
Legal Hotline Quarterly

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ABA Ethics 2000 Rule Revision Offers Relief for Legal Hotline Conflict of Interest Issues

Ethics 2000, the ABA special committee charged with proposing changes to the ABA Model Rules of Profession Conduct, has promulgated Rule 6.5, whose stated purpose is to provide guidance to lawyers working in legal hotlines, advice-only clinics, or pro se counseling programs regarding conflict of interest issues. The proposed Rule, reprinted here on page 3, as revised 2/12/2000, states that lawyers working in a non-profit or court-annexed limited legal service setting are *not* subject to Rule 1.7 or Rule 1.9 (a) unless the lawyer knows or should reasonably know that the representation involves a conflict.

Rule 1.7 states:

(a) A lawyer shall not represent a client if the representation of that client will be directly adverse to another client, unless:

(1) the lawyer reasonably believes the representation will not adversely affect the relationship with the other client; and

(2) each client consents after consultation.

(b) A lawyer shall not represent a client if the representation of that client may be materially limited by the lawyer's responsibilities to another client or to a third person, or by the lawyer's own interests, unless:

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Shoshanna Ehrlich, Editor

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(1) the lawyer reasonably believes the representation will not be adversely affected; and

(2) the client consents after consultation.

When representation of multiple clients in a single matter is undertaken, the consultation shall include explanation of the implication of the common representation and the advantages and risks involved.

Rule 1.9(a) states:

Conflict of Interest: Former Client

(a) A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client consents after consultation.

Furthermore, Rule 1.10 would not apply to all:

Rule 1.10 - Imputed Disqualification: General Rule

(a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rule 1.7, 1.8(c), 1.9 or 2.2.

(b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer, and not currently represented by the firm, unless:

(1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and

(2) any lawyer remaining in the firm has information protected by Rules 1.6 and 1.9(c) that is material to the matter.

(c) A disqualification prescribed by this Rule may be waived by the affected client under the conditions stated in Rule 1.7.

Revised Rule 6.5 would only apply to non-

profit organizations. It would provide legal hotline programs the flexibility they need to fashion workable procedures to prevent violation of the rule. Clients who may have been turned away because of a conflict arising from another of the organization's offices or by a volunteer or part time-attorney's law firm could be accommodated under the rule. It may allow for a "firewall" solution to a potential conflict case whereby a hotline attorney might work with a special database so as not to obtain the "actual knowledge" which would violate the rule.

At the very least, the adoption of the Rule would go a long way toward relieving the serious ethical dilemmas hotlines and other limited legal services projects have been trying to address over the years.

Ethics 2000 will continue accepting comments until July, 2000 when the ABA annual conference will be held. The Committee's target date is to present a draft of all rule revisions by October 2000, after which the ABA House of Delegates, the policy-making body of the ABA, will vote on the rules. The earliest time frame for a vote by the House of Delegates would be August 2001. The delegates may approve the rules in whole or in part. The approved revised rules become part of the ABA Model Rules of Professional Conduct. Once that is accomplished, it will be up to the Bar of each state to incorporate the Model Rules into the particular state's Code of Professional Conduct.



As Revised 2/12/2000
 Rule 6.5
 Non-profit and Court-Annexed Limited
 Legal Services Programs

(a) A lawyer who, under the auspices of a non-profit organization or of a court-annexed program, provides limited legal services to a client without expectation of either the lawyer or the client that the lawyer will provide continuing representation in the matter is subject to the requirements of Rules 1.7 and 1.9(a) only if the lawyer knows or reasonably should know that the representation of the client involves a conflict of interest.

(b) Rule 1.10 is inapplicable to a representation covered by this Rule.

Comment

[1] Legal service organizations, courts, and various non-profit organizations have established programs through which lawyers provide limited legal services - typically advice - that will assist persons with limited means to address their legal problems without further representation by a lawyer. In these programs, such as legal advice hotlines, advice-only clinics, or *pro se* counseling programs, an attorney-client relationship is established, but there is no expectation that the lawyer's representation of the client will continue beyond the limited consultation. It is the purpose of this Rule to provide guidance to lawyers about their professional responsibilities when serving a client in this capacity.

