



Two Perspectives on Life Styles in Legal Aid

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When I first began thinking about what I could contribute to this special feature on flexibility of work assignments and employee schedules, my mind went



instinctively to the many challenges managers confront in establishing and implementing policies that support flexibility within competing interests. Most of my initial core management principles that came to my mind were

centered on a message of “be careful.” All of a sudden I had an epiphany. I realized that during my time in our profession, I have been without a doubt the biggest beneficiary of policies encouraging and supporting workplace flexibility that a legal aid program has ever employed. I hope my two competing perspectives as both an employee and a manager might constructively underline the importance of managers allowing significant flexibility in schedules and assignments but be selective in the application.

Thank God for Workplace Flexibility

What started out for me in 1969 as a short-term adventure to work in the South as a Vista Volunteer lawyer with the Atlanta Legal Aid Society has become a lifetime occupation. Why did that happen? It never occurred to me at the beginning that this was an option for me. Perhaps because of the culture I experienced and/or the values I adopted when I came of age during the 1960s, I have always treasured lifestyle over material success. That is not to suggest that I have not led a comfortable life. I cannot imagine a more magical place to live than Hawai'i or a better occupation for a lawyer than as a “soldier in the war on poverty.” It is to suggest that I know that I would not have survived without the programs that employed me consistently tolerating my absence from a traditional workplace location for long periods of time. Without exception, my legal

aid employers have always supported my requests for schedule and location flexibility to follow my wanderlust for travel, my joys as a parent and my physical need for periodic releases from the stress at work.

My requests (all honored) have been pretty outrageous at times. During the first half of my career, I made a habit of taking sabbaticals approximately every seven years for nine or more consecutive months. Throughout most other years my vacations away from work lasted usually more than a month. Time away from work gave me an opportunity to periodically get my travel and adventure fix, spend quality time with my family and recharge my energy. It also gave me a chance to reaffirm my commitment to the work we do. Perhaps, most importantly, it allowed me time to reflect on my work experience (both good and bad) while exploring ways I could improve.

After a divorce in 1999, my daughter moved to Charleston, South Carolina. To maintain consistent contact with her, the staff and board of the Legal Aid Society of Hawai'i tolerated my repeated absence to visit with her for ten days every two months and work afternoons from my home during the summer months when she came to visit in Hawai'i. While she is away for college, I have grown to depend upon the freedom to work from home and still liberally use the permission to do so.

So what does this all mean for me? The flexibility and support my program partners have given me over the years have definitely enriched my life. Without the freedom that work location and schedule flexibility has provided me, I doubt I would have remained in legal aid for all of my working life. I don't have a clue what else I might have done. Fortunately I never had to consider any options.

I know that I have become more technologically literate and hopefully more productive because of the challenges I faced trying to fulfill my program responsibilities when I left for long periods of time. Absences

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that lasted many months required the development of close partnerships and consistent visions with other program managers. That is always a good thing. I know that I became more sensitive to the particular needs of other staff for flexibility in work assignments or schedules and familiar with the methods to support those needs. I know I have made the right personal choices for my work both in career and life style. I am a content and loyal employee with a great appreciation for the support my employers and coworkers have shown me. Hopefully I have returned their graciousness by being productive and an asset to the programs that have employed me.

Watch the Minefields

Having personally benefited so much from program policies and etiquettes that support personal needs, it might seem hypocritical that I also believe such policies should be selectively applied. As managers we are all faced with multiple challenges when considering the adoption and application of program policies on workplace flexibility. Our ultimate responsibility to our boards and our client communities is to ensure our programs are relevant, efficient, productive and effective. Flexibility in assignments and schedules can help achieve that goal if properly applied. If not, staff morale and productivity along with the quality of client services will suffer.

