



Appendix B:
An Analysis of Best Practices
Applied by Pennsylvania Legal Aid Programs
in Delivering Telephone-Based Legal Assistance

Report Prepared for the
Pennsylvania IOLTA Board

Pennsylvania IOLTA—The Lawyers Trust Account Board



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Attachments to this report containing details about the data and methodology used in the Best practices assessment described in the report, are available in the PA IOLTA Board's web site www.paiolta.org/.

An Analysis of Best Practices
Applied by Pennsylvania Legal Aid Programs
in Delivering Telephone-Based Legal Assistance

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Prepared for the Pennsylvania IOLTA Board

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Executive Summary

This report summarizes the principal findings from an assessment of best practices applied by Pennsylvania legal aid programs in the operations of their telephone-based intake and legal assistance systems.

This “Best Practices” assessment was a key element of a comprehensive study of telephone-based intake and legal assistance in Pennsylvania completed under the sponsorship of the PA IOLTA Board in 2012. The purpose was to assess the extent to which the telephone-based legal assistance systems operated by Pennsylvania legal aid programs are in alignment with national and state standards and guidelines for legal helplines, and to identify best practices in Pennsylvania programs that can be replicated to improve the level of practice across the state.

The assessment encompassed all ten civil legal aid programs in Pennsylvania that operate telephone-based legal assistance systems. They included nine regional programs serving the general low-income population and one specialized provider of health law services. Information was collected through structured interviews with program leaders, and through two self-assessment instruments completed by all the programs – a narrative questionnaire and a web-based survey. The programs also participated in a second major part of the comprehensive study – a scientific survey of 400 clients who had been provided with advice or brief services by the ten programs – which is described in a separate report.¹

The best practices used for the assessment were based on three sources: the *ABA Standards for The Operation Of A Telephone Hotline Providing Legal Advice And Information*; the *LSC Guidelines for Phone-Based Intake and Legal Assistance Programs* and the results of past evaluations of telephone-based legal assistance systems, such as the 2002 Hotline Study conducted for the Project for the Future of Equal Justice at NLADA.

The assessment was organized into five sections, corresponding to the major themes expressed in the *LSC Guidelines*:

- A. Client Access:** *Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.*
- B. Staffing the Telephone Intake and Delivery System:** *While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.*
- C. Decisions on Assistance:** *Applicants for service should receive prompt determination as to the type of services that they will receive from the program.*
- D. Technology:** *The applicant’s journey from initial application to appropriate advice, brief service or referral should be expedited.*
- E. High Quality Legal Services:** *The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.*

Findings are summarized in the table on the next page. The assessment affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including

¹ See, “Final Report on the Survey of Clients Provided With Advice or Brief Services by AJA-Funded Programs in Pennsylvania,” available from PA IOLTA.

residents in rural areas and those facing special obstacles such as disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Summary – Alignment of Telephone-Based Intake and Legal Assistance Systems with Best Practices

Best-Practice Area	Percent of Programs in Alignment	Best-Practice Models (Examples)		Page
A. Client Access	56-89 Percent	<i>Intake Through Central Portal:</i>	Legal Aid of Southeastern Pennsylvania (LASP)	13
		<i>Legal Service Provided in First Call:</i>	LASP	13
		<i>Helpline for Specialized Services:</i>	Pennsylvania Health Law Project (PHLP), Philadelphia Legal Assistance (PLA), MidPenn Legal Services (MPLS)	14
		<i>Evening Hours:</i>	Southwestern Pennsylvania Consortium - Neighborhood Legal Services Association (NLSA), Laurel Legal Services (LLS), Southwestern Pennsylvania Legal Services (SPLS)	14
		<i>Telephone assistance in caller's native language:</i>	MPLS	14
		Changes or Additions That Would Improve What's In Place		
		<i>New Technology</i>	LASP: New call center	14
		<i>Redesign of Intake</i>	NLSA: More centralized telephone system	15
		<i>More staff to handle telephone intake</i>	All programs	15
B. Staffing and Training	100 Percent	Best-Practice Models (Examples)		Page
		<i>Staff with appropriate qualifications assigned to helplines</i>	SPLS, MPLS, North Penn Legal Services (NPLS)	18
		<i>Practices that minimize turnover</i>	LASP, NLSA, Northwestern (Pennsylvania) Legal Services (NWLS)	18-19
		<i>Appropriate training</i>	LASP, NLSA, SPLS	19
C. Prompt Decisions on Assistance	89-100 Percent	Best-Practice Models (Examples)		Page
		<i>Simplified process</i>	LASP, PLA	22
		<i>Clear guidance for intake staff</i>	NWLS, NLSA	22
		<i>Clients provided with follow-up letters</i>	MPLS, PHLP, LLS, NLSA, SPLS	22-23
		<i>Follow-up letters in client's native language</i>	MPLS	23
D. Technology: Expediting the Applicant's Journey from Initial Application to Appropriate Advice, Brief Service or Referral	89-100 Percent	Best-Practice Models (Examples)		Page
		<i>Automated document assembly</i>	LASP	25
		<i>Various approaches for making resources accessible to staff</i>	LASP (wiki); MPLS, SW Consortium (SharePoint sites); NLSA, PHLP (case management or phone systems); NWLS (program website)	25-27
		<i>Automated scheduling</i>	PLA	26
		<i>Automated court dockets</i>	PLA	27
		<i>Online document retrieval systems</i>	PLA (Save Your Home Philly hotline)	27
		<i>Paperless system</i>	NLSA	27
		Changes or Additions That Would Improve What's In Place		
		<i>Google apps for staff chat</i>	LASP	27
		<i>New hardware or software</i>	LASP, NLSA	27
		<i>More staffing for tech function</i>	MPLS	27
		<i>Roundtables for tech people</i>	NLSA	27
		<i>Case Management System software improvements</i>	PHLP, PLA	28
E. High Quality Legal Services	100 Percent	Best-Practice Models (Examples)		Page
		<i>Best-Practice research informs launch of helpline</i>	MPLS	31
		<i>Helpline assists trend spotting</i>	LASP (weekly meetings); NLSA (monthly meetings); NLSA, PHLP (examples of impact)	31
		<i>Brief services provided by phone</i>	LASP	32
		<i>Regular client feedback</i>	MPLS, NWLS	32
		<i>Comprehensive management approach</i>	SPLS	32
		<i>Pro se materials provided as complement to telephone-based assistance</i>	NLSA, PHLP	32

Moreover, the companion research effort – the survey of 400 clients served by the programs in this Study – has demonstrated that clients of telephone-based advice and brief services are getting not only access to services but solutions to their legal problems and outcomes they deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome.

In addition to identifying the specific best practices summarized in the table on the previous page, the report on the Best Practices assessment recommended that programs individually, and perhaps collectively, might use the information produced by the assessment as a starting point for a more thorough review of their telephone-based legal assistance systems. The review would take a closer look at opportunities for further optimization of results for clients.

Potential steps in support of such a review could include site visits by telephone assistance staff to other programs; a statewide conference on telephone helplines sponsored by state funders PLAN, Inc. and/or the PA IOLTA Board; and greater participation by Pennsylvania helpline staff in national training opportunities offered by such organizations as NLADA and the ABA.

The Best Practices assessment and the Client Survey, taken as a whole, have shown that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients. Regardless of where they go from here, Pennsylvania programs can take satisfaction in having achieved something remarkable – that is, establishing and operating service delivery systems that are providing real benefits day in and day out to thousands of clients who otherwise would be unable to get the legal help they sorely need.

An Analysis of Best Practices

Applied by Pennsylvania Legal Aid Programs in Delivering Telephone-Based Legal Assistance

I. INTRODUCTION – PURPOSE AND OVERVIEW OF THIS REPORT

This report summarizes the principal findings from an assessment of best practices applied by Pennsylvania legal aid programs in the operations of their telephone-based intake and legal assistance systems.¹

This “Best Practices” assessment was a key element of a comprehensive study of telephone-based intake and legal assistance provided by Pennsylvania legal aid programs. A final report on that study, including a discussion of the second key element – a survey of clients provided with advice and brief services by Pennsylvania legal aid programs² – is being issued by the PA IOLTA Board.

Overview: In May 2011, the Pennsylvania Legislative Budget & Finance Committee released the results of its performance audit of Pennsylvania’s Access to Justice Act, which recommended that the General Assembly consider making the AJA fee and surcharge permanent to provide a more stable funding stream for civil legal aid.

The Performance Audit Report³ also called for a “follow-up process” to determine whether the telephone-based legal assistance

This Report at a Glance

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¹ These systems are often called “legal hotlines” in the legal aid community generally. In Pennsylvania, they are more frequently called “helplines.” In this report, we use the term “helplines” as shorthand for systems that provide intake, legal advice and/or brief legal services primarily by telephone.

² See “Final Report on the Survey of Clients Provided with Advice or Brief Services by AJA-Funded Programs in Pennsylvania,” (the “Client Survey Report”) available from PA IOLTA.

³ See “A Performance Audit of Pennsylvania’s Access to Justice Act,” Pennsylvania Legislative Budget and Finance Committee, May 2011, page S-5.

provided by the Pennsylvania legal aid programs has been effective, noting that, “Case resolution was unknown for the 50 percent of cases that were resolved through advice to clients.”

In response, the PA IOLTA Board undertook a comprehensive evaluation of telephone-based intake and legal assistance programs described in this report (“the Study”). To conduct the project, the PA IOLTA Board:

- Invited all nine of the Pennsylvania regional legal aid programs, as well as one specialized program that operates a telephone legal helpline, to participate in the Study. (See Exhibit 1, page 4 for a map of the service areas covered by the programs.)
- Established a Steering Committee that included representatives of several of the AJA-funded legal aid programs, Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.), and the PA IOLTA Board.
- Engaged *The Resource for Great Programs, Inc.* (“The Resource”) to provide technical assistance.⁴

Purposes of the Best Practices

Assessment: One of the central purposes was determining the extent to which the telephone-based legal assistance systems operated by Pennsylvania legal aid programs align with national and state standards and guidelines for legal helplines.⁵

Another purpose was identifying practices in Pennsylvania programs that can be replicated in other programs across the state. Since 2000, telephone-based legal assistance has grown in importance among Pennsylvania legal aid programs and across the country. Today, legal aid programs are helping more people with limited resources and improving access to their services, particularly for people facing barriers such as physical disability, lack of access to public transportation and location in rural areas far from program offices. The Best Practices

Key Elements of the Best Practices Assessment

- **Ten participating legal aid programs** (see list and map on page 4)
- **Overseen by Steering Committee** with representatives of...
 - AJA-funded legal aid organizations
 - Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.)
 - PA IOLTA Board
- **Approach**
 - **Research** on standards for, and past evaluations of telephone-based legal assistance systems and programs (Attachment A)
 - **Telephone interviews** with executive directors and helpline managers of the ten programs participating in the assessment
 - **Narrative self-assessment questionnaire** completed by the ten programs (Attachment B)
 - **Web-based questionnaire** completed by the ten programs (Attachment C)

⁴ *The Resource* is a national corporation dedicated to providing strategic support to civil justice programs that seek to expand access to justice for low-income people. Details about this organization may be obtained at www.GreatPrograms.org.

⁵ See page 7 for the sources of the best practices included in this assessment.

Assessment predicts greater efficiency, effectiveness and quality of services will result from adopting the best practices identified herein.

Approach used in the Best Practices Assessment: The Resource conducted a literature review of best practices for telephone-based legal assistance. In addition, we interviewed key players in the national network of legal aid programs involved in research on, and/or technical support for, telephone-based assistance programs.⁶ We also conducted telephone interviews with Pennsylvania legal aid executive directors and helpline managers to obtain an overview of the systems being used across the state. Informed by that research, the Resource designed and implemented a self-assessment questionnaire as a means of collecting detailed data, both narrative and quantitative, describing the systems used and the practices applied by the programs in operating their telephone-based legal assistance systems.

Data from the other major element of the Study, the Client Survey, were also applied in the Best Practices assessment. Correlations between the practices applied by the programs and measures of “effectiveness” from the client’s perspective were examined, including the following:

- What outcomes did clients achieve as a result of the legal assistance they received?
- How well did clients follow up on the legal advice and assistance they received?
- Did clients feel this worked for them?
- Did clients achieve their goals in contacting Legal Aid?
- Were clients satisfied with the results?

Overview of this report: Following this Introduction, Section II provides an overview of the programs whose telephone-based legal assistance systems were included in the assessment. Section III describes the methodology that was used.

Section IV presents the findings regarding alignment of Pennsylvania telephone-based legal assistance systems with best practices.

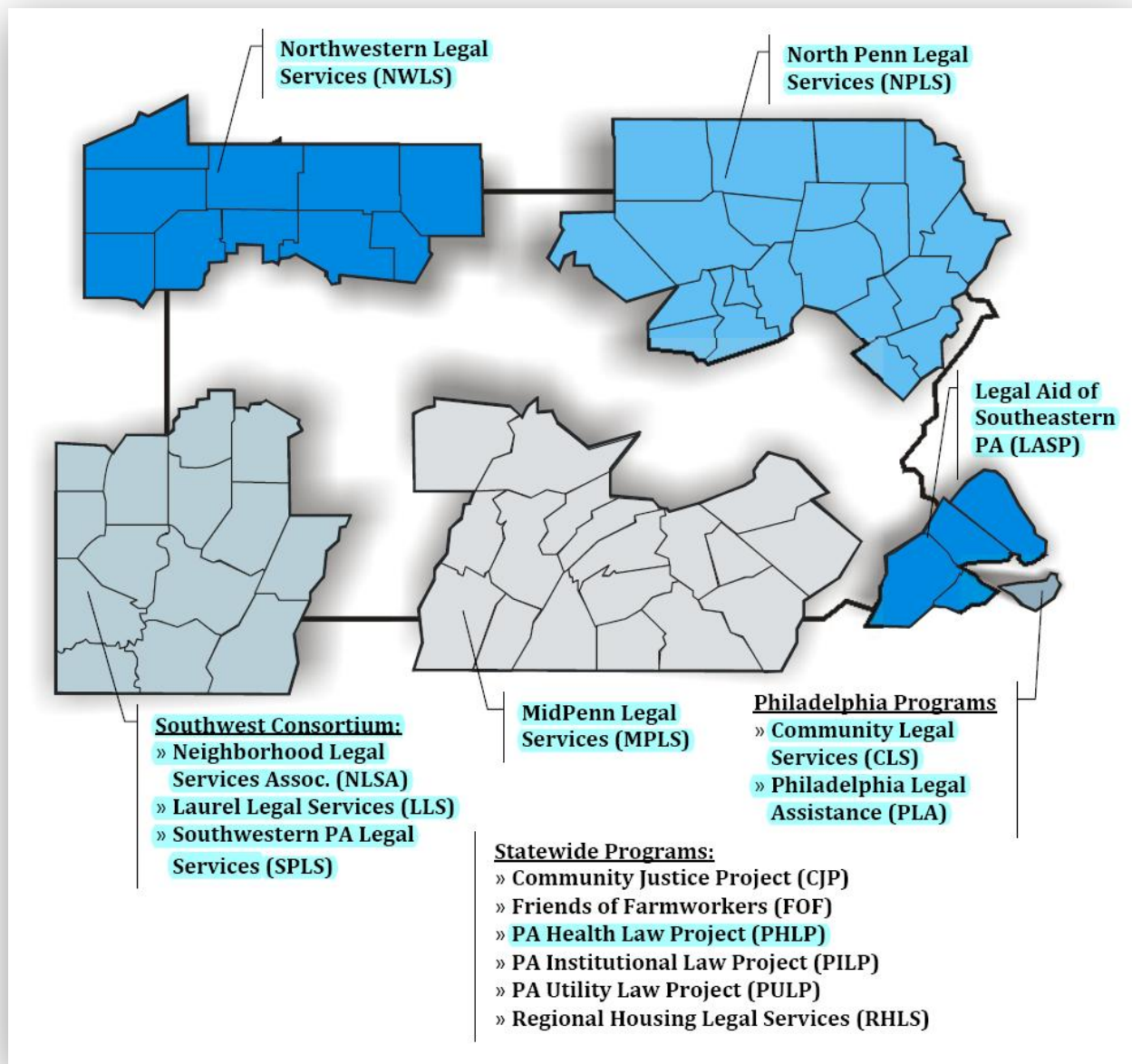
And Section V summarizes the overall findings of the Best Practices Assessment.

