Legal Hotline Quarterly

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Measuring Outcomes and Client Follow-Up

As production of this Winter 2000 issue progressed, a theme began to take shape for the issue. Results of surveys and other projects measuring client outcomes and tracking cases needing follow-up became available for publication in the Legal Hotline Quarterly.

The focus of hotline work has historically been providing client advice and self-help materials. Programs have chronically lacked the resources to measure the impact of the hotline services on the clients or to research the results the client obtained.

The development of information on client outcomes is a new and valuable resource for the hotline model.

This issue contains four articles addressing measuring or tracking hotline client outcomes. Included are summaries of the AARP Foundation Senior Legal Hotline Outcome Evaluation Survey; an update on the Project for the Future of Equal Justice Phase II of the Hotline Outcomes Assessment Study and a summary of results of the Phase II Pre-Test; "Showing Results" by J. Allen May, Managing Attorney for Legal Counsel for the Elderly which describes a system his program developed to track outcomes via their case management software; Grayce Rund, also at LCE, reports on her Hotline Client Follow-up Project.

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Senior Statewide Legal Hotlines Client Outcomes Survey, 2000

Summary of Findings

Introduction

The AARP Foundation undertook the Senior Legal Hotlines Outcomes Survey 2000 in an effort to determine what impact the hotline advice has on the client's question or problem. The primary goals of the survey were to determine:

- Services for which clients called the hotline
- Whether clients followed the hotline advocate's advice
- Results clients obtained

Secondary goals of the survey were:

- Gathering information on client satisfaction with the hotline services
- Seeking a correlation, if any, between the case type of the call and the outcome
- Collecting client demographic data

The report presents the findings from the survey of the Senior Hotlines in five states. A concurrent effort by the Project for the Future of Equal Justice to measure client outcomes is currently under way among clients of hotlines serving the low-income population. Findings from the PFEJ Pretest indicate results very similar to those of the Senior Hotline Evaluation Study. (*See page 7)*.

Methodology

The AARP Foundation Technical Support for Legal Hotlines Project enlisted the participation of five senior legal hotlines: The Legal Hotline for Michigan Seniors, the Legal Hotline for Older Floridians, the Legal HelpLine for Older Kentuckians, the Tennessee Elder Law Line, and CLEAR*Sr serving the state of Washington. The Project, with the participation of the five hotline managers and a consultant from the Center for Policy Research, designed a client survey instrument. *(See page* 5). A translator at the Legal Hotline for Older Floridians produced the Spanish version. Each of the hotlines sent the surveys out to every client they served, up to a maximum of 1,200 surveys, (with the exception of clients who might be endangered by receipt of the survey) during the period from February-August 1, 2000. A total of 3,486 surveys were sent out by the five hotlines and 1,042 were returned to AARP Foundation. This represents a response rate of 30%. The surveys were then sent to the Center for Policy Research in Denver, Colorado for entry on a computer and statistical analysis.

Summary of Results

The survey results indicate that legal hotlines provide quick access for clients and useful information and advice. A majority of clients who receive legal advice report taking follow-up actions and achieving favorable outcomes. Highlights of the survey results are as follows:

Demographic Data

The Senior Legal Hotlines serve people aged 60 and over.

- 71% of respondents were female
- 34% were between 60-70 years of age; 36% were between 71-80 and 12% were 81+
- 21% resided in rural areas; 21% in small towns; 37% in small cities, and 31% in large cities
- 87% had access to transportation
- 70% had yearly household incomes

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below $20,000

Contact with the Hotline

- 81% reported have no trouble reaching the hotline
- 33% called with a Wills/Estates matter which included powers of attorney and guardianships,
- 19% called with a consumer matter
- 12% called with a health matter
- 11% called with a housing matter
- 24% called with labeled their legal matter "other"

Information and Advice

- 54% called to get information on a legal question
- 35% called to get advice on a legal problem
- 17% called to get an attorney to handle a matter
- 11% called to get a document prepared or reviewed

Client Ratings

- 87% found the legal advice helpful or somewhat helpful (69% helpful; 18% somewhat helpful)
- **Of those who rated the advice "helpful or somewhat helpful"**:
- 51% found the advice helpful because it answered their questions; 47% found the advice helpful because it helped them understand their situation better; 32% found the advice helpful because it gave them an idea for solving their problem; 19% found the advice helpful because it relieved their anxiety
- **Of the 13% of clients who rated the advice "not helpful"**:
- 44% stated the advice didn't solve their problem; 11% didn't understand the advice; 19% felt all their questions were not answered; 18% learned their problem can't be resolved

Follow-up Actions and Outcomes

- 50% of respondents stated they were not advised to take any action
- 43% were advised to take action; 7% don't know

- **Of those who were advised to follow-up:** 1-2 months after receiving the hotline advice: 82% reported taking action, 17% did not take action

- **Of the those who reported taking follow-up action:** 38% reported making a phone call; 32% wrote a letter; 24% contacted an agency; 14% prepared legal papers; 15% hired an attorney; 6% were provided a free attorney

- **Of those who reported taking a follow-up action:** 33% reported their problem was completely resolved; an additional 15% reported their problem was partially resolved; fully 43% were still waiting for the outcome of their action; 9% reported the advised action did not solve the problem.

