis was done through competitively awarded contracts. The PRE staff planned the scope of the evaluation, worked out at least the broad outlines of a research design, and then advertised for detailed proposals from potential contractors. (In this instance the successful bidder was The John D. Kettelle Corporation, which made use of attorney consultants, an advisory committee, and two subcontractors, Chilton Research Services and Interstate Research Associates. Since this account deals primarily with PRE's decisions about the analysis plan, there will be no attempt to identify individual contributions or viewpoints, but the reader should understand that these decisions were based to a large extent on the analytic work of the Kettelle staff.1)

In its prior experience with the evaluation of large-scale programs, PRE had developed some patterns for conducting evaluations. These included consultation with the operating division (in this case, the OEO Office of Legal Services) to secure an understanding of program goals, coupled with a refusal to assume that the achievement or non-achievement of stated goals was the only issue worth examining. They also included analysis of the need a program was designed to meet, exploration of alternative ways of meeting that need, use of quantitative analysis wherever feasible, and surveys of the consumers of a service. With this model for evaluation in mind, the PRE staff designed a strategy for evaluating Legal Services, beginning with the goals of the program.

The Objectives of the Evaluation

The goals of the Legal Services Program were set out in an early evaluation manual as follows:

1. To provide quality legal service to the greatest possible number consistent with the size of the staff and the other goals of this program.
2. To educate target area residents about their legal rights and responsibilities in substantive areas of concern to them.
3. To ascertain what rules of law affecting the poor should be changed to benefit the poor and to achieve such changes either through the test case and appeal, statutory reform, or changes in the administrative process.

1 The John D. Kettelle Corporation (1971). The "Final Report: Evaluation of Office of Economic Opportunity Legal Services Program" (hereinafter cited as "Final Report") was prepared for the Office of Economic Opportunity under OEO Contract No. B00-5159. The Corporation's name was changed in the Fall of 1971 to Kappa Systems, Inc.