⁶ Attachment A summarizes the results of the research phase of this project.

II. OVERVIEW OF THE PROGRAMS INCLUDED IN THE STUDY

Exhibit 1 below highlights the programs whose clients were included in the Study and the geographic areas they cover.⁷

Exhibit 1



⁷ One of the programs in the Study, Philadelphia Legal Assistance (PLA), does not receive AJA funding but was included in the Study because of its importance as the operator of the telephone-based legal assistance system serving Philadelphia, the largest city in the state.

Exhibit 2 below summarizes the telephone-based intake and legal assistance systems in place in the programs. Below we describe each of the following elements:

- Geographic coverage.
- Population segments served.
- Services provided by telephone.
- Hours of operation.
- Volume of telephone-based legal assistance.

**Exhibit 2:
Snapshot of Telephone-Based Intake and Legal Assistance Systems
Used in Legal Assistance Programs in Pennsylvania⁸**

Key for Self-Ratings									
• Practice in place									
○ In place in some locations - See Note 1									
□ Special populations or circumstances - see notes 2 and 3.									
OVERVIEW	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS
1. Geographic Area Covered by Telephone-Based Legal Assistance:									
a. Entire service area of program	•	•	○	•	•	•	•	•	•
b. Specific counties or cities									
2. Population Segments Served by Telephone-Based Legal Assistance:									
a. General low-income population	•	•	•	•	•	•		•	•
b. Special population(s)							□		
3. Services Provided by Telephone:									
a. Advice	•	•	•	•	•	•	•	•	•
b. Brief services	•	•	•	•	•	•	•	•	•
c. Legal education materials	•	•	•	•	•	•	•		•
d. Referral	•	•	•	•	•	•	•	•	•
e. Coaching and/or materials for self (pro se) representation	•	•	•	•	•	•	•	•	•
4. Hours of Operation for Telephone-Based Assistance:									
a. Weekdays	•	•	•	•	•	•	•	•	•
b. Evenings	•			•			□		•
c. Weekends							□		
5. Volume of Telephone-Based Cases Closed in FY 2010-2011:									
a. By "advice & counsel":	1,412	1,978	1,641	4,785	3,259	1,905	1,140	5,377	541
b. By "brief services":	37	114	121	352	389	332	879	890	570
c. Total Telephone-based advice-only and brief services cases:	1,449	2,092	1,762	5,137	3,648	2,237	2,019	6,267	1,111
d. Total advice-only or brief services cases closed by program (including telephone and in-person) in FY 2010-11:	1,945	6,048	6,257	7,824	5,466	3,443	2,019	9,017	1,966
e. Telephone-based cases as a percentage of total advice-only and brief services:	74%	35%	28%	66%	67%	65%	100%	69%	57%

Note 1: MPLS planned to roll out its telephone-based legal assistance system to all counties in mid-2012.

Note 2: PHLP Helpline serves people with health insurance problems, or who do not have health insurance. Total AJA- (and IOLTA-) eligible, advice & brief services cases closed in FY 2010-11: **2,019**. In total, counting clients served with funding from other sources, PHLP closed **3,714** advice/brief services cases in FY 2010-11.

Note 3: NWLS does not have evening or weekend intake hours, but has a web intake application for services which can be completed at any time by an applicant for services.

⁸ The table shows only the nine programs that operate telephone-based intake and legal assistance systems. A tenth program, Community Legal Services (CLS) in Philadelphia also participated in the Client Survey and the Best Practices assessment, but was not included in the above table because its intake and legal assistance is provided in-person at the program's offices, not by telephone. Telephone-based intake and limited assistance for the general low-income population in the Philadelphia region is provided by Philadelphia Legal Assistance (PLA). The two programs collaborate closely as the principal legal aid programs in Philadelphia, under an arrangement whereby each program performs specific functions.

1. Geographic coverage

As indicated in Exhibit 2 (see above), all regions of the Commonwealth are covered by telephone-based intake and legal assistance systems. Each of the regional legal aid programs maintains a centralized telephone intake and legal assistance system covering its entire service area. The Pennsylvania Health Law Project (PHLP) has centralized telephone intake and legal assistance and serves clients from each of Pennsylvania's 67 counties.⁹

2. Population segments served

The regional programs serve the general low-income population with their telephone-based legal assistance systems. The Pennsylvania Health Law Project operates a specialized telephone "helpline" serving people who have or need publicly-funded health insurance, primarily Medicaid. PHLP is also a back-up center that provides technical assistance and consultation to other legal service programs on health care issues.

3. Services provided by telephone

Intake is conducted by telephone in most programs. Legal advice, brief services and referrals for further assistance are also provided. For most of the programs, the telephone-based system serves as the primary channel for intake; however, in most programs, clients can also come to program offices for service during scheduled intake hours or call for an appointment.

4. Hours of operation

All programs provide telephone-based legal assistance during regular business hours. Clients of the three programs serving Southwestern Pennsylvania and clients of the Pennsylvania Health Law Project can also get help during evening hours on specific weekdays.

5. Volume of telephone-based legal assistance

As indicated in Exhibit 2, the volume of cases handled by telephone-based assistance varies widely among programs. For example, only 28 percent of the advice-only and brief services cases handled by MidPenn Legal Services (MPLS) are handled primarily by telephone. At the other end of the spectrum, Pennsylvania Health Law Project conducts 100 percent of its direct legal assistance for low-income people through its statewide legal advice-only and brief services helpline.

⁹ In addition to its services for low-income people, PHLP also assists people whose income is above the income guidelines for AJA and IOLTA, using grant funds from other sources. PHLP cases included in the case volume figures in Exhibit 2 consisted only of clients whose incomes met the AJA and IOLTA eligibility guidelines.

III. METHODOLOGY USED IN THE BEST PRACTICES ASSESSMENT

The assessment collected and integrated information from three sources:

- **Research into telephone-based legal assistance systems.** The Resource interviewed key leaders of telephone-based legal assistance across the nation. The Resource also created a checklist of best practices based on the findings of that research. This was the groundwork for the goals and methodology of the rest of the Study. A summary of the research is provided in Attachment A.
- **Interviews with executive directors and managers of telephone-based intake and legal assistance systems.** Guided by the checklist of best practices and research, the Resource conducted 30 to 60-minute telephone interviews with executive directors and helpline managers of AJA-funded programs in Pennsylvania. These interviews provided an overview of the role and structure of the systems in place in each of the programs.
- **Program self assessment of alignment with best practices.** The Resource created a questionnaire to determine how closely the telephone-based legal assistance systems used in Pennsylvania are aligned with the best practices identified in the research. The questionnaire contained two elements:
 - **A narrative questionnaire**, which provided the programs with an opportunity to describe, and showcase the best practices used in their telephone-based legal assistance systems. A copy of the narrative questionnaire is provided in Attachment B.
 - **A web-based survey**, which used a combination of closed- and open-ended questions enabling programs to self-classify whether specific policies and best practices were in place, under development, or not in place. A copy of the web-based survey instrument is provided in Attachment C.

The best practices on which this study was based are found in three sources:

- **American Bar Association (ABA) Standards for the Operation Of A Telephone Hotline Providing Legal Advice And Information** – <http://www.americanbar.org/content/dam/aba/migrated/legal services/downloads/delivery/hotlinestandards.authcheckdam.pdf>
- **Legal Services Corporation (LSC) Guidelines for Telephone-Based Intake and Legal Assistance Programs** – http://grants.lsc.gov/sites/default/files/Grants/Prgltr2002_4.htm .
- **The results of past evaluations** of telephone-based legal assistance systems, such as the *2002 Hotline Study* conducted for the Project for the Future of Equal Justice at the National Legal Aid and Defender Association (NLADA). Attachment A summarizes some of the findings of these studies. Further information and copies of relevant studies are posted on: <http://www.legalhotlines.org/outcomesurveys.php> .

The Resource organized the assessment around five broad themes and associated principles outlined in the *LSC Guidelines*.¹⁰ LSC's framework for this questionnaire was used because:

- *It articulates practices and principles widely accepted within the civil justice community.* The *LSC Guidelines* incorporate the *ABA Standards*, which were issued in 2001 after broad consultation with civil legal aid leaders to ensure that telephone-based systems being adopted by legal aid programs conformed to the ethical and professional standards of the legal profession.
- *The LSC Guidelines are practical and concrete.* They translate the broad aspirational goals of the *ABA Standards* into a relatively short document that captures the best practices developed by legal aid programs seeking to deploy new technology as a means of providing as many people as possible with access to the civil justice system while honoring basic tenets such as respect for the basic interests and dignity of clients, service quality, efficiency, and effectiveness.

The Best Practices assessment offered an opportunity for program leaders to describe their best efforts in the context of these standards and guidelines, and in the process, create opportunities for replicating success and fostering program improvement throughout the Pennsylvania legal aid community.

The assessment was organized into five sections, corresponding to the major themes expressed in the *LSC Guidelines*:

- A. Client Access:** *Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.*
- B. Staffing the Telephone Intake and Delivery System:** *While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.*
- C. Decisions on Assistance:** *Applicants for service should receive prompt determination as to the type of services that they will receive from the program.*
- D. Technology:** *The applicant's journey from initial application to appropriate advice, brief service or referral should be expedited.*
- E. High Quality Legal Services:** *The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.*

¹⁰ Our use of the *LSC Guidelines* as the organizing structure for this questionnaire is for convenience only and is not intended to have any regulatory implications. The underlying premise of our study is that all Pennsylvania programs are committed to the goal of maximizing their impact on the communities they serve and vitally interested in learning how well they are doing when assessed against the high standards established by their peers in Pennsylvania and elsewhere. The *LSC Guidelines* provide a concise and practical articulation of those standards. For the two legal aid programs in the study that are *not* LSC recipients, the *LSC Guidelines* have no formal regulatory force. Even for the eight programs in this study that *are* LSC recipients, the *LSC Guidelines* are aspirational; conformance with them is not a condition of federal funding.

IV. FINDINGS ON ALIGNMENT OF PENNSYLVANIA TELEPHONE-BASED SYSTEMS WITH BEST PRACTICES

This section summarizes our findings on each of the five broad themes in the LSC Guidelines:

- Client Access
- Staffing
- Decisions on Assistance
- Technology
- Quality of Services

For each of the themes, we address two questions:

- ***How closely are the telephone-based legal assistance systems used in Pennsylvania aligned with national and state best practices*** carried out by the civil justice community?
- ***What practices in Pennsylvania programs can be replicated for application in other programs across the state?*** Do particular approaches represent opportunities to more broadly improve access or increase the number of people who can be served with scarce resources?

For some of the themes, where program responses to the narrative questionnaire provided insights, we address a third question:

- **What changes or additions would make the greatest difference in improving on practices already in place?**

Best-Practice Area A: CLIENT ACCESS – All Pennsylvania Legal Aid Programs Are Achieving the Primary Goal of Telephone-Based Intake and Legal Assistance.

The goals and principles that fall within the theme of Client Access are outlined in Exhibit 3 below. The Best Practices assessment revealed that low-income residents of every county in Pennsylvania now have access to legal assistance by toll-free telephone through the intake and legal assistance systems operated by legal aid programs across the state. The primary goal of these systems is to make it easier, quicker, and more efficient for low-income people to get the legal help they need – and for legal aid programs to deliver it. According to the information provided by the programs in the Program Questionnaire, all of the programs' telephone-based systems are generally achieving this goal.

Exhibit 3:

Summary of Best-Practice Area A: Client Access¹¹

Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.

- 1. A primary goal is that client access to services be increased.** Centralized telephone intake can be one tool in accomplishing this goal. Regardless of the intake system used, most clients served by Pennsylvania programs receive advice, counseling, brief service or a referral. Potential clients should not have to travel to a legal aid office to receive this service unless necessary.
- 2. A program has the discretion to determine if an applicant needs to be seen in person and will determine the best means of providing for an interview (telephonic or in person).** It may be by outreach or having the applicant come to the program. The applicant's best interest should be paramount.
 - a. The program has screening procedures in place to assess the applicant's capacity (considering educational level, language barriers and other factors) to comprehend and take action on legal advice provided solely by telephone. Research has indicated the following factors as especially constraining to the ability of clients to obtain favorable outcomes through telephone-based legal assistance: non-English speakers, individuals at the lowest educational levels, and those who report no income.
 - b. The program considers other factors affecting the choice of telephonic or face-to-face service delivery – such as age, physical disability or access to transportation.
- 3. The telephone intake system should be designed to attempt to have all callers talk to a staff person who can provide some help in the form of advice, brief service or a referral at the time of the first call.** This is difficult in areas of high call volume. A program must engage in excellent planning to devise a system that deals with call volume. The system may put callers into a queue for a reasonable period of time and if necessary allow for a call-back from the program after that time has passed and if the applicant wants to be called back. A telephone intake system should not be designed to have callers hear only a recorded message or have only eligibility established on the first call and then be made to call back later or receive a call back from the program to get into the reason for the call. The telephone intake, advice and referral system should be client centered and it should initially give specific information about services provided and time the applicant will wait to receive help.

Programs that have more than one office should strive to have one telephone portal through which all initial calls are received. Those calls may then be distributed to local offices for screening, advice, brief service or referral. Referral could be to another agency or to the same program for extended service.

¹¹ The best practices summarized in Exhibits 3, 6, 8, 10 and 12 were taken from the LSC Guidelines, in most cases verbatim. Only minimal editing was performed as needed to incorporate best practices recommended by evaluation studies released after the LSC Guidelines were issued. (These are summarized in Attachment A.) Insofar as possible, we have retained the original language without comment or modification, on the premise that it reflects the consensus of helpline leaders consulted in the development of the LSC Guidelines and should be left to stand on its own.

Question 1: How closely are the Pennsylvania telephone-based legal assistance systems aligned with best practices for “Client Access?”

Exhibit 4 below summarizes the results of programs’ self-assessment on each of the detailed criteria used for our assessment of this best-practice area. The symbols (see “Key”) indicate the extent to which each program listed at the top is meeting each of the criteria listed at left.