Casetypes and Outcomes

1-2 months after receiving the advice:

- 46% of clients with the wills/estates case type reported their problem completely resolved; 19% had their problem partially resolved; 24% were still waiting and 12% did not get their problem resolved
- 35% of clients with the health case type

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reported their problem completely resolved; 20% had their problem partially resolved; 33% were still waiting and 12% did not get their problem resolved

- 27% of clients with the housing case type reported their problem completely resolved; 14% had their problem partially resolved; 34% were still waiting and 26% did not have their problem resolved
- 20% of clients with the consumer case type reported their problem was completely resolved; 14% had their problem partially resolved; 50% were still waiting and 16% did not have their problem resolved.

Conclusion

The survey results demonstrate that the five senior hotlines have been very successful in meeting the needs of their callers. Respondents primarily report needing answers to legal questions and advice on solving legal problems. The vast majority of respondents (87%) have found the advice they received from the hotline to be beneficial.

Although it was feared that most seniors would fail to perform needed follow-up actions recommended by hotline advocates, the survey responses did not support that fear. 82% of the respondents who were advised to perform a follow-up action did so. It remains important to better address the needs of clients who did not choose to follow-up for a variety of reasons.

The survey results show that two months after phoning the hotline, 33% of the respondents' problems were completely resolved, 15% were partially resolved and 43% were still waiting for results. Only 9% reported that following the advice had failed to solve their problem. A follow up study to determine ultimate results after a longer waiting period would be beneficial.

For a copy of the complete Senior Statewide Legal Hotlines Report go to www.equaljustice.org/hotline1 or contact the

Equal Justice Conference 2001

Pro Bono, Innovations & Partnerships

March 29-31, 2001
Town & Country Resort
San Diego, CA

Presented by the ABA Standing Committee on Pro Bono and Public Service and the NLADA

Hotline workshops are planned on the following topics:

- *Training for hotline attorneys*
- *Hotline funding initiatives*
- *Best practices*
- *Standards for Legal Hotlines*
- *Integrating a hotline and brief services unit*
- *Outcomes measurement*
- *Opportunities to partner with dot coms*
- *Hotline affinity group*

For a conference brochure and registration materials contact Dorothy Jackson at the ABA:
Jacksond@staff.abanet.org
312-988-5766
You can also view the conference brochure online at:

www.abanet.org/legalservices/ejchighlights.html
You also may register on-line at:
www.eventregistration.com/events/aba

Outcomes Survey Instrument

Legal Hotline Name

You recently called our legal hotline for assistance. AARP Foundation is conducting a survey to determine how helpful our hotline is. Please take a few minutes to complete this survey and return it in the reply envelope enclosed. Your response will help us improve our service. For confidentiality, please do not put your name on the survey. Thank you for helping us.

Please check:

1. Are you : Male_____ Female _____

2. Under Age 60_____ Age 60-70_____
Age 71-80_____ Age 81-90 _____ Over 90 _____

3. Do you live in a: rural area____ small town ____
small city_____ large city____

4. Do you have access to transportation?
Yes____ No______

5. Yearly household income: Under $20,000_______
$21,000-$40,000 _______
Over $40,000_____

Initial Contact

6 . Did you have much trouble reaching us?
Yes _____ No ______

7. If yes, in the future which one of the following options you would prefer:

_____ wait on hold until I could talk to an attorney, even if the wait was 15-20 minutes.
_____ leave a message with a receptionist and wait 1-3 days to be called back
_____ leave a message on an answering machine and wait 1-3 days to be called back.
_____ have the receptionist arrange with you the day and time an attorney would call back (usually within 1-3 days.)

8. Which kind of legal matter did you call about: (*Check one)*

_____ Wills/Estates (Includes wills, powers of attorney, guardianships, trusts, joint ownership, probate)
______ Consumer (Includes debts, loans, credit cards, problems with products or services, bankruptcy)
______ Health (Includes Medicare, Medicaid, private insurance, nursing homes)
______ Housing (Includes landlord/tenant, real estate, mortgages, condos, utilities)______
Other matters
Information and Advice

9. Why did you call us? (*check all that apply)*

______ I wanted information about a legal question
______ I wanted advice about how to solve a legal problem
______ I wanted a legal document prepared
______ I wanted a legal document reviewed
_______ I wanted an attorney to handle a matter until it was resolved
______ Other:
Please explain_____________________________

If we gave you legal advice, was it helpful?
Yes_____ No _____ Somewhat_______

11. If the advice was helpful, describe how it helped: *(Please check all that apply)*

______ It answered my question
______ I understand my situation better
______ I have an idea of how to solve my problem
______ Some of my anxiety was relieved
______ I understand the consequences of various courses of action
______ I used it to solve my problem
______ Other:
Please explain_________________________