[2] A lawyer who provides limited legal assistance pursuant to this Rule must secure the client's informed consent to the limited scope of the representation. See Rule 1.2(c). Also, if the limited representation would not be reasonable under the circumstances, the lawyer may offer advice to the client but must also advise the client of the client's need for further assistance of counsel. Except for the modification of the conflict of interest rules in paragraph (a) and (b), the Rules of Professional Conduct, including Rule 1.6 and 1.9(c), are fully applicable to the limited representation.

[3] Because a lawyer who is representing a client in the circumstances addressed by this Rule is not able to check systematically for conflicts of interests, paragraph (a) only requires compliance with Rule 1.7 or 1.9 if the lawyer knows or reasonably should know, based on reasonable recollection and information provided by the client in the ordinary course of the consultation, that the representation presents a conflict of interest.

[4] Because the limited nature of the services being provided significantly reduces the risk normally associated with conflicts of interest that may arise because a lawyer is associated with a law firm, paragraph (b) provides that Rule 1.10 is inapplicable to a representation covered by this Rule. Thus, a conflict of interest that would otherwise be imputed to a lawyer because of the lawyer's association with the firm will not preclude the lawyer from representing a client in a limited services program. Nor will the lawyer's participation in such a program preclude the lawyer's firm from undertaking or continuing the representation of clients with interest adverse to a client being represented under the program's auspices. Nor will personal conflicts of interests of a lawyer participating in the program be imputed to other lawyers participating in the program.

Ethics 2000 is currently seeking commentary on this and many other revisions. Please visit:
www.abanet.org/cpr/ethics2k.html.

Comments from legal hotline managers are particularly important. After reviewing Rule 6.5 please send your comments to:

Susan Campbell at:
suecampbell@staff.abanet.org

Jan May receives District of Columbia Bar Association Scoutt Prize for advocacy.

**Jan is the Managing Attorney of Legal Counsel for the Elderly in Washington D. C. and a partner in the Legal Hotline Technical Assistance Project.*

On March 3, 2000 Wayne Moore, Director of AARP Foundation Legal Advocacy Group, announced that Jan May was the winner of the prestigious Jerrold Scoutt Prize.

“I am proud to announce that Jan May, who has been Legal Counsel for the Elderly’s Managing Attorney for 20 years, has won the prestigious Jerrold Scoutt Prize. The Scoutt Prize is given annually by the District of Columbia Bar to recognize individuals who have shown a high degree of compassionate concern for his or her clients while exhibiting a high degree of skill on their behalf.

“The Prize was created by the firm of Zuckert, Scoutt & Rasenberger in honor of its founding partner, Jerrold Scoutt. Only people who are attorneys employed by organizations that provide direct legal services to poor or disadvantaged persons in the Washington area are eligible to be nominated.

“Jan has spent his entire career as an ardent advocate for low income seniors in DC. In my nomination of Jan, I wrote about his determination to provide access to justice to those who otherwise would have none, of his ability to provide clients with patience and accord them the dignity they deserve. He also has masterfully implemented new ways of delivering services to older people, which have cost-effectively expanded LCE’s services and served as a model for other programs nationally.

“Letters supporting Jan’s nomination came from all over the country. They speak of his compassion, dedication, and leadership...