**Exhibit 4:
Program Best Practices Aimed At Achieving
Client Access**

Key for Self-Ratings

- Practice in place
- In place in some locations
- Other - See Notes 1 and 2
- ✓ In alignment with goals of best practices in this area

	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS	SUMMARY: % of Programs In Alignment
1. Intake is Performed:										
a. Through a single telephone number for the entire program		●	○		●	●	●		●	
b. Through multiple telephone numbers depending on county or city of residence	●			●					●	
c. Through multiple telephone numbers depending on substantive legal area (e.g., consumer law)								●		
d. Combination of the above or other									●	
Summary: Aligned With Best Practices:		✓			✓	✓	✓		✓	56%
2. Special screening and provisions are made for:										
a. Non-English speakers	●	●	●	●	●	●	●	●	●	
b. People with disabilities	●	●	●	●	●	●	●			
c. People with a low educational level		●	●	●	●	●	●			
d. People with a lack of transportation to the program's office(s)		●	●	●	●	●	●		●	
e. Other										
Summary: Aligned With Best Practices:		✓	✓	✓	✓	✓	✓			67%
3. Calls are taken by:										
a. Staff person.	●	●	●	●	●	●	●	○	●	
b. Automated call system that provides options for caller to be routed to appropriate staff person.	●	●		●	●	●		○		
c. Answering machine or voice mail to leave message and await callback.	●	●		●	●	●	●	●	●	
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓		✓	✓	89%
4. Callers are:										
a. Screened for eligibility (and conflict, etc.), then provided with legal assistance in same call.		●	●	●	●	□		□	●	
b. Screened for eligibility, then called back later by an advocate to discuss legal situation.	●					●				
c. Asked to leave message on voice mail. Eligibility screening and service are provided later in one or more follow-up phone calls.							●	●		
d. Other			●							
Summary: Aligned With Best Practices:		✓	✓	✓	✓	✓			✓	67%
5. Client waiting time, from initial call to first conversation with an advocate:										
a. Average hours:	1	0	1	12	1	1	24	4	2	
b. Minimum hours:	0	0	1	1	0	0	1	0	0	
c. Maximum hours:	24	0	24	48	36	6	48	24	24	
Summary: Aligned With Best Practices:	✓	✓	✓		✓	✓		✓	✓	78%

NOTE 1: In NWLS, provisions are made for a client to speak with an advocate during the initial call under special circumstances, such as the client has to go to work and will not be available for a call back.

NOTE 2: In the PLA mortgage foreclosure helpline, callers are screened and provided with legal assistance during the initial live call. In the general helpline, a call-back system is used.

As indicated in the “Summary” column of Exhibit 4, between 56 and 78 percent of the programs were aligned with criteria 1 through 5.

1. **INTAKE: *More than half (56 percent) of programs provide clients with a “one-stop” telephone portal.*** Six of the ten programs can be accessed from anywhere in their service area through a single telephone number by which clients can apply for the services and receive legal advice or brief services by phone, or make an appointment to receive extended service through one of the program offices.
2. **SPECIAL SCREENING: *Most programs (67 percent) take extra steps to flag clients who might have difficulty being served by phone.*** All programs are able to serve non English speakers through *Language Line®* or, in some cases, with multi-lingual staff.
3. **TAKING CALLS: *A strong majority (89 percent) of programs strives to have a live person answering the phone.*** In eight of the programs, calls are taken and screening is performed by specially trained intake workers. In some of these programs, callers first receive an automated message which provides basic information and presents options for the caller to choose depending on the nature of their call. They then speak with an intake worker. If all lines are busy, the caller may leave a voicemail message to receive a call-back.
4. **SCREENING AND SERVICE: *Most programs (67 percent) provide legal assistance in the first call, once the screening process has determined that the caller is eligible.*** Callers to seven of the programs are able, in most cases, to speak with a legal worker in the same call as the one in which screening for eligibility takes place. If all advocates are serving clients, then a call-back may be necessary.
5. **CLIENT WAITING TIME: *A majority of programs (56 percent) provide service in an hour or less.*** Five of the programs indicate average client wait times of an hour or less from initial contact to speaking with a legal worker. Two programs indicate longer wait times of 2-4 hours. Two programs estimate their average wait times to be 12 and 24 hours, respectively.

The degree of client access indicated by the above findings represents a remarkable achievement by Pennsylvania legal aid programs and their funders – the PA IOLTA Board and PLAN, Inc. Low-income people everywhere in the state can now apply for services by toll-free telephone rather than traveling to a program office. In half the regions across the state, eligible applicants can speak with a legal worker and get the information or advice they need, or be set up with an appointment with a program advocate for extended legal assistance, within an hour or less.

This compares favorably with the level of service enjoyed by customers in many other sectors, including legal services from private law firms. Moreover, in light of the fact that legal aid clients are often facing a crisis when they call, such as physical abuse from a domestic partner, a summons from a court, or an eviction notice from a landlord, this level of access is not just good service, it is a giant leap forward in making legal assistance truly accessible at the time when it is most needed – the time when it can make a great difference in the lives of clients.

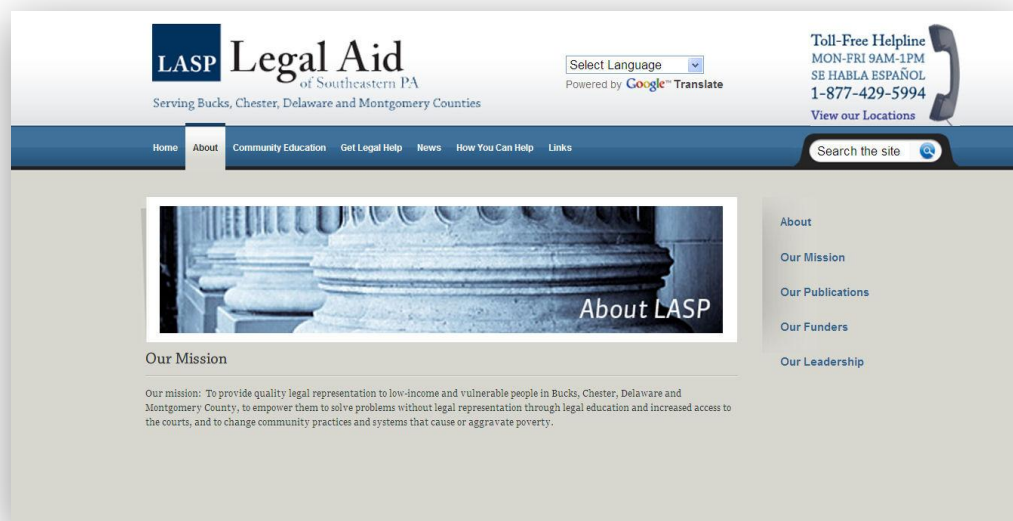
Question 2: What best practices for enhancing client access present opportunities for replication in other programs across the state?

The following are examples that were outlined in responses to the Program Questionnaire that demonstrate the goals and principles of the Client Access best-practice area.

- **A telephone “helpline” provides a single portal through which applicants can easily access all services offered by the program.** (See Exhibit 5 below) *Legal Aid of Southeastern Pennsylvania (LASP)* features its “Toll-Free Helpline” prominently in the upper-right-hand corner of its website home page, making it easy for low-income applicants or staff people in other agencies to find, and obtain immediate access to, the program’s services.

Exhibit 5:

Home Page of Legal Aid of Southeastern Pennsylvania
See Helpline Information at Upper Right



This meets fully the best practice indicated in the last paragraph of Exhibit 3:

Programs that have more than one office should strive to have one telephone portal through which all initial calls are received. Those calls may then be distributed to local offices for screening, advice, brief service or referral.

Other Pennsylvania programs feature their centralized intake number in their websites to varying degrees of prominence, but LASP stands out for putting the “one-stop shopping” approach into practice.

- **Legal assistance is provided in the first call.** At *LASP*, the paralegal who answers the phone does eligibility screening and then discusses the legal situation and gives legal advice in the first phone call. There may be follow up advice added at a later date after the paperwork has been reviewed by a supervising attorney.

- **Telephone “helplines” provide powerful tools for three of Pennsylvania’s specialized projects to reach their hard-to-serve clients.**
 - ***Pennsylvania Health Law Project (PHLP)*** operates a toll-free statewide Helpline that each year serves approximately 3,000 consumers and their advocates across Pennsylvania with an enormous range of health related needs and concerns. PHLP’s Helpline provides access to advice-only and brief services for the 2.1 million low-income Pennsylvanians on Medicaid/Medical Assistance, the 1.0 million Pennsylvanians without health insurance, and the 197,000 low-income kids enrolled in the Children’s Health Insurance Program (CHIP).

PHLP is also a back-up center that provides technical assistance and consultation to other legal aid attorneys and paralegals on all publicly-financed health care issues. Sometimes legal aid attorneys simply refer clients directly to PHLP.
 - ***Philadelphia Legal Assistance (PLA)*** created the ***Save Your Home Philly Hotline*** in response to the mortgage foreclosure crisis and as a way to centralize the point of access to a comprehensive network of legal and housing counseling resources available for Philadelphia homeowners who are facing foreclosure or are in the midst of the foreclosure process.
 - Income-eligible callers to ***MidPenn Legal Services (MPLS)*** with housing and consumer related matters are connected with one of four attorneys who serve in MidPenn’s Telephone Advice Project (TAP). The attorneys in this Unit speak with the clients, gather the facts of their situation and provide them with legal advice and/or brief service. In instances where it is determined that the client requires extended representation, the TAP attorney will provide the client with an appointment time to meet with an advocate in the local office for extended representation.
- **Evening hours make legal assistance accessible to working people in Southwestern Pennsylvania.** ***Laurel Legal Services (LLS)*** obtained a direct grant from IOLTA, in coordination with its partners ***Southwestern Pennsylvania Legal Services (SPLS)*** and ***Neighborhood Legal Services Association (NLSA)***, to expand hours during the day and provide access two evenings per week. ***SPLS*** extends this service to *four* evenings per week.
- **Telephone assistance is delivered in each caller’s native language.** ***MidPenn*** has one Spanish-speaking attorney working full-time in the Telephone Advice Unit, and expects to add another full-time Spanish-speaking attorney. The phone system has the ability to route calls to multiple locations and there is a queue for callers who speak Spanish. For callers who speak a language other than English or Spanish, ***Language Line®*** is used.

Question 3: What changes or additions would make the greatest difference in improving on what is already in place?

- **New Technology.** ***LASP*** is seeking funding for a new call center, on the premise that better technologies could mean shorter waiting times, extended intake hours through online intake, and efficient call back systems.

- **Redesign of intake to address problems associated with the call-back system.** One problem faced by *NLSA* in the Pittsburgh office, given the high volume of calls, is an inability to reach some callers who choose to have call backs and those callers who simply hang up without leaving a message. When called back, the caller is often not available even though they are advised as to the time frame in which they will be called on the same day. NLSA is considering a more centralized telephone intake system whereby calls will be answered by an available intake worker working from any NLSA office, which may reduce caller wait times and dropped calls in Allegheny County.
- **More staff to handle telephone intake.** All programs cited the need for more staff to handle the workload as more eligible people discover the telephone helplines and the demand for this service increases. This need has become even more severe as funding cuts force legal aid programs to reduce staff.

A primary goal of *Northwestern Legal Services (NWLS)* is for all calls to be answered by a live person. Without funding to fully staff the intake unit, approaches are being considered such as cross-training of existing support staff who do not normally conduct intake screening to cover the intake system when there is a shortage of regular screening staff.

Continued on next page...

Best-Practice Area B: STAFFING – Pennsylvania Programs Have Highly Qualified, Well-Trained People Delivering Telephone-Based Legal Assistance.

The overall goal expressed in this best-practice area (see Exhibit 6 below) is that the staff of a telephone-based legal assistance system should be highly skilled and trained and have excellent resource materials available to aid them. The training should be based on best practices that enhance outcomes for clients.

Exhibit 6:

**Best-Practice Area B:
Staffing the Telephone Intake and Delivery System**

While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.

- 1. A legal aid program engages in many important functions to serve clients.**
The process of ensuring that an applicant is directed on the appropriate path to receiving the needed help in an efficient and effective manner is crucial to all programs.
- 2. The staff engaged in this process must have distinctive abilities to gather information in an empathetic way, analyze the facts, and apply sound substantive knowledge.**
- 3. The staff must be well trained and knowledgeable of alternatives and resources available to the applicant.**
 - a. The staff should have as high a level of skill and training as any person in the program and have excellent resource materials available to aid them.
 - b. The training they receive should familiarize them with best practices that have been proven by research to enhance outcomes for clients – for example, how to identify clients who may not follow up on telephonic advice they are given, such as a younger individual whose time is consumed by work and/or child care and who will therefore be less likely to have time to complete the follow-up action. Protocols for handling such situations should be provided.
- 4. The staffing structure recognizes the importance of intake as a key to successful delivery of services.** For example, it relies on staff who have experience and expertise in the area of intake.

Exhibit 7 below outlines Pennsylvania programs' alignment with these practices.

Exhibit 7:
Program Best Practices in
Staffing the Telephone Intake and Delivery System

Key for Self-Ratings

- Practice in place
- In place in some locations
- Other - See notes 1, 2 and 3
- ✓ In alignment with goals of best practices in this area

	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS	SUMMARY: % of Programs In Alignment
1 Staffing: Phone-based intake is done by:										
a. Staff lawyers							●			
b. Staff paralegals		●					●	●		
c. Trained non-legal staff	●		●	●	●	●	□		●	
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%
2 Phone-based legal assistance is provided by:										
a. Staff lawyers	●	●	●	□	●	●	●		●	
b. Staff paralegals	●	●	●	●	●		●	●		
c. Other				□	□					
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%
3 Supervision of phone-based legal assistance is provided by:										
a. Lawyers (staff or management)	●	●	●	●	●	●	●	●	●	
b. Paralegals										
c. Other										
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%
4 Training received in past 12 months by staff assigned to the phone-based legal assistance system										
a. Intake staff	●	●	●	●	●	●	●	●		
b. Legal workers	●	●	●	●	●	●	●	●	●	
c. Others		●	●				□	●		
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%

Note 1: At PHLP, some intake is performed by graduate student interns (law & social work students).

Note 2: At NLSA, paralegals, attorneys, pro bono attorneys and law students all provide telephone advice.

Note 3: At NPLS, staff provide legal assistance from an individual office and not a central unit.

Question 1: How closely are the Pennsylvania telephone-based legal assistance systems aligned with best practices for “Staffing the Telephone Intake and Delivery System?”

- **STAFFING OF INTAKE:** *In all programs (100 percent), intake is performed by trained, non-legal staff, or in some programs, by paralegals.* Seven of the programs use specially trained non-lawyer staff to perform intake interviewing, eligibility screening and conflict checking. Three of the programs use paralegals, and as a result, are able to streamline the process for callers by providing legal advice immediately after screening.
- **STAFFING OF LEGAL ASSISTANCE:** *In all programs (100 percent), legal assistance is provided by lawyers, or by paralegals supervised and backed up by lawyers.* In seven of the programs, legal assistance is provided by paralegals. In six of

those programs, callers are transferred to lawyers for certain cases depending on the nature of the problem. In all programs, paralegals are supervised by lawyers.

- **SUPERVISION: *Provided by lawyers in all programs (100 percent).***
- **TRAINING: *All programs (100 percent) have provided relevant training for telephone delivery staff in the past 12 months.*** As indicated later in this section, training varies by program but usually includes both procedural training on how to handle the situations that arise in telephone-based legal assistance and substantive legal training to ensure that intake workers have some familiarity with the legal problems about which callers are requesting help.