12. If the advice was not helpful, please describe why (*check all that apply)*

______ The advice did not help me solve my problem
______ I didn't understand the advice
______ The attorney didn't answer all of my questions
______ The attorney told me that my problem could not be resolved
______ Other:
Please explain______________________________

13. Did we suggest that you take any action to solve a legal problem you had?

Yes____ No_____

I don't know _______

14. Based on our advice did you take any action?

Yes____ No_______ I don't know _______

15. If yes, what did you do? ***(Check all that apply)***

______ I made a phone call to try to resolve the matter
______ I wrote a letter
______ I contacted the agency you referred me
______ I prepared legal papers
______ I asked for a court or agency hearing
______ I hired an attorney
______ I was assigned a free lawyer
______ Other:
Please explain________________________________

16. If you took the action we recommended, what was the result? (*Check one)*

_____ my problem was completely resolved
_____ my problem was partially resolved
_____ I am still waiting for the results of my action
_____ the action didn't resolve my problem

17. If the action did not resolve the problem, please check the reason below: (*Check all that apply)*

_____ I did not understand or forgot what to do
_____ it was too hard to do what you advised
_____ it was too expensive to do what you advised
_____ I haven't gotten around to doing it yet
_____ It didn't seem worth the effort
_____ I lost my case in court
_____ My problem was resolved without taking any action
_____Other:
Please explain_________________________________

18. Would you call us again if you had another legal question or problem?

Yes____ No ____ Don't know____

Please use the space below to tell us what else we could have done to help. Please also write any other comments you have about our service:

____

Websites of Interest

www.consumerworld.org

General consumer site offering links to hundreds of other sites providing information to consumers. Consumer World bills itself as a public service, non-commercial guide cataloging over 2000 of the most useful consumer resources. It has extensive links to federal and state consumer agencies.

www.naca.net

The National Association of Consumer Advocates site provides a listing of consumer attorney members as well as updated information on consumer topics

www.aarp.org/litigation/table.html

AARP Foundation Litigation has an online chart comparing grandparent visitation laws in the states.
Online state visitation data can also be found at the Foundation for Grandparent Web Site www.grandparenting.org

www.ssa.gov/onlin/forms.html

The Social Security Administration Forms site allow you to search and print out benefit claims forms and forms for other agencies.

Phase II: The Hotline Outcomes Assessment Study
Update

The Project for the Future of Equal Justice has been a awarded a grant from the Open Society Institute to complete Phase II of the Hotlines Outcomes Assessment Study. The Study will be conducted by the Center for Policy Research, Denver, with the assistance of consultant Robert Echols. The methodology for the study was tested last year in a Pre-Test involving the hotlines operated by CLEAR in Washington state and Statewide Legal Services in Connecticut. A summary of the Pre-Test findings is reprinted below from the Equal Justice Network web site, www.equaljustice.org. The complete Pre-Test Report is also posted there.

The full Phase II study will use the data gathered from 400 interviews with hotline clients to answer basic questions about Hotline effectiveness:

- Do clients understand the advice they receive?
- Do they follow up on advice and referrals?
- Do they realize a satisfactory resolution to their problems as a result?
- Are particular types of callers (grouped by demographics and case type) more likely to experience favorable outcomes?
- Are certain types of Hotline advice or services more likely to result in favorable outcomes?

The planners of the study are currently selecting the five Hotlines that will participate. The study is expected to be completed in early 2002. Preliminary findings should be available before the end of 2001. Additional information is available on the Equal Justice web site. Questions can be directed to consultant Robert Echols at echols@netquarters.net.

Hotline Outcomes Assessment Study
Pre-Test, Phase II
Summary

Objective

The goal of this phase of the Hotline Outcomes Assessment Study was to test the feasibility of using survey research techniques to determine whether Hotline clients:

- understand the advice they are given
- follow up on it
- realize some satisfactory resolution of their problems.

Methodology

The Pre-Test was conducted by the Center for Policy Research, Denver, with the assistance of Robert Echols, for the Project for the Future of Equal Justice (PFEJ), with funding from the Open Society Institute.

The Pre-Test involved the following steps:

- Development of a data collection instrument that could be administered over the telephone by non-lawyers to Hotline clients about their problems, experiences with the Hotline and outcomes of their calls;
- Generation of a random sample of 150 callers each from Hotlines operated by Statewide Legal Service of Connecticut (SLS) and the Northwest Justice Project's Coordinated Legal Education, Advice and Referral (CLEAR);
- Transfer of information from case records to a Fact Sheet for use by telephone interviewers, including contact information, selected demographic information, and a summary of the problem presented by the client and the action taken by the Hotline;

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- Review of the survey forms in conjunction with the original case record and categorization of the case outcome by the PFEJ consultant, a former legal services attorney;
- Analysis of the characteristics of clients who were not reached by telephone interviewers, to determine potential sources of bias;
- Statistical analysis of the data, comparing patterns across the two programs and the characteristics of cases with favorable and unfavorable outcomes;
- Revision of the data collection instrument based on the Pre-Test results;
- Development of a research plan for Phase II that takes into account the information learned in the Pre-Test.