“I am proud to work with Jan and I am pleased that the wider legal community of the District of Columbia has recognized his talents and dedication. The Scoutt Prize will be awarded during the Winter Convention of the District of Columbia Bar Association

Memorandum by Wayne Moore

Coordinated Advice and Referral Program

Websites of Interest

<http://wwwsecure.law.cornell.edu.ethics>

This site houses the collection of the American Library of Legal Ethics. Please note there is actually no period after www in the URL. Here you can find the Rules or Codes of Professional Responsibility, opinions, and other material on ethics for all the states.

www.cbpp.org

The site of the Center on Budget and Policy Priorities, a nonpartisan research organization and policy institute that analyzes government policies and programs, particularly those affecting low and moderate-income people.

www.uscensus.gov/population

This is the site you need when you need population or poverty figures to include in a report or grant proposal. You can get population, poverty, and housing estimates and projections for your state, county and city.

www.aoa.gov/aoa/stats/98pop

This site is great for programs writing Administration on Aging proposals. It contains those hard to find statistics broken down by 5 year age increments by state for persons 50+.



for Legal Services(CARPLS) Chicago



CARPLS took its first call on May 11, 1993. It provides legal advice, brief services and referrals to low income residents of Cook County, Illinois. It is one of the largest hotlines in the nation. In its first year of operation it received over 30,000 calls and handles over 16,000 cases per year.

History and Funding

CARPLS was created as a result of the legal needs study conducted in Illinois in 1989. The study, performed by the Illinois Bar, the Chicago Bar, and the Lawyers' Trust Fund (IOLTA) determined that four out of five legal needs of the poor were not being met. Interestingly, failure to meet the needs was not necessarily the result of lack of resources within the community but rather a lack of coordination among the numerous legal services providers in the Chicago area.

In designing a hotline program to coordinate these services, IOLTA developed a model by looking at the Legal Hotline for Older Americans in Pittsburgh, Legal Counsel for the Elderly in Washington D.C. and Neighborhood Legal Services in Buffalo. CARPLS was launched in coordination with one legal services program and participating legal services providers were added one at a time until 28 of the Cook County programs became affiliates. These include all of the legal services and IOLTA funded program, law school clinics, court house bar association programs, and pro bono programs. The feasibility study estimated that the hotline would receive 10,000 calls within the first three years of operation. Instead, CARPLS was swamped with 30,000 calls its first year.

The cooperation of the affiliates was achieved with the assistance of IOLTA, the largest funder of the project. It provides approximately 65% of CARPLS' funding. The remainder is made up of contributions from the Chicago and Illinois Bar Associations, private Chicago-based foundations, a

state grant, an Annual Fund campaign and fund-raising events. CARPLS has six full-time attorney equivalents to serve the low-income population of Cook County. The poverty level population of Cook County is close to 1 million people.

Organization and Location

CARPLS is a freestanding organization. Leslie Corbett is the Executive Director. The organization also has an Associate Director, a Director of Legal Services, a Client Services Administrator, an Administrative Assistant, and 25 part-time staff attorneys to handle the calls. Four of the attorneys are designated as "senior" attorneys. There are no telecommuters—all of the attorneys come into the office to work between 8-20 hours per week.

CARPLS offices are located in a neighborhood called Greek Town, west of the Loop. The office is housed in a loft and consists mainly of a large open space. The three people on the administrative team have offices, but everyone else works in the open area which contains 14 workstations with computers and phones. The office has plenty of room for expansion since only six attorneys are usually scheduled per shift.

Staffing

Leslie, as Executive Director, concentrates on program planning, statistics, fund-raising, and public relations. The Associate Director, Susan Pierson, spearheads the fundraising and technology efforts. The Director of Legal Services, Lisa Colpoys, is responsible for the legal product. She supervises all the attorneys, leads the quality-control team, manages the volunteer projects and legal materials projects. Each of the four senior attorneys has administrative projects as well. The senior attorneys were given extra four-hour shifts per week to devote to the administrative projects which include the quality control team, the Self-Help Project, the Pro Se Task Force, the Non-Affiliate Referral Project, intake coordination and library maintenance.

The 25 part-time staff attorneys give legal advice, make referrals, and perform some brief ser-

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vices. Those are usually limited to making phone calls on the client's behalf, writing letters, reviewing documents which clients may fax in, and engaging in phone negotiations for the clients. It is difficult to conclude brief services with the part-time staff, so Lisa is usually the one to finish those and close the case. The large corps of hotline attorneys consists mainly of solo practitioners who are seeking to supplement their income while at the same time performing a public service.