Question 2: *What practices in Pennsylvania programs present opportunities for replication in other programs across the state?*

- **Staff with appropriate qualifications are assigned to the telephone assistance unit.**
 - The **SPLS** Hotline is staffed by veteran program employees, most with over ten years of program experience, including two intake workers in the program's central Washington County office, an intake worker in each of three other program offices, a senior staff attorney with 32 years of legal experience providing telephone advice and brief service, and the Washington County Managing Attorney, with 32 years of legal experience, acting as project supervisor.
 - Three of the telephone advice attorneys at **MidPenn** are experienced attorneys who have worked in legal services for many years. The average length of service for these three attorneys is 11 years.
 - When looking for helpline staff, recruitment at **NPLS** focuses on individuals who have experience in dealing with the public, dealing with challenging clients who may be in crisis situations, those who have excellent computer skills, and those who are committed to the program's clients and its mission.
- **Program practices strive to minimize staff turnover.**
 - There has been very little turnover in staff since the **LASP** helpline was started in 2001, due to a number of factors. One is the location and configuration of the helpline. The staff is housed in an open area with spacious cubicles. The helpline staff attorneys are readily accessible to the paralegals and calls are frequently discussed among advocates in an effort to give the best advice possible to the callers. The helpline is also located within one of the local county offices. The six additional attorneys in that office are knowledgeable in a variety of legal areas and are available for consultations, as needed. This proximity between helpline and local office fosters an appreciation on both sides for the role each plays in providing high quality legal services to clients.
 - Despite the need for better salaries, **NLSA** has been very successful in attracting and retaining qualified helpline staff. Most recently, this may be the result of an economic downturn which has allowed the program to benefit from qualified applicants, but given the low turnover rate, it is more likely that the program has

hired staff who are committed to its mission, and developed staff to meet its needs.

- **NWLS** focuses on recruiting already experienced attorneys who have an expressed interest and aptitude for phone advice work. Staff morale is higher and job stress lessened for the program's phone advice attorneys due to the following four factors:
 - Bifurcation of the eligibility screening and legal advice components of the intake system. Intake staff screen for eligibility and attorneys focus on providing legal assistance.
 - Technology is specifically tailored to assist the attorney to provide efficient, effective, high quality legal help.
 - Phone advice attorneys only do phone advice work. They do not carry extended representation caseloads, alleviating the conflict and stress that would otherwise result in being pulled between the competing demands of giving help to phone advice clients in a timely manner and existing clients with their inevitable deadlines for pleadings, briefs and hearings.
 - Advice attorneys are expected to advise and close no more than 10 new cases per day, so no unhandled cases build up in the system causing additional stress and supervision issues.
- **Appropriate training is provided.**
 - **LASP** provides training, on the job experience, and opportunities for professional development to the helpline staff. The paralegals and attorneys on the helpline receive regular trainings on substantive issues at monthly training meetings and other educational events during the year.
 - Each intake worker at **NLSA** has received training on how to deal with difficult callers, how to properly complete an intake, and how to properly conduct conflict checking. In addition, each intake worker received training on substantive law issues such as unemployment, evictions and public benefits.
 - All Hotline employees at **SPLS** are trained in the program's case acceptance and exclusion policies, and on additional program services as new initiatives are added. They have received further training annually on substantive education and general intake issues. Topics for training include food stamps, unemployment compensation, private landlord tenant evictions, how to deal with clients in crisis, and the use of case notes in the opening of files.

Best-Practice Area C: DECISIONS ON ASSISTANCE: *Pennsylvania Programs Strive to Address the Most Compelling Legal Needs as Quickly and Efficiently as Possible for Clients.*

The expectations expressed in this best-practice area acknowledge the tension, often extreme, between the overwhelming demand for legal assistance and the capacity of programs to meet that demand. Nowhere is that tension more evident than in the decisions that intake staff must make day in and day out about who will be accepted for service and what level of service is needed to address each applicant's situation.

Exhibit 8 below summarizes the best practices that apply to this aspect of telephone-based intake and legal assistance. Exhibit 9 on the next page outlines the extent to which Pennsylvania programs are aligned with those standards.

**Exhibit 8:
Best-Practice Area C:
Decisions on Assistance¹²**

***Applicants for service should receive prompt determination
as to the type of services that they will receive from the program.***

- 1. An applicant for legal aid should be told as soon as possible what type of service she will receive.** *That decision should be based on uniform written program policies and should be promptly reviewed by a supervisor.*
- 2. Applicants and clients are better served if the oral information disseminated is memorialized in writing.**
 - *This may include an individualized letter¹⁴ where appropriate or preprinted documents like a pamphlet or brochure are included.*
 - *Programs have the discretion to determine that written confirmation is not necessary in particular cases or circumstances. Examples include domestic violence victims, homeless applicants or applicants who are about to be evicted.*
 - *Programs must make these decisions based on the best interest of clients.*
 - *Some programs with extremely high call volume may determine that sending letters in every case is prohibitively expensive and therefore send letters in only particular circumstances.*

An applicant who is referred to another program or to another unit of the same program should be contacted by the referring organization in a few days so she knows what will be done for her.

¹² The LSC Guidelines use the term “letter” in referring to written communications with clients; however, it is reasonable to assume that electronic communications would align with this practice under appropriate circumstances – for example, where it is clear that the client has access to secure e-mail.

Exhibit 9: Program Best Practices Aimed At Achieving Prompt Decisions on Assistance

Key for Self-Ratings

- Practice in place
- In place in some locations
- Other
- ✓ In alignment with goals of best practices in this area

	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS	SUMMARY: % of Programs In Alignment
1. Program has policies in place governing decisions on assistance										
Written policies are in place governing types and levels of services to be provided to callers - based on priorities, client situation and other factors.	●	●	●	●	●	●	●	●	●	
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%
2. As a matter of policy, are clients provided with a written letter or other communication after being provided with phone-based legal assistance (for example, a letter summarizing the advice given and/or action recommended)?:										
a. No – Callers are not generally provided with written communication after a call.										
b. Yes – All clients receive a follow-up letter summarizing the advice or information given.	●	●	●	●	●	●	●		●	
c. Yes – Our program uses a library of form letters that can be quickly personalized for the caller by our phone-based legal assistance staff.		○			●	●	●			
d. Yes – Our program provides generic legal information pamphlets to callers appropriate to the circumstances of their situation.		●		●		●	●			
e. Yes – Our program provides written information to some (but not all) callers depending on circumstances.							●	●		
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓		✓	89%

Question 1: *How closely are the Pennsylvania telephone-based legal assistance systems aligned with best practices for “Prompt Decisions on Assistance?”*

- POLICIES IN PLACE:** *All programs (100 percent) have written policies in place to guide the day-to-day decisions that intake staff must make about the service each applicant will receive.* Programs provided copies of those policies to The Resource as attachments to the narrative questionnaires they submitted. Copies are available from the programs or from The Resource.
- WRITTEN COMMUNICATION AFTER SERVICE:** *A strong majority (89 percent) of programs adhere to the best practice of sending each client a written summary and other pertinent legal information following service.* Eight of the programs have indicated they provide personalized follow-up communications to each client that summarize in writing the guidance or legal advice they have been given. Most programs supplement this individualized communication with pre-printed legal education brochures, self-help materials and other relevant written information.

Question 2: What practices in Pennsylvania programs present opportunities for replication in other programs across the state?

- **The process is simplified.** Callers to the [LASP](#) helpline speak immediately to a paralegal who is trained and experienced not only in determining financial and other eligibility (such as absence of conflicts, restrictions, etc.) but also in determining whether the callers problem falls within program priorities, case acceptance policies and intake guidelines. As a result, clients are almost always told upon their first contact with the helpline whether or not LASP will be able to help them. They are also usually told on that call whether that assistance will be limited to telephone advice from the helpline or might include additional services delivered by the local office. Not only is this beneficial to the client, it respects their time and the time of the staff since it involves little in the way of transferring calls and call backs. It is very efficient given the level of technology currently available to helpline staff.
- **Clear guidance is provided for intake staff.**
 - The intake supervisor at [NWLS](#) has created intake and case handling manuals for intake screeners and phone advice attorneys, which are updated on an as needed basis. All intake unit performance is measured against the expectations in the manuals. The intake supervisor personally trains new hires on procedures outlined in the manual, as well as supervises and helps conduct “hands on” training of the new hire.
 - [NLSA](#) has an Eligibility Manual which defines the levels of service that each caller can expect to receive from the program, which might include advice, extended representation, or referral for pro bono or reduced-fee service. Each caller is advised during the initial intake process of the level of service they can expect to receive and when the attorney will call them back to discuss their case.
- **Clients are provided with a written summary of the advice that was given.¹³**
 - [NWLS](#) has always sent confirming letters to clients along with packets of information.
 - All clients who receive advice/brief service from [MidPenn’s Telephone Advice Project \(TAP\)](#) are sent a letter to confirm the advice that they were given by the attorney.
 - All [PHLP](#) clients who receive advice/brief service are sent a letter confirming the advice given by PHLP staff.
 - At [LLS](#), all telephone advice cases are closed with a letter to the clients setting forth the advice given, and appropriate procedure and pro se materials enclosed, unless the client requests not to have the mail sent.
 - All clients at [NLSA](#) receive a letter memorializing the advice and services provided to them, along with a client satisfaction survey.

¹³ Programs’ responses to the Program Questionnaire use the term “letter” in referring to follow-up, written communications with clients. They did not specify circumstances in which e-mail or other electronic communications might be used as well.

- The casehandler at *SPLS* sends a letter to the client memorializing the advice given, unless the receipt of such letter could threaten the caller's safety. Clients are encouraged to call back if additional questions arise.
- **The follow-up letter is provided in the caller's native language.** Letters to Spanish-speaking clients at *MidPenn* are written in Spanish; if the caller speaks a language other than English or Spanish, the letter is translated by a paid translation service.

Best-Practice Area D: TECHNOLOGY: All Pennsylvania Programs Seek to Expedite the Applicant's Journey from Initial Application to Appropriate Legal Assistance.

The best practices for this area (see Exhibit 10 below) comprise an extensive list of the key features of sophisticated telephone and case management systems that streamline program staff's communication with the client and enhance teamwork among the key players involved in addressing the client's legal situation, including the intake staff, the advocate, the support staff in the program, and resource people in the community.

**Exhibit 10:
Best-Practice Area D: Technology**

A telephone intake, advice and referral system must use up-to-date telephone and computer technology to ensure the system works efficiently.

All programs should acquire the most sophisticated technology reasonably possible without reducing the quality of work in other areas, including extended service.

1. Phone System

- a. The program provides a toll free number (either local or 800 number) for the applicant to call to get into the intake system.
- b. The initial intake options are provided by the telephone system. Options may include a language choice, recorded substantive information or the types of services provided by the program.
- c. The instructions are multi-lingual in locations that require it.
- d. The telephone system provides information on the program, intake procedure, and basic legal problem areas.
- e. It provides methods for an applicant to reach a live attendant if needed.
- f. It is capable of routing calls to multiple intake locations if required by the intake system.
- g. It can advise an applicant on the expected hold time and give an option to leave call-back information.
- h. If the initial intake worker transfers the applicant to a case handler, the system will have the ability to route the call to the case handler without the applicant having to call back or call a different number.
- i. The system is either designed so that the intake worker can see who is available for calls and route the applicant to that person, or the system does it automatically after the intake worker puts the applicant into the queue.
- j. The system is designed to accommodate persons with disabilities.

2. Case Management Software

- a. The legal aid provider has a central database covering the entire intake area to allow information sharing and system-wide conflicts checking.
- b. The software allows for regular backups of the database to ensure preservation of data.
- c. There is eligibility checking with built-in error checking to insure statistical reporting accuracy.
- d. The software provides intake workers with a system of questions and advice for applicants keyed to legal problems.

Continued on next page...

Exhibit 10

Continued

2. Case Management Software (continued)

- e. *It provides intake workers with searchable referral information on other agencies and service providers to provide applicants with additional help.*
- f. *It stores sufficient information to prepare needed reports for management and funders.*
- g. *It provides intake workers with the ability to generate customized form letters for applicants, clients and others, such as pro bono attorneys or other agencies.*
- h. *It enables advocates to “tickle” cases for a call-back to check on the client’s progress for cases in which the problem is particularly likely to have serious consequences for the client if the advice is not followed.*

Exhibit 11 below outlines the extent to which Pennsylvania programs are aligned with the best practices related to technology.

Exhibit 11: Program Best Practices Related to Technology

Key for Self-Ratings

- Practice in place
- In place in some locations
- Other
- ✓ In alignment with goals of best practices in this area

	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS	SUMMARY: % of Programs In Alignment
1. Phone System										
a. Calls for clients are toll-free.	●	●	●	●	●	●	●	●	●	
b. The instructions are multi-lingual in locations that warrant it.		●	●		●	●	●	●		
c. The telephone system provides information on the program, intake procedure, and basic legal problem areas.		●		●	●		●	●		
d. It provides methods for an applicant to reach a live attendant, if needed.	●	●	●	●	●			●		
e. It is capable of routing calls to multiple intake locations if required by the intake system.	●		●	●	●	●		●	●	
f. It can advise an applicant on the expected hold time and provide an option to leave call-back information.			●							
g. If the initial intake worker transfers the applicant to a case handler, the phone system has the ability to route the call to the case handler without the applicant having to call back or call a different number.	●		●	●		●			●	
h. The system is designed so that the intake worker either can see who is available to receive a call and route the applicant to that person, or the system does it automatically after the intake worker puts the applicant into the queue.	●		●	●					●	
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%

Exhibit 11 continued on next page...

Exhibit 11
(Continued from Previous Page)

2. Case Management Software	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS	
a. Our program has a central database covering the entire service area to allow information sharing and system-wide conflicts checking during intake.	•	•	•	•	•	•	•	•	•	
b. The software allows for regular backups of the database to ensure preservation of data.	•	•	•	•	•	•	•	•	•	
c. There is eligibility checking with built-in error checking to ensure accuracy of case statistical reports.	•	•	•	•	•	•	•	•	•	
d. The software provides intake workers with a system of questions and advice for applicants keyed to legal problems.		•	•	•	•				•	
e. The software provides intake workers with searchable referral information on other agencies and service providers to offer applicants additional help.	•	•	•	•	•	•				
f. The software stores sufficient information to prepare needed reports for management and funders.	•	•	•	•	•	•	•	•	•	
g. The software provides intake workers with the ability to generate customized form letters for applicants, clients and others, such as pro bono attorneys or other agencies.	•	•	•	•		•		•	•	
h. The software enables advocates to "tickle" cases for a callback to check on the client's progress for cases in which the problem is particularly likely to have serious consequences for the client if the advice is not followed.	•		•	•				•	•	
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓		✓	✓	89%

Question 1: How closely are the Pennsylvania telephone-based legal assistance systems aligned with best practices for "Technology?"

- **PHONE SYSTEM:** All programs (100 percent) have the basic phone capacity they need to operate their intended service delivery model.
- **CASE MANAGEMENT SYSTEM:** Most programs (89 percent) have systems with features that fully support telephone-based intake and legal assistance.

Question 2: What practices in Pennsylvania programs present opportunities for replication in other programs across the state?