Findings

The analysis of interviews conducted in the Pre-Test answered fundamental questions about the feasibility of assessing outcomes to legal problems using survey research techniques. It also provided some tentative findings about clients outcomes to be tested in a full-scale study:

- It is possible to obtain information about client outcomes through telephone interviews of clients performed by professional, non-attorney interviewers.
- Three months after they called the Hotline, most of clients in the sample had achieved a favorable resolution to their legal problem or were on the road to reaching a favorable result. In the small percentage of cases in which the client did not experience a favorable outcome (less than one-sixth of the sample), the reason appeared to be that the client had not understood the advice provided by the Hotline or was afraid or unwilling to follow it.

The key purpose of the pre-test was to test the effectiveness of a data collection instrument designed to be administered over the telephone by non-lawyers to obtain information about the actual outcomes experienced by Hotline clients. The results indicate that it is possible to obtain objective information about client outcomes using survey techniques. The PFEJ consultant was able to classify outcomes as favorable or unfavorable in over 80 percent of the cases from both Hotlines. His assessments generally concurred with the subjective assessments of the clients themselves, as well as the assessments of the non-attorney interviewers.

Because this preliminary phase of the study was intended to test the survey instrument rather than to draw final conclusions about outcomes, no special effort was made to ensure that the sample of clients interviewed was representative of Hotline callers as a whole. For example, because the interviewers did not make a consistent effort to track down hard-to-reach clients using secondary contact information, clients who had moved since they called (some of whom may have been evicted) could have been underrepresented. The full-scale study will be designed to avoid such potential bias.

Nevertheless, the overall patterns that appeared in the Pre-Test interviews were striking.

The test found that most of the clients who were interviewed experienced a favorable outcome. A favorable outcome was defined as the client receiving all or part of what she wanted when she contacted the Hotline.

(Cases in which the client had successfully filed a case or motion pro se, which appeared to be progressing smoothly, although still pending, were considered to have had a favorable outcome.) In the two states, 66-68 percent of the clients were classified as having experienced favorable outcomes, with only 15-16 percent classified as having unfavorable outcomes. Client satisfaction was also high: over two-thirds of the respondents in both states said that the Hotline was “very helpful,” and over three-quarters said they will “definitely” call the Hotline again if they have another legal problem.

The PFEJ consultant concluded, based on his review of the original case record and the interview responses, that in those cases where the client had not

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been afraid or otherwise unwilling to follow it. Only two clients who followed the advice provided by the Hotline experienced unsatisfactory outcomes.

Although these results need to be tested in a full-scale study, they suggest that Hotlines are generally very effective in obtaining favorable outcomes for clients, but that a small group of clients (in the range of 15 percent) may not be able to understand or willing to follow up on Hotline advice. Phase II of the Study will attempt to identify characteristics of these clients, so that their needs can be addressed more effectively.

New Version of TIME Case Management System*

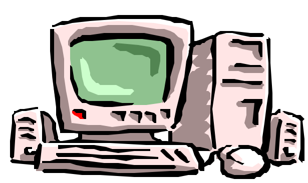
In November 2000, The Western New York Law Center in Buffalo, NY announced the release of version 2 of its TIME case management system.

According to WYNLC, the new version contains the following improvements:

- Integrated word processor for generated documents
- Online storage of all generated documents
- Name and address file
- Correspondence tracking
- Email support
- Expanded number of user-definable data fields.
- Real time validation of case data

For instructions on downloading a demonstration version contact: Tom Karkau@wnylc.com

** The Project does not recommend any particular product but provides this data in keeping with its mission to inform legal hotlines about available products, services, and resources.*



Showing Results

By J. Allen May*

Managing Attorney, Legal Counsel for the Elderly
Washington, D.C.

(Reprinted from National Aging and Law Conference 2000)

So, after all is said and done, what did your legal services accomplish for the client? How is the client to better off after receiving your legal services?

The search for the answers to these questions is at the heart of a growing trend in legal services to evaluate services by measuring and quantifying results achieved. Counting numbers of clients, numbers of cases, numbers of hours worked and how cases are closed might provide useful data, but miss the mark in terms of measuring what the program actually did to help the client.

Legal Counsel for the Elderly (LCE) has recently embarked on a project to better measure results or outcomes achieved. The process we undertook and the resulting product may be helpful to other programs considering adopting "outcome" measurements.

Dollars Obtained as an Outcome Measure

A measurement that we have long used is totaling the dollars obtained on behalf of clients over a given time. In some cases, such as in a Social Security claim, this dollar amount is calculated by simply adding the retroactive payment to a year's award of benefits. We had assumed, absent any evidence to the contrary, that if an entitlement case like Social Security is won, then the client will receive benefits uninterrupted for at least one year. With regard to other benefits like Medicaid, one approach is to take the average value of Medicaid benefits (ideally broken down by age group), if that information is readily available. But, of course, there are those cases in which it is impossible to ascribe a dollar amount (e.g., a will or power of attorney).