CARPLS Staff Attorney Tim Kings advises a client

System Work Flow

Clients connect with CARPLS in one of two ways. Clients may call CARPLS directly. CARPLS has its own phone number but it is not advertised so most clients come into CARPLS through one of the affiliate programs. That process occurs in the following manner. Clients call a particular legal aid office and are screened for eligibility. If the client is an appropriate one for the program they called, they will proceed through the normal intake process for that particular program and will not have any contact

with

CARPLS. On the other hand, if the program doesn't handle the issue the client has called about, he will be referred to CARPLS. Some affiliates have Centrex phone systems capable of forwarding the call directly to CARPLS, while other programs merely give clients the CARPLS phone number.

There are no phone receptionists at CARPLS; attorneys pick up the phone themselves as they come into the automated call distribution system. The average number of calls coming in per day is 100 but the hotline presently has the capacity to answer only 45 calls per day. The phone system does not have the capability of reporting how many of the 55 lost calls were repeat callers who were eventually successful in connecting. The system allows waits of up to 30 minutes, but the average wait is about 20 minutes.

Callers hear a greeting which prompts them to select whether they are English or Spanish-speaking. Spanish-speaking callers are able to leave a message if a Spanish-speaking attorney is not on duty. Callers with questions about bankruptcy, employment or non-emergency landlord tenants issues are also asked to leave a message so they can be saved for handling by volunteers. Hearing impaired clients are able to contact CARPLS and leave a message on its TTY phone. All other callers must wait on the queue until an attorney picks up.

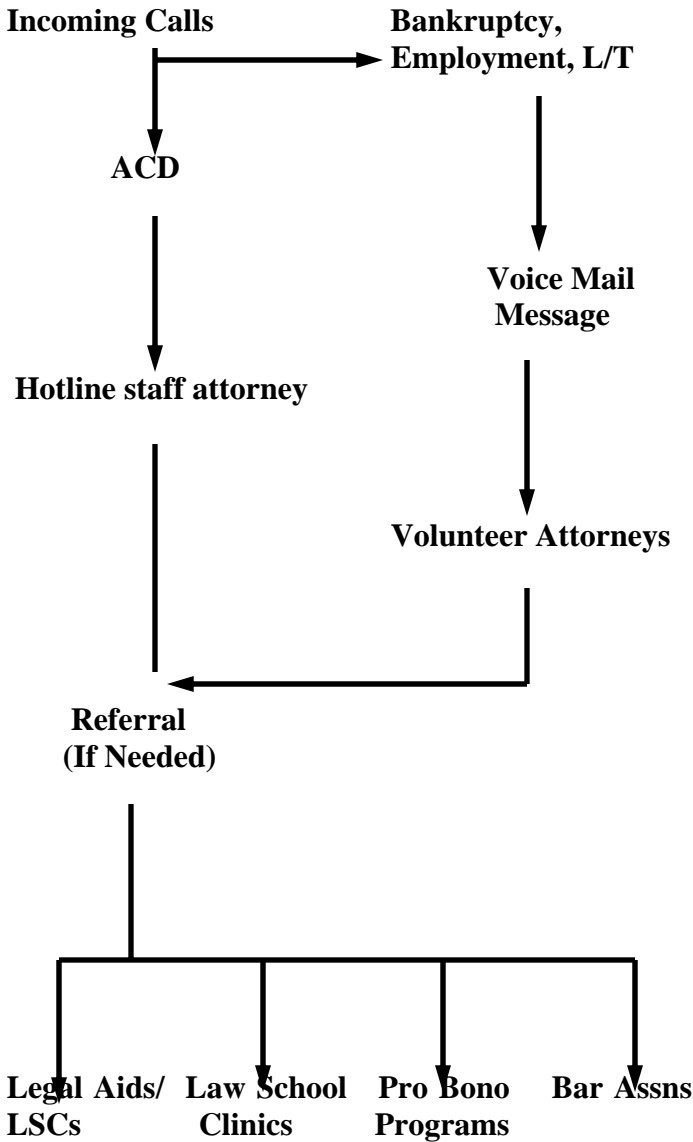
The majority of cases are closed with advice or brief service. About 31% of cases are referred to back into the legal aid community. This usually happens when a client has called a legal aid office that doesn't handle his problem but CARPLS identifies a different program in the community that will provide the extended service the client needs. All the affiliate program criteria are catalogued and searchable in the CARPLS software so that the attorney can instantly direct the client to the proper program. By performing this service CARPLS is providing an important aspect of the coordination previously lacking among the legal aid organizations in the county.