- **Automated document assembly saves staff time.**
 - In 2011, **PLA** received a two-year LSC Technology Improvement Grant (TIG) to expand client access by developing and implementing an on-line intake system based on A2J™, the user-friendly graphical interface designed by the Chicago-Kent School of Law specifically for legal services clients. The system will integrate with PLA's case management system to allow on-line intakes to be processed efficiently.
 - **LASP** uses Hot Docs™ and A2J™ software programs to develop templates for use by staff and callers. These templates allow the staff to generate customized letters to callers following telephone advice and brief service. Others provide self-help materials for callers with certain landlord/tenant issues.
- **Several vehicles are used to put resources at staff's fingertips.**
 - **Use a Wiki.** **LASP's** staff Wiki was created by the helpline supervising attorney several years ago. This was initially designed exclusively for the helpline staff but it has since been expanded to serve the whole staff in a wide variety of ways.

The Wiki contains tutorials and other training materials (including how to deal with clients facing difficult issues such as domestic violence), reference materials covering resources in all four counties, other legal aid programs, and links to a multitude of government and non-government websites. It is being added to and revised constantly and is available to all staff with a couple of clicks on the desktop. It has contributed to the depth and breadth of helpline staff's knowledge so that the client receives the most accurate and pertinent information and advice available.

- **Use SharePoint or common place for storing documents**
 - All staff at **MidPenn** has access to Share Point where the documents for the Central Intake Unit/Telephone Advice Project are stored.
 - **The Southwest Consortium (NLSA, SPLS, LLS)** is developing a SharePoint to provide intake staff in all three programs the ability to immediately access levels of service and staff for each program. This will make client referrals much more efficient.
- **Use internal capabilities of the case management or telephone systems.**
 - Each intake worker at **NLSA** uses “case notes” within the case management system (Kemps **Prime**) to present questions to callers and record their answers based on the specific legal issues they face – for example, an eviction matter. The case notes are then reviewed by the helpline attorney prior to his or her contact with the client.
 - **PHLP** uses FileMaker Pro to maintain a client database that documents client and case information in a structure that reflects the unique legal service needs of clients navigating the publicly funded health systems. Associated screens document the disposition of clients' problems, and the steps taken to resolve those problems. The FileMaker site is available to staff across all PHLP's offices, and enables them to search for cases and case statistics, filtered through any of the categories of information that the program collects.
 - **PLA** collects detailed data from its phone system to monitor the calls to its intake lines. The data are analyzed to monitor length of wait times, the number of seconds that elapse before callers hang up, the number of calls taken by each worker, and other factors. Numbers collected from Caller ID are matched to the phone numbers in the case management system in order to estimate the number of callers who never get through. PLA developed a number of automated reports based on the data, and these reports are reviewed several times per week for quality control and staff scheduling purposes.
- **Use the program website.** The phone system at **NWLS** meets many, but not all of the criteria identified in the Technology area, so the program has dealt with some deficiencies by putting information onto its website, such as types of cases the program handles, self-help materials and referral information.
- **The scheduling of appointments with advocates is automated.** **PLA** has begun automating the scheduling of real time appointments with service programs or legal

advocates, and indicates that expanding that innovation program-wide will help to expand access and improve the quality of the services provided.

- **Court docket information is automated.** Another Hotline tool worthy of replication is the automated retrieval of Court docket information at [PLA](#). The program indicates that as other courts, such as family court, come online, it may be easier to retrieve procedural and historical case information quickly in order to provide more efficient and comprehensive brief services to callers.
- **Online document retrieval systems streamline mortgage related legal assistance.** Intake staff of the [Save Your Home Philly](#) hotline are registered users of *Philadox*, the document retrieval system for the Philadelphia Department of Records, and they make use of other City websites with real estate information. They use these sites to access property values, taxes, liens, mortgages and deeds for use in the evaluation of a case for acceptance, the provision of advice or for referral.
- **The telephone advice system is “paperless.”** As of December 2011, the entire program at [NLSA](#) began operating telephone advice paperless. What this means for intake staff is that they are no longer required to print and distribute the intakes to the attorneys. Removing this requirement has increased their efficiency and availability for calls.

Question 3: What Changes or Additions Could Potentially Improve Performance in This Best-Practice Area?

- **Using Google Apps for staff chat and document-sharing.** [LASP](#) plans to start using various features on Google Apps to enable staff to chat and share documents on the Cloud which will improve communications between offices.
- **New hardware or software.**
 - [LASP](#) is seeking funding for a new call center system with additional features that would improve the client helpline experience, better handle the flow of calls and increase staff efficiency.
 - [NLSA](#) indicates that the purchase of Interactive Voice Response (IVR) software would definitely improve the phone system. The current system is rather sophisticated, and this add-on would permit callers to choose prompts by speaking rather than by pressing numbers. Also, it would allow the system to give callers an accurate estimate of their hold time before being connected to an Intake worker. Currently, NLSA is planning on providing callers with their estimated hold time through some programming changes to the call server without the purchase of new software.
- **Adequate staffing for the technology function.** [MidPenn’s](#) technology is currently able to do what is needed; however new additions such as web-based intake will require increasing the size of its technology staff from one to two.
- **Regularly scheduled “roundtables” for tech people.** [NLSA](#) indicates a regularly scheduled roundtable or summit for tech people in the legal aid community would “really be helpful” as far as identifying best practices in this area and deciding which ones are adaptable for use in other programs.

- **Improvements in Case Management System software.**
 - **PHLP** indicates it would like to improve its Case Management System, **FileMaker Pro**, so that it can 1) provide staff with the ability to generate customized form letters for clients, and 2) “tickle” cases for a call-back to check on the client’s progress for cases in which the problem is particularly likely to have serious consequences for the client if the advice is not followed. Additionally, it is desirable to have staff available to call a random sample of clients who received brief service to see whether the guidance/advice was followed.
 - **PLA** will transition from its current case management system to a more robust system, **Legal Server**, in 2012. The conversion will improve the efficiency of interagency referrals among PLA, its sister organization Community Legal Services and the pro bono provider, Philadelphia Volunteers for the Indigent Program (VIP), which are currently using the system.

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Best-practice area E: HIGH QUALITY LEGAL SERVICES – Pennsylvania Telephone-Based Systems Provide Accurate, Informative, Prompt, Professional and Conflict-Free Legal Assistance.

The best practices for this area (see Exhibit 12 below) are aimed at providing checks and balances to ensure that clients of telephone-based legal assistance receive as high quality of service as those who are served in person.

**Exhibit 12:
Best-Practice Area E:
High Quality Legal Assistance**

The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.

1. *There is a designated supervisor of the intake decisions who is an experienced attorney.*
2. *Within 24 hours of the initial contact, there is a review of intake decisions and assistance.*
3. *The review process is designed to screen for quality and to identify recurrent problems or issues in the client community.*
4. *Intake staff receives ongoing substantive and procedural training on performing intake.*
5. *Attention is given to the effectiveness of the intake system and results achieved for applicants and clients. For example, this can be done by using satisfaction surveys and, when appropriate, outcome measures such as follow-up telephone interviews with random samples of clients to determine what happened in their cases.*
6. *Resource materials used by casehandlers are regularly reviewed and updated.*
7. *Based on ongoing evaluation, appropriate procedural changes are made in the intake system.*
8. *The legal aid provider is aware of technological advances that benefit its intake systems as those become available and uses those technologies to enhance the services it provides.*
9. *The legal aid provider is aware of and applies best practices that research has shown to enhance outcomes for clients. Examples of research-based best practices include the following:*
 - a. *Having a tickler system in place that flags case for a call-back to check on the client's progress – especially in cases in which the problem is particularly likely to have serious consequences for the client if the recommended action is not followed.*
 - b. *Having the capacity to provide brief services, or having a brief services unit, in addition to legal information and advice, thereby leveraging the investment that the program has made in developing the facts and legal issues in response to clients' calls.*

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Exhibit 13 below outlines the extent to which Pennsylvania programs are aligned with the best practices for ensuring high quality services.

Exhibit 13: Program Best Practices Aimed At Achieving High Quality Legal Assistance

Key for Self-Ratings

- Practice in place
- In place in some locations
- Other
- ✓ In alignment with goals of best practices in this area

	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS	SUMMARY: % of Programs In Alignment
Are the following systems in place?										
a. There is a designated supervisor of the intake decisions who is an experienced attorney.	●	●	●	●	●	●	●	●	●	
b. Within 24 hours of the initial contact, there is a review of intake decisions and assistance.	●	●	●	●	●	●		●	●	
c. The review process is designed to screen for quality and to identify recurrent problems or issues in the client community.	●	●	●	●	●	●	●	●	●	
d. Intake staff receives ongoing substantive and procedural training on performing intake.	●	●	●	●	●	●	●	●	●	
e. Attention is given to the effectiveness of the intake system and results achieved for applicants and clients. For example, our program conducts client satisfaction surveys and/or makes follow-up calls to random samples of clients to determine whether or not they were able to follow the advice they received from us.	●	●	●	●	●	●	●		●	
f. Resource materials used by casehandlers are regularly reviewed and updated.	●	●	●	●	●	●	●	●	●	
g. Based on ongoing evaluation, appropriate procedural changes are made in the intake system.	●	●	●	●	●	●	●	●	●	
h. Our program has a tickler system in place that flags cases for a callback to check on the client's progress – especially in cases in which the problem is particularly likely to have serious consequences if the recommended action is not followed.	●		●	●				●	●	
i. Our program is aware of technological advances that benefit their intake systems as they become available and use those technologies to enhance the services they provide.	●	●	●	●	●	●	●	●	●	
j. Our program has the capacity to provide brief services, or has a brief services unit, in addition to legal information and advice, thereby leveraging the investment made in developing the facts and legal issues as part of our phone-based legal assistance.	●	●	●	●	●	●	●	●	●	
Summary: Aligned With Best Practices:	✓	✓	✓	✓	✓	✓	✓	✓	✓	100%

Question 1: How closely are the Pennsylvania telephone-based legal assistance systems aligned with best practices for “High Quality Legal Assistance?”

- **Basic systems are in place:** All programs (100 percent) adhere to basic standards for monitoring the quality of telephone-based legal assistance.
- **Feedback is solicited from clients:** Most programs have means for monitoring their own effectiveness, including following up with some or all clients to get feedback about the services being provided.

Question 2: What practices in Pennsylvania programs present opportunities for replication in other programs across the state?

- **Telephone-based assistance was launched after extensive research into best practices.** *MidPenn’s CIU/TAP project* was set up by an experienced attorney who had served as the program’s Regional Telephone Advice attorney for several years. Prior to setting the project up, she reviewed the ABA Standards and the LSC Performance Criteria. She also contacted staff in other programs within Pennsylvania to see how their projects were set up and then worked with the Director of Advocacy to structure the Project so it would deliver client friendly, high quality services. Support staff was carefully identified to participate in the Project and after selection they were trained on the various protocols developed for the Unit. The CIU/TAP manager holds weekly meetings with intake staff to identify problems and concerns.
- **Telephone-based assistance enables staff to spot trends and address emerging issues.**
 - **Weekly meetings.** Meetings of helpline staff at *LASP* are held each week to talk about emerging issues, either having to do with the content of the calls coming in or the smooth operation of the helpline. So there is a constant abundant sharing of information about cases coming into the helpline. This has led on several occasions to identification of trends or systemic problems, such as an apartment complex which was not following the law or a mortgage counseling company scamming residents of one county.
 - **Monthly meetings.** In Pittsburgh, the three helpline attorneys at *NLSA* participate in monthly meetings conducted by a supervising attorney discussing new requirements for intake which are periodically necessary because of various funder requirements, problems which the supervising attorney has noted since the last meeting, and issues raised by intake staff.
 - **Example of impact:** At *NWLS*, outrageous debt collection activities by a local debt collector were identified as systemic by comparing notes concerning the facts in several phone advice cases. NWLS was able to work with the Pennsylvania Consumer Protection office to assist in developing facts and clients for them to use in filing both civil and criminal charges leading to a court order shutting down their operation.
 - **Example of impact:** *PHLP* works to turn its clients’ experiences into policy changes that improve its clients' lives and keeps PHLP from having to solve the same case over and over again. For example, PHLP received numerous distress calls from families of Medicaid eligible children denied home health services by

their physical health Medicaid managed care plans (physical health MCOs). PHLP's advocacy resulted in a DPW investigation and finding that seven Medicaid MCOs improperly denied home health care. DPW put the MCOs on a Corrective Action Plan requiring them to stop issuing the erroneous denials, review previous cases, and correct the previous denials sent.

- **Brief services are provided by phone.** The helpline staff at *LASP* not only reviews letters and documents sent in by callers and suggests next steps to be taken by them to resolve the issue, but also calls third parties on their behalf, coaches them on representing themselves in administrative conferences and hearings and, in a few cases, it has even sent in letter briefs to tribunals before whom the caller had a case. This higher level of service has led, not surprisingly, to cases of high client satisfaction and good client outcomes in many cases.
- **Regular feedback from clients is built into the program.**
 - All callers served by the *MidPenn TAP Unit* are sent a survey at the conclusion of their case. The return rate for these surveys is much higher than for clients who receive extended representation. Surveys and files are reviewed by supervisors to ensure that callers are receiving prompt and high quality legal services.
 - All phone advice clients at *NWLS* are sent a client satisfaction questionnaire the results of which are monitored by program administration and reviewed by the intake supervisor. Ten percent of former phone advice clients are sent a follow-up survey with the intake supervisor reviewing all returned follow-up surveys.
- **A comprehensive management approach is applied.** *SPLS* has developed a comprehensive management system to maintain and evaluate its telephone Hotline system. The Washington County Managing Attorney is designated as the day-to-day supervisor of the Hotline project. The Managing Attorney, with 32 years of legal experience, reviews the intake and assignment decisions on a daily basis. The Managing Attorney regularly reviews all telephone case assignments for appropriateness, and to identify recurrent problems or issues in the client community. The Managing Attorney immediately reviews questions from the intake workers and casehandlers to determine the need for additional telephone-based services, or referral to an appointment.
- **Pro se materials are provided as a complement to legal assistance.**
 - One of the Allegheny County helpline attorneys is also *NLSA's* webmaster and provides constant updating of the pro se materials on the program website based on research done by the helpline attorneys as well as information provided by other staff attorneys (such as employment information and expungement information).
 - *PHLP* educates clients about their own health care advocacy because it leads to better outcomes and increases their own sense of dignity and accomplishment; it also furthers education in the community through word of mouth. To this end PHLP has literacy appropriate materials, but indicates that more should be developed and distributed to clients and client advocates.

V. SUMMARY OF FINDINGS

Exhibit 14 on the next page summarizes the alignment we found with each of the five major best-practice areas that were assessed. The areas of “Client Access” and “Prompt Decisions on Assistance” offered the greatest opportunities for improvement, with 56 to 89 percent of programs in alignment with the various practices reflected in these areas.

Opportunities for Improvement

Programs that have not yet adopted best practices could significantly improve the experience of clients by exploring – and if appropriate, applying – the best practices already in place in the high-performing programs in the following areas:

- Area A: Client Access
- Area C: Prompt Decisions on Assistance

It is important to emphasize that this was a self-assessment, not an external evaluation. The percentages reflected in Exhibit 14 reflect programs’ own classifications of their practices as being “in place” or otherwise.

Moreover, the practices outlined in the *ABA Standards*, the *LSC Guidelines*, and the final reports of evaluations such as the 2002 Hotline Study provide only broad principles to guide programs as they seek to help clients deal with their legal challenges. The authors of these principles acknowledge that their application must be tempered with the practical constraints and opportunities that each program faces in the context of the communities it serves and the resources it has available.