******The author gratefully acknowledges Wayne Moore for his promotion of outcomes measurement at LCE and Ken Smith of IOLTA Information Services for his assistance with the revision and implementation processes described above.*

Process for Devising Short Narrative "Outcomes"

We began the process of devising short narrative outcomes by taking a look at the more than 100 outcome codes we found in the "Clients for Windows" software program we purchased from Kemp's Case Works. (We never ultimately used this software database for cases). These outcome codes, with descriptions ranging from "prevented eviction" to "obtained Social Security benefits" were devised based on New York law and practice. Staff attorneys and paralegals reviewed these outcome codes and amended them in light of our practice in the District of Columbia.

Second, we created two pull-down lists on the case closure screen in our client database; one extended list for case handlers, and one shorter list of only about 30 outcomes for the Hotline (advice and information component of the office.) The creation of a separate short list provided Hotline attorneys with a quick and efficient way to record results without having to scroll through 135 alternatives.

We Focus on Results, Not Verdicts

There are many situations which legal intervention helps a client although the most ideal outcome might not be achieved. For example, in a landlord/tenant case dispute, the tenant's ideal solution might be to remain living in the apartment indefinitely. A lawyer's intervention might result in the tenant being allowed to reside in the premises for a long enough time to secure alternative housing. Thus, an outcome of such a case might be "delayed eviction providing time to secure alternative housing". It is important that case handlers, in closing a case, assess and record what benefit was obtained even though in some cases that might not have been the ideal outcome.

Reports

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Using a Microsoft Access database, we have been able to create a series of computer reports which tell us "the outcomes achieved" in multiple formats. We have created reports which provide (for a specified date range of closed cases), an alphabetical listing of cases and outcomes achieved sorted by casehandler, by site (a particular segment of the program handling the case such as the *pro bono* unit) and by legal services problem code. The reports list the case number, the type of problem, the outcome achieved and the dollar amount obtained. The reports also all provide subtotals for each type of outcome and a grand total of all the outcomes by category as well as grand total of dollars obtained. These reports should prove to be invaluable for grant proposals and reports, for identifying individual accomplishments, and for accomplishments of discrete projects of the program as well as the program as a whole.

More Information

For more information, outcome codes with descriptions and sample reports please write or email me at **jmay@aarp.org.**

"Brief Representation" Outcome Codes List

Would be used by Hotline attorneys and all other LCE advocates for matters resolved by advice, brief services, information and referrals

Code list, by Major Benefit Obtained by Client

Information; *0001 through 0009*

0001 Obtained verbal explanation of legal rights, responsibilities or procedures
0009 Obtained miscellaneous information; not legal advice

Advice; *0010 through 0019*

0010 Obtained legal advice/counsel; no further services
0011 Obtained legal opinion; no further services
0019 Obtained other advice (including non-legal advice)

Brief Services; *0200 through 0029*

200 Obtained legal advice/counsel based upon individualized legal research
0021 Obtained advice/counsel based upon review of a document
0022 Obtained assistance in writing letter with legal import
0023 Obtained assistance in filling out a form
0024 Obtained consultation with attorney (not LCE)
0029 Obtained other brief legal assistance

Referral for Further LCE Services; *0030 through 0049*

0030 Obtained appointment with LCE staff attorney
0031 Obtained appointment with LCE paralegal
0032 Obtained appointment with reduced fee panel referral attorney
0033 Obtained referral to LCE volunteer lawyer program
0034 Obtained referral to AARP LSN
0035 Obtained referral to LTCOP
0036 Obtained referral to Oppayee/Money Management Project
0037 Obtained referral to Write a Wrong Project
0038 Obtained referral to Medicare Fraud Project
0049 Obtained other referral for further LCE services

External Referral; *0050 through 0059*

0050 Obtained referral to other free legal services agency
0051 Obtained referral to bar referral service
0052 Obtained referral to social services agency
0053 Obtained referral to senior center services
0054 Obtained referral to medical bills project
0055 Obtained referral to housing counseling services
0059 Obtained other referral to assistance outside LCE

Publications; *0600 through 0069*

0060 Obtained brochure explaining legal rights, responsibilities for procedures
0069 Obtained other publication; no further services

From the Frontline

*By Carol Matthews**

HOTLINE ATTORNEY SURVEY

There has been a lot of attention paid lately to finding out how satisfied clients are with hotlines and analyzing their experiences. Clients are queried about whether they had trouble reaching the hotline, whether the hotline attorney was helpful, courteous, knowledgeable, would they call the hotline again, or refer a friend, etc. These are all good questions to ask hotline clients but why doesn't anyone ask the hotline attorneys how satisfied we are with our clients? Were *they* helpful, courteous, knowledgeable? Would we call *them* again? Or recommend *them* to a colleague? My speedy and totally unscientific survey of hotline lawyers reveals that we think there is room for client improvement.