The hardest job we have as managers is exercising our judgment about whom we hire and how we reward staff excellence or deal with mediocrity. Each of our employees has certain personal ambitions in their life and a list of "gotta haves" to remain satisfied. Each will react differently to the availability and application of program rewards. Some need public recognition for their work while others want increased monetary compensation. Some desire freedom to maximize professional growth by working long hours or satisfy personal demons involving their work ethics while others require time off from work to enjoy time with family or explore outside activities.

Make no mistake. Approving flexibility in work assignments, location or schedules are all significant rewards that telegraph to the employee as well as coworkers trust in his/her performance and appreciation for their contributions to the program and our client community. As with all rewards, managers must be sure to provide the rewards necessary to help

enhance program loyalty and performance by those who are contributing to program excellence. Withholding program rewards from poor performers is just as critical, since to do otherwise sends the wrong messages about program expectations and the value of the limited rewards available in most programs cease to be appreciated if universally applied.

Even more importantly, not all employees have developed strong work habits or the discipline to be productive when location or work schedules are changed from the traditional office protocols. Often the interaction with other staff members will suffer unless schedules are developed that help overcome the potential for isolation. Clear expectations must be established, understood and accepted.

When considering adopting program policies that will permit workplace flexibility, managers should maintain the authority to approve or deny requests by employees to change workplace assignments, schedules or locations. Each request should be analyzed by considering the importance of the request to the employee; his/her proven skills and reliability to continue their productivity; the potential negative consequences on the program, coworkers and the client community; the availability of backup plans if the employee's performance suffers; the precedent established; and the signals approval or denial of the request will send to others.

Whatever the decision, the process used to review the request as well as the outcome must be fair and objective or you will suffer the consequences.

When considering policies on workplace flexibility, take time to learn from the experiences of other programs that have adopted similar policies. Find out what has worked and what has not, as well as how they have dealt with the challenges they have faced in the application. Each policy should be considered within the context of the existing culture in your program and staff expectations for change. As with all change, evolution is preferred so that decisions on policy expansion and application can be informed by experience.

Many of us have decided to serve in a nonprofit environment specifically because of the perks offered. Strong programs offer productive employees ownership in the direction of their careers, a supportive environment that hopefully nourishes their individual needs, and an opportunity to have an important impact on the lives of others. Providing flexibility in fulfilling our individual responsibilities is a critical factor in encouraging program loyalty and rewarding performance.

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personal change and transformation through just and mindful communication and workplace interaction. She is the former Executive Director of Philadelphia VIP (Volunteers for the Indigent Program), the hub of pro bono legal services in Philadelphia. Sharon also taught in the Sociology Department at Chestnut Hill College, Philadelphia, PA concentrating on issues of poverty and inequality, and has served as the consultant for the American Bar Association Standing Committee on Pro Bono and Public Service National Celebration of Pro Bono. She provides coaching services and facilitates workshops and training, staff retreats, and “difficult” conversations, for lawyers, law students, mediators, judges, social services workers, teachers and healthcare professionals whose primary work is with vulnerable individuals and groups. Sharon may be reached at sbrowning@justlistening.net, www.justlistening.net.

- 2 Richard Boyatzis and Annie McKee, *Resonant Leadership*. Harvard Business School Press, Boston, MA 2005, 55
- 3 Margaret J. Wheatley, *Leadership and the New Science: Discovering Order In A Chaotic World*. Berrett-Koehler Publishers, San Francisco, CA 2006, 87
- 4 Boyatzis and McKee, 8
- 5 Boyatzis and McKee, 152

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The key is in the proper application. That’s the hard part and it is up to each of us as managers. Enjoy the challenges.

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Victor has served on a variety of volunteer boards and committees including the Executive Committee of the National Legal Aid and Defenders Association, as founding board member and President of the Management Information Exchange and as a board member of the Litigation Section of the American Bar Association (ABA), as well as the ABA’s Standing Committee on the Delivery of Legal Services and its Standing Committee on Pro Bono and Public Service. He has been a recipient of the Litigation Section’s John Minor Wisdom Award. Victor may be reached at victor@hiappleseed.org.

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