In that spirit, the best use of the information in this report would be as a tool and a source of information to support a productive discussion within the programs involved as to how best to serve clients within each program’s own situation, service priorities and delivery strategies.

Some ideas for having such a discussion are presented in the next section.

Exhibit 14:
**Summary – Alignment of telephone-based Intake and
Legal Assistance Systems with Best Practices**

Best-Practice Area	Percent of Programs in Alignment	Best-Practice Models (Examples)		Page
A. Client Access	56-89 Percent	<i>Intake Through Central Portal:</i>	Legal Aid of Southeastern Pennsylvania (LASP)	13
		<i>Legal Service Provided in First Call:</i>	LASP	13
		<i>Helpline for Specialized Services:</i>	Pennsylvania Health Law Project (PHLP), Philadelphia Legal Assistance (PLA), MidPenn Legal Services (MPLS)	14
		<i>Evening Hours:</i>	Southwestern Pennsylvania Consortium - Neighborhood Legal Services Association (NLSA), Laurel Legal Services (LLS), Southwestern Pennsylvania Legal Services (SPLS)	14
		<i>Telephone assistance in caller's native language:</i>	MPLS	14
		Changes or Additions That Would Improve What's In Place		
		<i>New Technology</i>	LASP: New call center	14
		<i>Redesign of Intake</i>	NLSA: More centralized telephone system	15
		<i>More staff to handle telephone intake</i>	All programs	15
B. Staffing and Training	100 Percent	Best-Practice Models (Examples)		Page
		<i>Staff with appropriate qualifications assigned to helplines</i>	SPLS, MPLS, North Penn Legal Services (NPLS)	18
		<i>Practices that minimize turnover</i>	LASP, NLSA, Northwestern (Pennsylvania) Legal Services (NWLS)	18-19
		<i>Appropriate training</i>	LASP, NLSA, SPLS	19
C. Prompt Decisions on Assistance	89-100 Percent	Best-Practice Models (Examples)		Page
		<i>Simplified process</i>	LASP, PLA	22
		<i>Clear guidance for intake staff</i>	NWLS, NLSA	22
		<i>Clients provided with follow-up letters</i>	MPLS, PHLP, LLS, NLSA, SPLS	22-23
		<i>Follow-up letters in client's native language</i>	MPLS	23
D. Technology: Expediting the Applicant's Journey from Initial Application to Appropriate Advice, Brief Service or Referral	89-100 Percent	Best-Practice Models (Examples)		Page
		<i>Automated document assembly</i>	LASP	25
		<i>Various approaches for making resources accessible to staff</i>	LASP (wiki); MPLS, SW Consortium (SharePoint sites); NLSA, PHLP (case management or phone systems); NWLS (program website)	25-27
		<i>Automated scheduling</i>	PLA	26
		<i>Automated court dockets</i>	PLA	27
		<i>Online document retrieval systems</i>	PLA (Save Your Home Philly hotline)	27
		<i>Paperless system</i>	NLSA	27
		Changes or Additions That Would Improve What's In Place		
		<i>Google apps for staff chat</i>	LASP	27
		<i>New hardware or software</i>	LASP, NLSA	27
		<i>More staffing for tech function</i>	MPLS	27
		<i>Roundtables for tech people</i>	NLSA	27
		<i>Case Management System software improvements</i>	PHLP, PLA	28
E. High Quality Legal Services	100 Percent	Best-Practice Models (Examples)		Page
		<i>Best-Practice research informs launch of helpline</i>	MPLS	31
		<i>Helpline assists trend spotting</i>	LASP (weekly meetings); NLSA (monthly meetings); NLSA, PHLP (examples of impact)	31
		<i>Brief services provided by phone</i>	LASP	32
		<i>Regular client feedback</i>	MPLS, NWLS	32
		<i>Comprehensive management approach</i>	SPLS	32
		<i>Pro se materials provided as complement to telephone-based assistance</i>	NLSA, PHLP	32

V. CONCLUSION: *Best Practices Can Help Programs Provide More and Better Services to Their Clients.*

The “Best Practices” assessment has enabled each participating program to consider, and to carefully assess its own alignment with, the best practices that have emerged from almost two decades of research, technical assistance, training, and “on the ground” experience with telephone-based intake and legal assistance in practice in Pennsylvania and across the nation. It has highlighted examples and vignettes illustrating how those practices are being applied within the specific context of individual programs in Pennsylvania.

This assessment has affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Moreover, the companion research effort – the survey of 400 clients served by the programs in this Study – has demonstrated that clients of telephone-based advice and brief services are getting not only access to services but solutions to their legal problems and outcomes they deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome.

A productive use of this assessment would be for programs to use this information, individually, and perhaps collectively, as a starting point for a more thorough review. The review would step back and take a closer look at opportunities, now that basic systems are in place, for moving forward from here to further optimize results for clients.

Many of these opportunities lie in best practices that other programs already have in place.

One useful step would be for programs to arrange site visits for their telephone assistance staff to other programs for a closer look at common issues – for example, e.g., “live” advice systems versus “call-back” systems; waiting times that clients experience before being connected with legal advocates; handling large volumes of calls effectively and efficiently. These are just some of the issues that could be discussed in exchanges of site visits among telephone service staff of Pennsylvania programs.

Another step would be for state funders PLAN, Inc. and/or the PA IOLTA Board to convene a statewide conference or summit meeting at which programs compare notes and share what they have learned about telephone-based legal assistance. Information from the companion research effort – the survey of 400 clients served by the programs in this Study – as well as this Best Practices assessment could be explored for insights about how various practices correlate with good results and high satisfaction among clients being served by telephone.

Other opportunities are offered by the training and technical assistance offerings of the national civil justice community. Two national associations – NLADA and the ABA – collaborate to present in May of each year the Equal Justice Conference, a major focus of which is telephone-based legal assistance. Each Pennsylvania program should consider sending one or more of its telephone-based legal assistance staff to this conference, and indeed, encourage them to submit proposals for presenting workshop sessions at the conference.

The Best Practices assessment and the Client Survey, taken as a whole, have shown that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients. Regardless of where they go from here, Pennsylvania programs can take satisfaction in having achieved something remarkable – that is, establishing and operating service delivery systems that are providing real benefits day in and day out to thousands of clients who otherwise would be unable to get the legal help they sorely need.

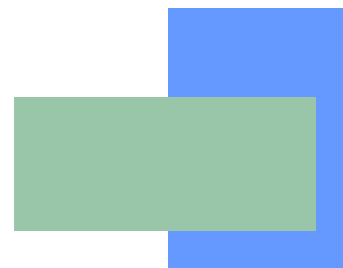
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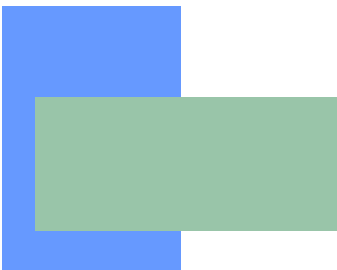


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Attachment A

The Resource

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Highlights of Research on Telephone-Based Intake and Legal Assistance Systems

Updated 10-11-2011

1) Best Practices

a. Recommendations of the Center for Policy Research's Hotline Outcomes Assessment Study—November 2002:

- i. **Hotlines should recognize that certain demographic groups are particularly less likely to obtain favorable outcomes.** Non-English speakers, individuals at the lowest education levels, and those who report no income perform significantly worse than other demographic sub-groups, chiefly because they appear not to understand the advice they are given. Hotlines should develop special protocols for dealing with these clients, possibly including increased support or more extended services.
- ii. **Policymakers should take further steps to evaluate whether Hotlines are an appropriate method of delivering service to non-English speakers.** The non-English speaking clients in this study were Spanish speakers who were provided services by the Hotline in Spanish. They had a particularly high rate of failure to act due to inability to understand the Hotline advice. This suggests that the lower level of favorable outcomes they obtained may have had to do with factors other than language per se. Policymakers should conduct more in-depth evaluations of outcomes obtained by non-English speaking Hotline clients to determine whether this method of delivering services is suited to this demographic group.
- iii. **Hotlines should screen callers for certain barriers that are associated with unfavorable outcomes.** Clients who, when asked a specific question, report having a less than eighth-grade education or problems with transportation, reading, or comprehending English, scheduling (work, daycare, or other), stress, fear of an ex-partner or other personal factors affecting their ability to resolve their problems are less likely to obtain a successful outcome. Hotlines should routinely screen for these barriers, which is likely to require special attention during intake, since the PFEJ lawyers noted that most of these

barriers could not be discerned from existing case files. Hotlines should develop protocols for dealing with these clients, possibly including increased support or more extended services.

- iv. **Hotlines should institute or improve follow-up procedures.** Hotlines would do well to institute tickler systems flagging cases for a callback to check on the client's progress. Cases that should be flagged are those in which the problem is particularly likely to have serious consequences for the client. Especially important are those in which one of the following factors is present:
 - 1. The recommended action is one where clients are less likely to obtain a favorable outcome:
 - a. representing self in court; dealing with a government agency; obtaining legal assistance from another provider or help from a social services agency.
 - b. The client falls into one of the demographic categories identified above that are less likely to obtain a favorable outcome.
 - c. The client reports one of the barriers described above as associated with a reduced likelihood of obtaining a favorable outcome.
- v. **Hotlines should develop or increase their capacity to provide brief services or institute a brief services unit.** Brief services are more likely to result in successful outcomes than advice or referral services. In cases where it may be possible to resolve the client's problem with a letter, telephone call, completion of a form, or completion of a referral, it is likely to be a more effective use of resources for the Hotline or a related unit to perform the action than for the Hotline to advise the client how to do so. The Hotline will already have invested time in developing the facts and legal issues in response to the client's call; investment of the additional time required for the brief service will substantially increase the likelihood of a successful outcome for the client's problem. Cases in which clients are less likely to obtain a favorable outcome on their own, as discussed above, should be given priority for brief services.
- vi. **Hotlines that do not routinely provide written information to clients should do so.** The provision of written information, whether a generic pamphlet on an issue or a letter detailing the advice provided, increases the likelihood of a successful outcome.
- vii. **Hotlines should recognize that telling a caller that they should obtain a private attorney is unlikely to result in a successful outcome.** When Hotline workers advise callers to retain a private attorney, particularly in divorce cases that do not fall within program priorities for extended representation, they should know that most of these clients will not be able to

afford to hire an attorney or will not be able to find one willing to take their case.

Hotlines should explore alternative services that are more likely to result in successful outcomes. Local policymakers should explore the implications of this problem, such as devoting more resources to developing panels of attorneys willing to take cases for reduced fees.

- viii. **Hotlines should be aware of the limitations of client satisfaction data and analyze the data they get in ways that maximize their utility.** While user satisfaction is a legitimate and an important indicator, it is not a perfect measure of Hotline effectiveness. Clients are frequently more generous in their evaluations of Hotlines than their personal situations would suggest. Half of the clients who experienced unfavorable outcomes described the Hotline as “very” (19%) or “somewhat” helpful (32%). To some extent, this may reflect the fact that some clients who do not get what they want feel empowered by the information they receive.

In conducting client satisfaction surveys, “very helpful” and “somewhat helpful” response categories should not be merged in the analysis, because only the “very helpful” category is strongly associated with case outcomes.

- ix. **Hotlines should conduct random follow-up telephone interviews with clients.** In order to more accurately assess performance, Hotlines would do well to institute random follow-up interviews to gauge the effectiveness of their services and to identify ways to improve them.

b. **Recommendations of the Legal Hotline Client Outcome Study 2006, conducted by the AARP Foundation Technical Support for Legal Hotlines Project:**

- i. **Identifying clients who are likely eligible for a benefit they are not receiving is an extremely successful use of hotline resources resulting in an increase in monthly payments to or on behalf of the client in a substantial number of cases.** Hotline efforts to train staff to screen, identify, and counsel clients through the application process for benefits would likely lead to more clients receiving benefits at little additional cost to the hotline for providing this adjunct to the legal consultation.
- ii. **Providing advice regarding the performance of a discreet act to solve a legal problem also showed mostly positive results both in the number of clients who took action and the number whose situation changed for the better.** Hotlines could increase the chances for performance of the follow up action and rate of success even further by expanding the number of mailed or emailed materials they deliver to clients with detailed instructions on as many situations as possible; a library of form letters that can be quickly personalized for the client by hotline staff during or after the call should be developed and expanded to situations as they arise; protocols should be developed and resources allocated for providing brief services to those clients who seem unlikely to be able to take the follow up action on their own. In cases where

follow up is important to the client's well being, the hotline should flag the case and contact the client later to determine the status.

- iii. **Training staff to identify clients who may not follow up would strengthen hotline services.** The demographic analysis noted some differences in gender, age, and income related to the rate at which clients performed the follow up tasks and the success they achieved. However, the differences are not of a type that can be addressed through change in services to a whole demographic group. Rather, the differences point out the need for the hotline advocate to try to determine whether the particular client is likely to follow up, with membership in one of these groups being a factor to consider in the likelihood for success. For example, is the caller a younger individual whose time is consumed by work and/or child care and who will therefore be less likely to have time to complete the follow up action? Does the client sound too frail or timid to make a phone call on his own? Does the client's educational level seem too limited to successfully write a letter? Hotlines could be more effective by training advocates to identify those clients not likely to follow up and providing additional means of assistance for them through in-house brief services, volunteers, law and paralegal student participation, and other means.

c. **Legal Hotlines: A How To Manual 2nd edition 2001 – AARP Foundation**

<http://www.legalhotlines.org/standards/howto/index.htm>

2) Implications for Survey of Helpline Programs

a. **We need a survey that generates a profile of each of the PLAN program hotlines.**

- i. See AARP 2006 p. 82 for an example.
- ii. Elements gleaned from various hotline studies:
 - 1. When instituted?
 - 2. Formal name of hotline
 - 3. Staffing – number of employees, title/credentials: screeners or not, paralegal, attorney, managing attny, other...
 - a. Attny – generalist or specialist?
 - 4. Hours
 - 5. How is hotline advertised/made known to potential clients?
 - 6. Technology
 - a. Call system, email, etc.
 - b. Materials by mail, email, web, etc.
 - 7. Language translation
 - 8. Income guidelines
 - 9. Volume of
 - a. Calls/week or month
 - b. Open cases/week or month

10. Referral only (other agency, pro bono, clinic, etc.), advice, brief services, intake, immediate help and/or call back, appt for representation, pro se materials sent, etc.
11. Client satisfaction and/or outcome survey routinely applied? When?
12. Always or sometimes sent written material, such as: In every case, Hotline staff mails clients a letter summarizing the advice they provided with standardized materials pursuant to their case type for further reference.

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Attachment B: Narrative Portion of Program Questionnaire

NARRATIVE SELF ASSESSMENT of Phone-Based Intake and Legal Assistance Systems in Pennsylvania February 24, 2012

Program:

Completed by:

E-Mail Address:

Phone:

Your program is being asked to fill out this questionnaire in connection with the 2012 study of phone-based legal assistance systems in Pennsylvania being conducted by *The Resource for Great Programs* under contract with Pennsylvania IOLTA.¹ This questionnaire is the first of two parts:

- **Part One - Narrative Portion** (this document); and
- **Part Two: Quantitative Portion** (a Survey Monkey instrument – a link will be e-mailed to your program).