Clients are very often not helpful..
I frequently am forced to pry every little fact out with a verbal crowbar. They want advice but don't want to go into any details. They become vague when asked if they actually signed the contract, and more reticent still when asked if they have a copy. They complain that their credit card bill has unauthorized charges but don't want you to know that the charges were made by their children. They say they have no idea why they are being evicted, or fired, or sued. Their house may be foreclosed on but they don't know who holds their mortgage, or any of its terms, but insist they have made all the payments. They don't count payments missed while they were sick so why mention them.

Clients are often hard to reach. They call in with an emergency but five minutes later they don't answer the phone. Or they want a call early in the morning or late at night. Or they can't talk now, or can't talk on the phone, or the phone is tapped. Most hotline clients are courteous, but not all.

As for clients being knowledgeable, is it too much to ask that the client at least know the reason for the call? I'm a pretty good guesser but it gets tedious asking "is this about something that happened? or someone you know? or about something that came in mail?" This may be followed by equally unnerving inquiries about who I am and how I got their telephone number.

We have all had clients who were hard to help because of difficulties in piecing together the story. But the fact is, one of the duties of a hotline attorney is to teach callers to be better clients. The client seldom knows which bits of his story are legally significant. It is my job to ask the right questions and to explain why some facts are more important than others. Most clients have some trouble telling which papers are important. The vocabulary may be unfamiliar or their reading skills may be poor. Again, it is my job to encourage them to look for necessary papers and keep them safe.

If the client is given an appointment it is the job of the hotline to prepare him for it so I explain to the client what papers he will have to bring with him and what information he needs if he is to be helped. Without this preparation the appointment will be a waste of time for both the client and the attorney. So the answer to the question of whether I would refer this client to a colleague is *no*, not the *original* caller, but I am happy to pass on this New and Improved Client.

**Carol Matthews is a hotline attorney at Legal Counsel for the Elderly in Washington D.C.*

Legal Counsel for the Elderly
HOTLINE FOLLOW-UP PROJECT

By Grayce Rund, Supervising Attorney
Hotline Follow-up Project

Introduction

The Hotline Follow-up Project (HFP) is a pilot program created by Legal Counsel for the Elderly (LCE) in the fall of 2000. Specially trained and supervised HFP non-attorney volunteers conduct follow-up interviews of low-income clients who have received services from a LCE hotline attorney. The goals of the project are to:

- Determine whether clients' legal problems were resolved
- Provide further assistance to those with an unresolved problem
- Collect and analyze data to determine the client and case characteristics associated with favorable and unfavorable outcomes

This article describes the start-up activities of the project and results obtained to date. These include volunteer recruitment and training, data collection and analysis, and client follow-up assistance.

I. Volunteers

Inclusion of a volunteer component is a guiding principle of all LCE projects. The goal of the HFP team is to make these volunteers an integral part of the legal service delivery system for vulnerable, elderly D.C. residents. The Project requires the volunteers to possess the sophisticated skills needed to conduct client interviews and provide follow-up assistance.

HFP volunteers must have good telephone skills, the ability to collect, record and evaluate information and explore pertinent details. Once the follow-up assistance portion of the Project is implemented the volunteers will need the skills to (1) conduct fact investigation, (2) obtain documents or information necessary to resolve the clients' legal problems, (3) call organizations and agencies on behalf of clients, and (4) help clients complete *pro se* forms and applications.

The Project concluded that retired professionals would be the optimal source of volunteers with these skills and AARP Member Services sent three thousand recruitment letters to local AARP members whose annual incomes were over $35,000. Associations of retired professionals also would be a likely source of volunteers. Approximately thirty members responded and seven were accepted as volunteers. They include retired attorneys, paralegals, analysts and educators.[1]

Training

All volunteers attend a full day training that includes an overview of the HFP Project, a detailed discussion of the project materials and interview procedures. During the "Interview Procedures" portion of the training the volunteers review (1) the "Individual Case Master Print" (ICMP) which contains the client demographic data and the hotline attorney's record of the facts and advice given, (2) the Interview Questionnaire which provides a scripted format for the interview, (3) the Job Aid (otherwise known as "how to stay out of trouble during the interview") which has a number of scenario based solutions for interview problems and a variety of helpful "do's" and "don'ts" of interview etiquette.[2]

As part of the training the volunteers participate in a role-playing session where they have the opportunity to work with the Questionnaire and field client "curves" in the interview process. All the volunteers must sign both a volunteer agreement and a confidentiality agreement.

1. Although HFP does have attorneys as volunteers, the program is designed to use non-lawyers to conduct interviews and provide follow-up assistance.

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2. The “Interview Questionnaire:, “Job Aid”, and “Hotline Advice Follow-Up Project Manual” will be posted at the Legal Hotline Technical Assistance Library at www.povertylaw.org

II. Data Collection

A. Step One – Hotline Attorney Referral

LCE hotline attorneys initiate the follow up process by identifying and referring cases for HFP follow-up based on the following criteria:

- The client must be LCE income eligible - 200% of poverty[3]
- The case must be coded “Brief Representation”
- The client must have received proactive advice (advised to take a specific action to resolve his or her legal problem)

First, the hotline attorneys decide whether a case is an extended or brief representation matter. If the hotline attorney gives the client an appointment with an LCE in-house staff attorney or refers the case to some other program where he will receive extended services, no HFP referral is made. Conversely, if the hotline attorney is able to address the client’s matter fully with the phone consultations, he closes the case with the “brief representation” code.