United Way has a hotline for social services and clients needing strictly a social service referral are usually given that number.

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System Work Flow Chart



Volunteers

CARPLS' volunteer pool includes 25 volunteer attorneys who were recruited through the Young Lawyers Section of the Chicago Bar Association and other volunteer fairs. Every Tuesday night CARPLS is open for these volunteers to return the bankruptcy, employment, and non-emergency landlord tenant messages that have been saved for them. The volun-

teers have been trained to handle calls in those three areas. Five volunteers per Tuesday night shift are on duty. The volunteers are asked to put in two shifts per month. CARPLS provides each of the volunteers with the names of the callers for their shift so that they can check for conflicts. (see article on page 1).

The hotline volunteers handle an average 1.25 cases per hour while the staff attorneys average 1.8 cases per hour. CARPLS appears to be making very productive use of their volunteer attorneys and the project itself has been an effective fundraising tool.

CARPLS is currently working with two law firms to develop Summer Associate Programs where the students with 7-11 licenses will return client calls in landlord tenant law two afternoons a week for the summer. CARPLS also utilizes paralegal and law school student volunteers to input the non-affiliate referral information into the software and for legal research.

**Equipment
Phones**

CARPLS has a Toshiba Advanced Telecommunications, Inc. system with ACD capability. The entire system has 30 lines but some are designated for the administration or modem leaving 17 lines to handle and queue incoming calls. The system hunts through the group of attorneys who are logged on to see who is available. The system allows an attorney to log out quickly if he needs time to compose his case notes or can't pick up for another reason. The phone system does not permit control of the number of calls allowed into the system. This can present a real problem if the staff is depleted on a particular day.

Software

CARPLS is in the market for new software. It is working with a package developed especially for it amusingly named LIARS (Legal Intake and Referral Software). LIARS has served CARPLS exceedingly well. It has a wonderful conflicts check and referral matching functions. Unfortunately it runs on DOS and therefore doesn't interface well with Win-

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dows operations.

Training

CARPLS has a very well-developed training program for new hires. The program hires in groups of 5-7 lawyers. Leslie waits until the hotline corps is down by that number which usually occurs every 1-1.5 years. The new staff receives two weeks of training which is in the nature of a mini bar review in 15 areas of law. Experienced lawyers from the affiliate programs provide this training. The new group also receives training in client sensitivity and must engage in numerous role-playing calls before they are actually permitted to handle a real client call.

The staff also receives ongoing training. One day per year training is held on changes in the law and the staff receives a monthly newsletter with law updates.

Quality-control

Quality-control procedures at CARPLS are also very well developed. There is a Quality-Control Team composed of the Director of Legal Services, two senior staff attorneys permanently assigned to the team, and a position which rotates among the attorneys every six months. Currently the team reviews every case, but they are deciding whether review of every other case for veteran hotline attorneys will be sufficient in the future. The maximum number of hours per week the hotline attorneys work is 16, but the senior attorneys may work an additional 8 hours per week for their quality control activities.

Materials

Every desk has a binder listing all of the self-help materials and non-affiliate referrals available. (Affiliate referrals are contained in the computer files). CARPLS also has desk reference manuals on various areas of the law. Other Illinois legal services providers and CARPLS have divided up the task of keeping these desk reference manuals updated.