Taken together, these two instruments comprise a self-assessment of the extent to which Pennsylvania phone-based intake and legal assistance systems are aligned with “best practices” evolving out of more than 20 years’ experience with phone-based legal intake and assistance in Pennsylvania and across the country. The best practices on which this questionnaire seeks information are found in three sources:

- **ABA Standards For The Operation Of A Telephone Hotline Providing Legal Advice And Information** –
<http://www.americanbar.org/content/dam/aba/migrated/legalservices/downloads/delivery/hotlinestandards.authcheckdam.pdf>
- **LSC Guidelines for Phone-Based Intake and Legal Assistance Programs** –
http://grants.lsc.gov/sites/default/files/Grants/Prgltr2002_4.htm .

¹ For details, see “Summary of Pennsylvania IOLTA’s Project to Produce a Helpline Survey and Report on the Results and Accomplishments of AJA-Funded Legal Aid Programs in Pennsylvania, October 19, 2011,” working paper available from The Resource for Great Programs.

- **The results of past evaluations** of phone-based legal assistance systems, such as the 2002 study performed by Robert Echols and Julia Gordon for the Project for the Future of Equal Justice at NLADA. The Appendix at the end of this questionnaire summarizes some of the findings of these studies; further information and copies of relevant studies are posted on: <http://www.legalhotlines.org/outcomesurveys.php> .

We have organized this questionnaire around five broad themes and associated principles outlined in the *LSC Guidelines*². We have used LSC's framework for this questionnaire

² Our use of the LSC Guidelines as the organizing structure for this questionnaire is for convenience only and is not intended to have any regulatory implications. The underlying premise of our study is that all Pennsylvania programs are committed to the goal of maximizing their impact on the communities they serve and vitally interested in learning how well they are doing when assessed against the high standards established by their peers in Pennsylvania and elsewhere. The LSC Guidelines provide a concise and practical articulation of those standards. For the two legal services organizations in the study that are NOT LSC recipients, the LSC Guidelines have no formal regulatory force. Even for the eight programs in this study that ARE LSC recipients, the LSC Guidelines are aspirational; conformance with them is not a condition of federal funding.

because:

- *It articulates practices and principles that are widely accepted within the civil justice community.* The LSC Guidelines themselves incorporate by reference the ABA Standards, which were created in the early 2000s with broad participation from civil legal aid leaders to ensure that phone-based systems being adopted by legal services organizations conformed to the ethical and professional standards of the legal profession.
- *The LSC Guidelines are practical and concrete.* They translate the broad aspirational goals of the ABA Standards into a relatively short document that captures the best practices developed by legal assistance organizations seeking to deploy new technology as a means of providing as many people as possible with access to the civil justice system while honoring basic tenets such as respect for the basic interests and dignity of clients, service quality, efficiency, and effectiveness.

This questionnaire provides an opportunity for program leaders to describe and showcase their best efforts at aligning their efforts with these best practices, offered in the spirit of fostering institutional learning and continuous self-improvement throughout the Pennsylvania legal services community as a whole. The questionnaire is organized into five sections corresponding to the themes in the LSC Guidelines:

- F. Client Access:** *Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.*
- G. Staffing the Telephone Intake and Delivery System:** *While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.*
- H. Decisions on Assistance:** *Applicants for service should receive prompt determination as to the type of services that they will receive from the program.*
- I. Technology:** *The applicant's journey from initial application to appropriate advice, brief service or referral should be expedited.*
- J. High Quality Legal Services:** *The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.*

Under each theme, the questionnaire requests brief narrative responses that address the following issues:

- How your program seeks to achieve the principles outlined in the theme.
- The concrete benefits that these efforts are providing, such as quicker, more convenient access to legal assistance for clients and greater reach by your program into hard-to-serve portions of the service area.
- Changes or additions that could enable your program to further improve its performance on the principles outlined under the theme.

A final question in the Questionnaire solicits your suggestions for assistance by Pennsylvania IOLTA, PLAN and/or other entities that could potentially help your phone-based legal assistance program align better with the principles expressed within the theme.

The remainder of this questionnaire presents the five themes and associated questions, concluded with a general question that spans the five performance areas.

Performance Area A: Program Achievements in Support of *Client Access*

Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.

1. **A primary goal is that client access to services be increased.** Centralized telephone intake can be one tool in accomplishing this goal. Regardless of the intake system used, most clients served by Pennsylvania programs receive advice, counseling, brief service or a referral. Potential clients should not have to travel to a legal services office to receive this service unless necessary.
2. **A program has the discretion to determine if an applicant needs to be seen in person and will determine the best means of providing for an interview (telephonic or in person).** It may be by outreach or having the applicant come to the program. The applicant's best interest should be paramount.
 - a. The program has screening procedures in place to assess the applicant's capacity (considering educational level, language barriers and other factors) to comprehend and take action on legal advice provided solely by telephone. Research has indicated the following factors as especially constraining to the ability of clients to obtain favorable outcomes through telephone-based legal assistance: non-English speakers, individuals at the lowest educational levels, and those who report no income.
 - b. The program considers other factors affecting the choice of telephonic or face-to-face service delivery – such as age, physical disability or access to transportation.
3. **The telephone intake system should be designed to attempt to have all callers talk to a staff person who can provide some help in the form of advice, brief service or a referral at the time of the first call.**

This is difficult in areas of high call volume. A program must engage in excellent planning to devise a system that deals with call volume. The system may put callers into a queue for a reasonable period of time and if necessary allow for a call-back from the program after that time has passed and if the applicant wants to be called back. A telephone intake system should not be designed to have callers hear a recorded message or have only eligibility established on the first call and then be made to call back later or receive a call back from the program to get into the reason for the call. The telephone intake, advice and referral system should be client centered and it should initially give specific information about services provided and time the applicant will wait to receive help.
4. **Programs that have more than one office should strive to have one telephone portal through which all initial calls are received.** Those calls may then be distributed to local offices for screening, advice, brief service or referral. Referral could be to another agency or to the same program for extended service.

Self Assessment Questions For Performance Area A:

1. Examples that illustrate SUCCESS at promoting increased access for clients in your program's service area.

Please provide below one or more brief examples (200 words each, as a guideline) that represent your program's success at achieving the broad goal of providing clients in your service area with "prompt access to a person who can initiate the intake process in a courteous and professional manner."

- **Types of examples** --The example(s) outlined in your response might focus on increased access provided to residents of a specific community within your geographic service area, to people needing assistance in a specific legal specialty area (for example, consumer law), or to people in need of a specific type of legal services (for example, assistance in self-representation) in which the values in this performance area have been achieved through effective planning and implementation of phone-based intake and legal assistance.
- **Key results** -- Please highlight the most significant benefits achieved for clients, communities, courts, partner agencies and/or other stakeholders as a result of the program's achievements at expanding access through phone-based intake and legal assistance.

Please enter your response below (200-word limit, as a guideline):

2. Changes or additions that could IMPROVE your program's performance on this goal.

Please list below the most significant changes or additions that, if accomplished, would substantially improve your program's achievement of the goal of providing clients with "prompt access to a person who can initiate the intake process in a courteous and professional manner." Examples of topics you might include in your response are:

- ***Building on successful program design features or practices*** – expanding best practices, such as those indicated in your response to question "1" above, into additional areas of your program.
- ***Providing additional training*** to staff or volunteers of the phone-based intake and service system to improve their capacity to effectively serve clients.
- ***Upgrading technology*** – acquiring phone equipment, computer hardware, and/or software that will enhance access for clients.

Please enter your response below (200-word limit, as a guideline):

Performance Area B: Program Achievements at Staffing the Telephone Intake and Delivery System

While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.

- 1. A legal services program engages in many important functions to serve clients.**
The process of ensuring that an applicant is directed on the appropriate path to receiving the needed help in an efficient and effective manner is crucial to all programs.
- 2. The staff engaged in this process must have distinctive abilities to gather information in an empathetic way, analyze the facts, and apply sound substantive knowledge.**
- 3. The staff must be well trained and knowledgeable of alternatives and resources available to the applicant.**
 - a. The staff should have as high a level of skill and training as any person in the program and have excellent resource materials available to aid them.
 - b. The training they receive should familiarize them with best practices that have been proven by research to enhance outcomes for clients – for example, how to identify clients who may not follow up on telephonic advice they are given, such as a younger individual whose time is consumed by work and/or child care and who will therefore be less likely to have time to complete the follow-up action. Protocols for handling such situations should be provided.
- 4. The staffing structure recognizes the importance of intake as a key to successful delivery of services.** For example, it relies on staff who have experience and expertise in the area of intake.

Self Assessment Questions For Performance Area B

- 1. Examples that illustrate SUCCESS at achieving the goals reflected in the statement above.**

Please provide below one or more brief examples that represent your program's success at achieving the broad goals reflected in the above statement.

- ***Types of examples** --The example(s) outlined in your response might focus on any or all of the following: how your program recruits and retains qualified and experienced staff for the phone-based legal assistance system; how it orients and trains those staff; how it supervises them; what incentives and arrangements it provides to foster high staff morale and performance in operation of the phone-based intake and legal assistance system.*
- ***Key results** -- Please include in your example(s) concrete evidence that indicates the specific benefits of your program's success in achieving these goals, such as: low*

turnover of staff assigned to the phone intake and legal assistance system; above-average experience levels of these staff; evidence of high client satisfaction with the intake process; good client outcomes; high service efficiency; and/or short client wait times.

Please enter your response below (200-word limit, as a guideline):

2. Changes or additions that could IMPROVE your program's performance on this goal.

Please list below the most significant changes or additions that, if accomplished, would substantially improve your program's achievement of the goal of staffing the telephone intake and delivery system with people who are "well trained, experienced and closely supervised." Examples of topics you might include in your response are:

- ***Building on successful program design features or practices*** – expanding best practices, such as those indicated in your response to question "1," above, throughout your phone-based legal assistance system.
- ***Identifying and deploying best practices and good ideas used in other programs*** to address specific staffing problems faced by your program, such as high turnover or difficulties in attracting highly qualified people to work in the phone-based legal assistance system.

Please enter your response below (200-word limit, as a guideline):

Performance Area C:
Program Achievements Aimed at Promoting
Prompt Decisions on Assistance

***Applicants for service should receive prompt determination
as to the type of services that they will receive from the program.***

- 1. An applicant for legal services should be told as soon as possible what type of service she will receive. That decision should be based on uniform written program policies and should be promptly reviewed by a supervisor.**
- 2. Applicants and clients are better served if the oral information disseminated is memorialized in writing.**
 - *This may include an individualized letter where appropriate or preprinted documents like a pamphlet or brochure are included.*
 - *Programs have the discretion to determine that written confirmation is not necessary in particular cases or circumstances. Examples include domestic violence victims, homeless applicants or applicants who are about to be evicted.*
 - *Programs must make these decisions based on the best interest of clients.*
 - *Some programs with extremely high call volume may determine that sending letters in every case is prohibitively expensive and therefore send letters in only particular circumstances.*
- 3. An applicant who is referred to another program or to another unit of the same program should be contacted by the referring organization in a few days so she knows what will be done for her.**

Self Assessment Questions For Performance Area C

- 1. Examples that illustrate SUCCESS at achieving the goals reflected in the statement above.**

Please provide below one or more brief examples that represent your program's success at achieving the broad goals reflected in the above statement.

- *Types of examples --The example(s) outlined in your response might focus on any or all of the following: how and by whom decisions about assistance are made by your phone-based intake and legal assistance system; the criteria that determine the levels and types of assistance that will be provided to a particular client; the planning that went into your program's establishment of these procedures and criteria; and/or measures you have in place for assessing how well these procedures and criteria are working for clients from their perspective.*

- ***Key results --** Please include in your example(s) concrete evidence that indicates the specific benefits of your program's success in achieving these goals, such as evidence of positive feedback from callers; good client outcomes; high service efficiency; and/or quick turnaround in making decisions and informing clients about what assistance they will receive.*

Please enter your response below (200-word limit, as a guideline):

2. Changes or additions that could IMPROVE your program's performance on this goal.

Please list below the most significant changes or additions that, if accomplished, would substantially improve your program's achievement of the goal of "prompt determination as to the type of services that they will receive from the program." Examples of topics you might include in your response are:

- *Identifying and deploying best practices and good ideas used in other programs to address specific roadblocks faced by your program that cause delays in making decisions about assistance and/or communicating with clients about these decisions.*
- *Deploying new technology – for example, web-based information systems – that could speed up decisions and/or enhance sharing of information needed to make good decisions about assistance to be provided to clients.*
- *Expanding the library of legal information materials that can be provided to callers so as to speed up service and/or improve communication with them regarding steps they can take to resolve their legal situation.*

Please enter your response below (200-word limit, as a guideline):

Performance Area D:
Program Achievements Aimed at
*Expediting the Applicant's Journey from Initial Application
to Appropriate Advice, Brief Service or Referral.*

A telephone intake, advice and referral system must use up-to-date telephone and computer technology to ensure the system works efficiently.

All programs should acquire the most sophisticated technology reasonably possible without reducing the quality of work in other areas, including extended service.

1. Phone System

- a. *The program provides a toll free number (either local or 800 number) for the applicant to call to get into the intake system.*
- b. *The initial intake options are provided by the telephone system. Options may include a language choice, recorded substantive information or the types of services provided by the program.*
- c. *The instructions are multi-lingual in locations that require it.*
- d. *The telephone system provides information on the program, intake procedure, and basic legal problem areas.*
- e. *It provides methods for an applicant to reach a live attendant if needed.*
- f. *It is capable of routing calls to multiple intake locations if required by the intake system.*
- g. *It can advise an applicant on the expected hold time and give an option to leave callback information.*
- h. *If the initial intake worker transfers the applicant to a case handler, the system will have the ability to route the call to the case handler without the applicant having to call back or call a different number.*
- i. *The system is either designed so that the intake worker can see who is available for calls and route the applicant to that person, or the system does it automatically after the intake worker puts the applicant into the queue.*
- j. *The system is designed to accommodate persons with disabilities.*

2. Case Management Software

- a. *The legal services provider has a central database covering the entire intake area to allow information sharing and system-wide conflicts checking.*
- b. *The software allows for regular backups of the database to ensure preservation of data.*
- c. *There is eligibility checking with built-in error checking to insure statistical reporting accuracy.*
- d. *The software provides intake workers with a system of questions and advice for applicants keyed to legal problems.*
- e. *It provides intake workers with searchable referral information on other agencies and service providers to provide applicants with additional help.*
- f. *It stores sufficient information to prepare needed reports for management and funders.*
- g. *It provides intake workers with the ability to generate customized form letters for applicants, clients and others, such as pro bono attorneys or other agencies.*
- h. *It enables advocates to "tickle" cases for a callback to check on the client's progress for cases in which the problem is particularly likely to have serious consequences for the client if the advice is not followed.*

Self Assessment Questions For Performance Area D

1. Examples that illustrate SUCCESS at achieving the goals reflected in the statement above.

Please provide below one or more brief examples that represent your program's success at achieving the broad goals reflected in the above statement.

- **Types of examples** --The example(s) outlined in your response might focus on any or all of the following: recent changes in phone systems or case management software or hardware; training of program staff in maximizing their use of existing technology; and/or efforts to learn about and assimilate best practices used in other phone-based legal assistance programs in Pennsylvania and elsewhere.
- **Key results** -- Please include in your example(s) concrete evidence that indicates the specific benefits of your program's success in achieving these goals, such as evidence of high client satisfaction; good client outcomes; high service efficiency; and/or short client wait times.