The next step is for the hotline attorney to decide which of the “brief representation” cases to refer to HFP. The only criterion provided by HFP is that the hotline attorney has advised the client to take “specific, proactive steps” to resolve his or her legal concern, *e.g.*, file a complaint in small claims court, write a letter to a merchant, obtain a copy of a disputed contract. However, not all the cases falling within the “pro active” criteria are referred to HFP. Hotline attorneys employ broad discretion in deciding what cases to refer. Reasons for a referral range from a personal interest in the outcome of a matter, to a concern that the client will encounter difficulties in following the advice.

Once the hotline attorney decides to refer a case, he enters into the LCE database the requested callback or “tickle” date, “tickle instructions” (the reason why he wants HLP to follow-up with the client) and the HFP referral code. This and other relevant follow-up information appears on the ICMP. The supervising attorney reviews the ICMPs on a weekly basis and schedules those cases tickled for a follow-up interview.

3. HFP dropped the income criterion shortly after the project began because it negatively affected the number of calls referred. As the Project matures, HFP will reintroduce the criterion.

B. Step Two – The Follow-up Interview

The Interview

The initial follow-up interview is conducted within one month of when the client called the hotline to maximize clients’ recall of their hotline experience and minimize instances of telephone disconnects. The supervising attorney reviews the ICMP for each case scheduled for follow-up on a given date and highlights relevant case notes and follow-up instructions for the volunteer. She also highlights corresponding “client prompts” contained on the questionnaire, which she attaches to the ICMP. Prior to the interview, the supervising attorney reviews and discusses all highlighted items with the volunteer. The volunteer then attempts to contact the client and complete the interview using the scripted questionnaire.

The Questionnaire

The questionnaire is a scaled back version of the data collection instrument (DCI) developed by the Center for Policy Research (CPR) to assess the effectiveness of using telephone hotline advice to provide legal services to low-income populations.[4] The HFP questionnaire is the product of (1) feedback obtained from CPR interviewers who used the DCI; (2) HFP data collection goals; (3) LCE hotline attorney in-put; and, (4) feedback from volunteers who participated in pre-training tests of the questionnaire.

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4. *The Legal Hotline Outcomes Assessment Study,* Final Report – Phase II:
Pre-Test of Follow-Up Telephone Questionnaire, Center for Policy Research, September, 2000. www.equaljustice.org

The questionnaire is designed to determine the helpfulness of the hotline advice, whether the client followed the advice, and the current status of the client's matter. It also allows the volunteer to survey the client about future services LCE may offer. The volunteer records his impressions of the interview and recommends whether the client would benefit from further assistance.

Post-interview Review

After all interviews are completed for that day, the supervising attorney reviews with the volunteer the results and the volunteer's impressions. She then conducts a more detailed review of the clients' responses. The objective of this review is to identify and record the following information on the Interview Data Summary Sheet (IDSS):

(1) Did the client understand the advice?
(2) Did the client follow the advice?
(3) If yes, what was the result?
(4) If no, what was the reason?
(5) Does the client require further assistance to resolve his legal problem?

The supervising attorney then assigns final outcomes codes to the cases. She only assigns a favorable outcome (FAV) to matters that have reached a final and favorable resolution. All pending matters are coded as "no outcome to date" (NOTD) and tickled for another follow-up call three months from the date of the initial interview. Unfavorable outcomes are coded as (UNFAV). All cases where the client did not follow the advice because the matter resolved itself before he had an opportunity to do so are coded as (MRI).

Csases where clients were unable to follow the advice are coded as (UTF), while cases where clients chose not to follow the advice are coded as (CNTF). The supervising attorney determines what cases may require further assistance based on the following factors: client age, case type, problem description, outcome, and reason why the client did not follow (or encountered difficulty in trying to follow) the advice.

Those cases where further assistance is recommended are coded as (FAR), while those matters that do not warrant further assistance are coded as (NFAR). Project support staff enter the information contained on the IDSS into the HFP database.

III. Data Analysis

HFP collects data on client demographics, case types, outcome characteristics (such as whether advice was understood or followed), and the nature of the outcome, which we then use to analyze the client characteristics which are associated with particular outcomes. Finally, we conduct a statistical analysis using multivariate regression techniques to determine the statistically significant determinants of those outcomes. Ultimately, with sufficient numbers of clients, the regression analysis could prove to be a powerful tool in predicting which clients are most likely to require follow-up assistance.

Characteristics of the Entire Client Group - 53 cases to date.