Please enter your response below (200-word limit, as a guideline):

2. Changes or additions that could IMPROVE your program's performance on this goal.

Please list below the most significant changes or additions that, if accomplished, would substantially improve your program's achievement of the goal of acquiring and maintaining with the most "up-to-date telephone and computer technology to ensure the system works efficiently." Examples of topics you might include in your response are:

- ***Acquisition of better phone systems, case management software or other technology that has proven effective in other programs in Pennsylvania or elsewhere.***
- ***Building on successful program design features or practices** – expanding best practices such as those indicated in your response to question "1" above throughout your phone-based legal assistance system.*
- ***Identifying and deploying best practices and good ideas used in other programs to achieve the goal of acquiring and maintaining with the most "up-to-date telephone and computer technology to ensure the system works efficiently."***

Please enter your response below (200-word limit, as a guideline):

**Performance Area E:
Program Achievements Aimed at Promoting
High Quality Legal Services**

The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.

1. *There is a designated supervisor of the intake decisions who is an experienced attorney.*
2. *Within 24 hours of the initial contact, there is a review of intake decisions and assistance.*
3. *The review process is designed to screen for quality and to identify recurrent problems or issues in the client community.*
4. *Intake staff receives ongoing substantive and procedural training on performing intake.*
5. *Attention is given to the effectiveness of the intake system and results achieved for applicants and clients. For example, this can be done by using satisfaction surveys and, when appropriate, outcome measures such as follow-up telephone interviews with random samples of clients to determine what happened in their cases.*
6. *Resource materials used by casehandlers are regularly reviewed and updated.*
7. *Based on ongoing evaluation, appropriate procedural changes are made in the intake system.*
8. *The legal services provider is aware of technological advances that benefit its intake systems as those become available and uses those technologies to enhance the services it provides.*
9. *The legal services provider is aware of and applies best practices that research has shown to enhance outcomes for clients.³ Examples of research-based best practices include the following:*
 - a. *Having a tickler system in place that flags case for a callback to check on the client's progress – especially in cases in which the problem is particularly likely to have serious consequences for the client if the recommended action is not followed.*
 - b. *Having the capacity to provide brief services, or having a brief services unit, in addition to legal information and advice, thereby leveraging the investment that the program has made in developing the facts and legal issues in response to clients' calls.*

³ A bibliography will be provided in the final report on this project that identifies past studies of telephone-based intake and legal assistance systems containing practical, research-based recommendations for enhancing outcomes obtained for clients. In the meantime, a synopsis of especially relevant sources is provided in the Appendix at the end of this questionnaire.

Self Assessment Questions For Performance Area E

1. Examples that illustrate SUCCESS at achieving the goals reflected in the statement above.

Please provide below one or more brief examples below that represent your program's success at achieving the broad goals reflected in the above statement.

- **Types of examples** --The example(s) outlined in your response might focus on any or all of the following: systems your program has in place for tracking performance on key measures implied by the above criteria; training efforts carried out in the past 12 months aimed at providing staff with requisite skills and knowledge needed to meet the above criteria; and/or efforts to apply best practices found in other programs in Pennsylvania and elsewhere that enhance quality.
- **Key results** -- Please include in your example(s) concrete evidence that indicates the specific benefits of your program's success in providing high quality service, such as high client satisfaction; good client outcomes; high service efficiency; and/or short client wait times.

Please enter your response below (200-word limit, as a guideline):

2. Changes or additions that could IMPROVE your program's performance on this goal.

Please list below the most significant changes or additions that, if accomplished, would substantially improve your program's achievement of the goal of high service quality.

Examples of topics you might include in your response are:

- ***Building on successful program design features or practices** – expanding best practices such as those indicated in your response to question “1” above throughout your phone-based legal assistance system.*
- ***Identifying and deploying best practices and good ideas used in other programs** to address specific quality problems faced by your program such as high client wait times on the phone; client complaints; and/or lack of adequate training for staff.*

Please enter your response below (200-word limit, as a guideline):

General Question That Applies Across All Performance Areas:

What assistance from PA IOLTA, PLAN and OTHERS could potentially improve your program's application of best practices in its phone-based intake and legal assistance systems?

Please list below any assistance from PA IOLTA, PLAN or OTHER ENTITIES (please identify) that could contribute to your program's efforts to apply the best practices outlined above.

Examples of topics you might include in your response are:

- *Assistance in enrolling new partners in the community, the bar, the courts or other stakeholders for a collaborative effort that would significantly improve your program's capacity to apply best practices in its phone-based intake and legal assistance system.*
- *Convening stakeholders to discuss challenges and explore opportunities in addressing a specific problem in application of best practices.*
- *Changing or adding specific policies that affect your program's ability to achieve this goal, thereby improving results and benefits for clients and other important stakeholders.*
- *Securing resources for qualified, constructive evaluation – for example, assistance in obtaining foundation or law firm funding to support peer evaluation aimed at addressing specific quality issues or identifying opportunities for enhancing results.*
- *Other kinds of assistance (specify).*

Please enter your response below (200-word limit, as a guideline):

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Attachment C: Web-Based Survey¹ Portion of Program Questionnaire

See Next Page for Survey Instrument

¹ The web-based survey was implemented using the *Survey Monkey*TM service – see www.SurveyMonkey.com for details.

Self Assessment of Phone-Based Intake and Legal Assistance Systems

PLEASE COMPLETE THIS QUESTIONNAIRE BY FRIDAY, MARCH 9.

NOTE: For convenience, this questionnaire is designed so you can complete the survey on multiple visits while preserving your answers.

Your program is being asked to fill out this questionnaire in connection with the 2012 study of phone-based legal assistance systems in Pennsylvania being conducted by The Resource for Great Programs under contract with Pennsylvania IOLTA.

This Survey Monkey portion is the second of two parts. The first part is a narrative questionnaire in MS Word which is also due on March 9. For a copy of that instrument, please contact Ken Smith – see below.

Please respond to all questions by entering the requested information, or by responding “Not Applicable” where the questions do not apply to your program.

FOR INFORMATION...

- About how to navigate this Survey Monkey instrument, contact Kathy Garwold at (231) 947-3280; kathy@greatprograms.org.
- About content of this questionnaire, or about the larger study of phone-based intake and legal assistance systems, contact Ken Smith at (231) 631-1432; ken@greatprograms.org.

Overview

1. Geographic Area Covered by Phone-Based Legal Assistance – (Check ONE):

- ☐ Entire service area of program
- ☐ Specific counties or cities (please specify below)

Please specify:

2. Population Segments Served by Phone-Based Legal Assistance – (Check ONE):

- ☐ General low-income population
- ☐ Special population(s) (please specify below)

Please specify:

3. Services Provided by Phone – (Check ALL that apply):

- ☐ Advice
- ☐ Brief Services
- ☐ Legal education materials
- ☐ Referral
- ☐ Coaching and/or materials for self (pro se) representation
- ☐ Other (please specify below)

4. Hours of Operation for Phone-Based Assistance – (Enter days and hours – e.g., “Monday through Thursday, 9a.m. to Noon”):

WEEKDAYS (which days and hours)

EVENINGS (which days and hours)

WEEKENDS (which days and hours)

5. Number of Phone-Based Cases Closed in FY 2010-2011:

By “Advice & Counsel”:

By “Brief Services”:

Total Phone-Based Cases:

Salient Features – Client Access

The following questions follow the content and order of the LSC Guidelines for Phone-Based Systems, augmented by best practices identified in past evaluations of legal helplines.

6. Intake is performed – (Check ONE):

- ☐ Through a single telephone number for the entire program
- ☐ Through multiple telephone numbers depending on county or city of residence
- ☐ Through multiple telephone numbers depending on substantive legal area (e.g., consumer law)
- ☐ Through multiple telephone numbers depending on client demographics (e.g., elderly)
- ☐ Combination of the above or other (please specify or provide additional comments or explanations):

7. Special screening and provisions are made for – (Check ALL that apply):

- ☐ Non-English speakers
- ☐ People with disabilities
- ☐ People with a low educational level
- ☐ People with a lack of transportation to the program's office(s)
- ☐ Other (please specify):

8. Calls are taken by – (Complete ALL that apply):

STAFF PERSON- (specify which days and hours of operation)

AUTOMATED CALL SYSTEM THAT PROVIDES OPTIONS FOR CALLER TO BE ROUTED TO APPROPRIATE STAFF PERSON - (specify which days and hours of operation)

ANSWERING MACHINE or VOICE MAIL to leave message and await callback - (specify which days and hours of operation)

OTHER:

COMMENTS (or additional explanation)

9. Callers are – (Check ONE):

- ☐ Screened for eligibility (and conflict, etc.), then connected with an advocate in same call.
- ☐ Screened for eligibility, then called back later by an advocate to discuss legal situation.
- ☐ Asked to leave message on voice mail. Eligibility screening and service are provided later in one or more follow-up phone calls.
- ☐ Other (please specify or provide comments or additional explanation):

10. Client waiting time, from initial call to first conversation with an advocate – (Answer EACH box and enter the number of hours, or enter "0" or a fraction of an hour, if applicable):

Average hours:	<div></div>
Minimum hours:	<div></div>
Maximum hours:	<div></div>

Salient Features – Staffing and Training

11. Phone-based intake is done by – (Check ALL that apply):

- ☐ Staff Lawyers
- ☐ Staff Paralegals
- ☐ Other (please specify):

12. Phone-based legal assistance is provided by – (Check ALL that apply):

- ☐ Staff Lawyers
- ☐ Staff Paralegals
- ☐ Other (please specify):

13. Supervision of phone-based legal assistance is provided by – (Check ALL that apply):

- ☐ Lawyers (staff or management)
- ☐ Paralegals
- ☐ Other (please specify):

14. Training received in past 12 months by staff assigned to the phone-based legal assistance system – (Please briefly describe training and indicate number of staff and approximate hours of training provided):

Intake Staff

Legal Workers

Others

Salient Features – Decision on Assistance

15. Policies governing decisions on assistance - Please send copies of your program's policies governing types and levels of services to be provided to callers - based on priorities, client situation and other factors - via email to The Resource at: Kelly@GreatPrograms.org

☐ Check once sent

16. As a matter of policy, are clients provided with a written letter or other communication after being provided with phone-based legal assistance (for example, a letter summarizing the advice given and/or action recommended)? – (Check ONE):

- ☐ No – Callers are not generally provided with written communication after a call.
- ☐ Yes – All clients receive a follow-up letter summarizing the advice or information given.
- ☐ Yes – Our program uses a library of form letters that can be quickly personalized for the caller by our phone-based legal assistance staff during or after a call.
- ☐ Yes – Our program provides generic legal information pamphlets to callers appropriate to the circumstances of their situation.
- ☐ Yes – Our program provides written information to some (but not all) callers depending on circumstances.
- ☐ Yes – Our program provides information other than the above.

If you answered "Yes" to any of the above, please briefly explain:

Salient Features – Intake Technology

17. Phone System – Please indicate whether or not EACH of the following statements applies to your program's phone-based legal assistance system, then use question 19 below to provide further explanation of any capabilities for which you responded "No" or "Not Applicable."

	Yes	No	Not Applicable
a. Calls for clients are toll-free.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. The instructions are multi-lingual in locations that warrant it.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. The telephone system provides information on the program, intake procedure, and basic legal problem areas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. It provides methods for an applicant to reach a live attendant, if needed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. It is capable of routing calls to multiple intake locations if required by the intake system.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. It can advise an applicant on the expected hold time and provide an option to leave call-back information.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. If the initial intake worker transfers the applicant to a case handler, the phone system has the ability to route the call to the case handler without the applicant having to call back or call a different number.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. The system is designed so that the intake worker either can see who is available to receive a call and route the applicant to that person, or the system does it automatically after the intake worker puts the applicant into the queue.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Other Capabilities - If the phone system has additional important features, other than those listed above, please check "Yes" at right, then describe them in the next question below.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18. If your program's phone system has important capabilities other than those listed in Question 17, please specify:

19. Explanation of Above Answers - Please use the space below to provide further information about capabilities for which you responded "No" or "Not Applicable" in Question 17.

20. Case Management Software – Please indicate whether or not EACH of the following statements applies to your program's case management software, then use question 22 below to provide further explanation of any capabilities for which you responded "No" or "Not Applicable."

	Yes	No	Not Applicable
a. Our program has a central database covering the entire service area to allow information sharing and system-wide conflicts checking during intake.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. The software allows for regular backups of the database to ensure preservation of data.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. There is eligibility checking with built-in error checking to ensure accuracy of case statistical reports.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. The software provides intake workers with a system of questions and advice for applicants keyed to legal problems.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. The software provides intake workers with searchable referral information on other agencies and service providers to offer applicants additional help.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. The software stores sufficient information to prepare needed reports for management and funders.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. The software provides intake workers with the ability to generate customized form letters for applicants, clients and others, such as pro bono attorneys or other agencies.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. The software enables advocates to "tickle" cases for a callback to check on the client's progress for cases in which the problem is particularly likely to have serious consequences for the client if the advice is not followed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Other Capabilities - If the software has additional important features, other than those listed above, please check "Yes" at right, then describe them in the next question below.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

21. If your program's case management software has important capabilities other than those listed in Question 20, please specify:

22. Explanation of Above Answers - Please use the space below to provide further information about capabilities for which you responded "No" or "Not Applicable" in Question 20.

Salient Features – Quality Control

23. Are the following systems in place? - Please indicate whether or not EACH of the following statements applies to your program's quality control system, then use question 25 below to provide further explanation of any capabilities for which you responded "No" or "Not Applicable."

	Yes	No	Not Applicable
a. There is a designated supervisor of the intake decisions who is an experienced attorney.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Within 24 hours of the initial contact, there is a review of intake decisions and assistance.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. The review process is designed to screen for quality and to identify recurrent problems or issues in the client community.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Intake staff receives ongoing substantive and procedural training on performing intake.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Attention is given to the effectiveness of the intake system and results achieved for applicants and clients. For example, our program conducts client satisfaction surveys and/or makes follow-up calls to random samples of clients to determine whether or not they were able to follow the advice they received from us.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Resource materials used by casehandlers are regularly reviewed and updated.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Based on ongoing evaluation, appropriate procedural changes are made in the intake system.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Our program has a tickler system in place that flags cases for a callback to check on the client's progress – especially in cases in which the problem is particularly likely to have serious consequences if the recommended action is not followed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Our program is aware of technological advances that benefit their intake systems as they become available and use those technologies to enhance the services they provide.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. Our program has the capacity to provide brief services, or has a brief services unit, in addition to legal information and advice, thereby leveraging the investment made in developing the facts and legal issues as part of our phone-based legal assistance.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k. Other Capabilities - If the quality control system has additional important features, other than those listed above, please check "Yes" at right, then describe them in the next question below.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

24. If your program's quality control system has important capabilities other than those listed in Question 23, please specify:

25. Explanation of Above Answers - Please use the space below to provide further information about capabilities for which you responded "No" or "Not Applicable" in Question 23.

Legal Services Program Information

26. Please provide the following Program Information

Program Name:

Contact Name:

Contact E-Mail:

Contact Phone:

Thank You!

Thank you for participating in the online portion of the phone-based intake and legal assistance system of your program.