A. Client demographics

As expected, the 53 clients interviewed are predominantly older (the average age is 72, and ranges from 47 to 88), low income (average monthly income is $ 1,376, ranging from $300 to $ 4,740), female (79%), and ethnically diverse (73% black, 15% white). 55% own their own house, and 32% rent. 30% are married, 23% are widowed, 19% are divorced, 9% were never married, and 6% are separated.[5]

B. Case characteristics (case types)

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LCE legal problem codes can be grouped into several broad areas. 21% (11 cases) involve real estate and landlord/tenant, 19% (10 cases) relate to consumer/finance, 19% (10 cases) involve estate planning, 15% (8 cases) involve health, 8% (4 cases) involve income maintenance, 6% (3 cases) involve family issues, 2% (1 case) involve individual rights, and 11% (6 cases) were categorized as miscellaneous.

5. Here, as elsewhere, what may appear to be an exhaustive listing may not add up to 100% because of "percent unknown" category.

C. Actions and outcomes

Our statistical analysis is designed to answer four questions:

- Did the client understand the advice?
- If the client understood the advice, did he follow the advice?
- What happened if he followed the advice?
- If the client did not follow the advice, why?

1. Did the client understand the advice?

Of the 53 clients interviewed, 45 reported that they understood the advice given to them, while 8 clients reported that they did not.

Did clients understand advice?	YES	NO	TOTAL
	45 (85%)	8 (15%)	53 (100%)

Table 1

2. If the client understood the advice, did he follow the advice?

Of the 45 clients who understood the advice, 25 reported that they followed that advice, while 20 reported that they did not.

Did clients follow			
	25	20	45

Table 2

3. What happened if he followed the advice?

For the 25 clients who followed the advice, 7 reported that the outcome was favorable ("FAV"), 11 reported no outcome to date ("NOTD") – they had followed the advice, but we do not yet know the outcome (HFP will call back within three months), and 7 reported that the outcome was unfavorable ("UNFAV").

Outcomes: ad-				
	7	11	7	25

Table 3

4. If the client did not follow the advice, why?

Determining the reasons why clients don't follow the hotline advice is fundamental to the Hotline Follow-up Project. These reasons help to shape the type of follow-up assistance the Project offers. Of the 28 who did not follow the hotline advice, 11 were unable to follow the advice ("UTF") because they either did not understand the advice (8 clients) or because it was too difficult for them to do so unassisted (3 clients), 7 clients reported that the matter resolved itself ("MRI") before they had the opportunity to follow the advice, and 10 client chose not to follow the advice ("CNTF") even though they understood it.

Reasons clients did-				
	11	7	10	28

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Tabe 4

IV. Follow-up Assistance

In addition to collecting and tracking data, an equally important function of the interview process is that it allows HFP to identify clients whose legal problems remain unresolved because of the clients' inability to follow hotline advice. These include those clients who do not understand the advice, are frustrated or confused by failed attempts to follow the advice, or are temporarily or permanently impaired from doing so by a physical, emotional or mental crisis or condition. These cases are coded as "further assistance needed" (FAR).

Once the supervising attorney identifies a FAR case, she reviews the facts of the case to determine whether to recommend the matter for an LCE-sponsored project or for assignment to an HFP volunteer. This decision is based on the need of the client. Where the need is critical or requires legal expertise (*e. g.*, spousal abuse, loss of a home), the recommendation is to assign the case to an LCE attorney or paralegal. Conversely, where the need is less immediate and does not require the skills of an attorney or paralegal, volunteer assistance is recommended. A final decision is reached after consulting with the appropriate project leader or manager.

Of the 10 FAR cases identified to date, 5 have been recommended for and accepted by LCE for further assistance. LCE-sponsored projects include LCE legal clinic, VLP, Write-a-Wrong,[7] Long-term Care Ombudsman, Representative Payee, Medicare Fraud Project and the Legal Hotline. To date, 3 cases were scheduled for appointments with LCE-attorneys, while 2 were forwarded to Write-a-Wrong. HFP scheduled each of these cases for a three-month follow-up.

The remaining five cases were assigned to HFP volunteers who performed the following valuable services for the clients:

7. Write a Wrong is an LCE program which prepares letters for seniors on a number of consumer issue.

- Identified and contacted a social worker to help a client to find alternative housing after his landlord had evicted him.
- Assisted a client to contact a referral number by conferencing the two parties together via telephone.
- Researched the question of what documents and information the client must produce to apply for a reverse mortgage. Upon further review of the case and the client characteristics, HFP referred the client to the LCE legal clinic for assistance.
- Researched whether a defendant in a contract case was still doing business in D.C.
- Provided the client with referral numbers she had either lost or forgotten.

Where appropriate, the follow-up assistance cases are tickled for a three-month callback.

HFP follow-up assistance is still in its formative stage. With time, experience and additional resources the goal is to develop this component of the project into a Brief Services Unit[8] which will increase the efficiency and productivity of the entire legal services program.

Conclusion

The Legal Counsel for the Elderly Hotline Follow Up Project represents an exciting and innovative opportunity to help those in need. While still in its development stage, with many challenges ahead, in time the combination of the follow-up interviews and follow-up assistance will help to improve the quality and depth of services provided to the poor and aging residents of the District of Columbia.