CARPLS is responsible for one-third of this work.

CARPLS also has a library of state statutes and case law on CD ROM. There is also a library of self-help materials which Lisa, staff attorneys, and volunteers keep updated.

Cook County also has the benefit of a Pro Se Task Force. Programs have come together to draft materials jointly so that all the programs are working with the same pro se materials. CARPLS keeps these materials updated.

Referrals

When a staff attorney determines that a referral to a particular affiliate agency is appropriate he can forward the call immediately via Centrex. Sometimes clients who have spent a long time on the phone at CARPLS don't have more time to talk with the referral agency. In that case the client will get the agency's phone number and will make the call at his convenience. When a staff attorney determines that the client is vulnerable however, he will make sure to walk the client through the call with the agency and close the case.

Referrals to nonaffiliated programs cannot be made via Centrex, but each referral is researched to make sure the client will not be told to contact a dead-end. Once the referral is made the client must go through the entire intake process at the referral program (both affiliated and non-affiliated).

CARPLS does not have a direct private attorney referral panel. However, Chicago has numerous specialty and neighborhood bar associations which serve as good referral resources for CARPLS clients. Callers who are over income or who have a non-legal services type case are given the number to the Chicago Bar Association, the Cook County Bar, the Women's Bar Association, the Hispanic Bar Association, or any number of neighborhood bar associations where clients can find a private attorney.

Fees

CARPLS just started a fee-for-service pro-

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ject. Callers whose income is up to 200% of poverty receive free services. Callers whose income is between 201-350% of poverty will be served if they want to pay \$25 for the consultation. Callers may pay by credit card. If the caller doesn't have a credit card, CARPLS will send a bill and the client can send a check. So far payment is coming in for approximately one-third of the invoices sent. It is too soon to tell how much revenue the new service will bring in or how many callers in this historically under served group will choose to pay for the advice.

Special Projects

CARPLS is a member of the Pro Se Task Force which develops pro se materials for the various programs to share. Because of CARPLS unique position in working with 28 affiliate legal aid programs, it is often asked to bring others to the table when a particular project is planned. It also has a leadership position in the Chicago Bar Legal Aid Committee.

Leslie enumerated several challenges to running CARPLS. As with all high-volume hotlines providing staffing capacity to meet the number of calls is an eternal problem. Keeping up-to-date with constant changes in technology is also a full-time job. Leslie would love for CARPLS and several other legal services providers to get together to hire a technical person to keep their computer systems at peak efficiency.

Optimally, CARPLS would benefit from achieving more in depth buy-in from the affiliates. The mission of CARPLS is to increase access to legal services. Ironically, the CARPLS number is not advertised in part because the affiliate programs are afraid of losing their identity in the community. This has prevented CARPLS from becoming a true multi-program intake system. Nevertheless, the 16,500 calls handled by the program last year demonstrate that access has been greatly increased by its hard work.

**CARPLS : 910 West Van Buren #700
Chicago, IL 60607
312-738-9494 (Administration) 312-738-9200 (Client)
www.carpls.com info@carpls.org**



Best Practice Tip Advisory Boards

In response to an inquiry by a legal hotline on how best to utilize its advisory board, the following information was provided by hotline managers:

Ellie Crosby at Georgia Senior Legal Hotline has an advisory committee which was created to assist and support the hotline. The Board was very active during the first year of the Hotline's operation and assisted with volunteer recruitment, outreach and publicity, bar relations and recruitment of referral panels. Later, the committee helped with staff and volunteer training and development of an Elder Law newsletter to send to attorneys on the hotline's referral list and others. The advisory board was much more active early on than it has been in later years of operation, as the program needed its guidance and assistance more during the early period of operation.

Kate White at the Legal Hotline for Older Michigianians also has an Advisory Council. They use it for constituent input and quality management. The Board of Directors asks the Council each year to handle certain tasks and it expands the pool of volunteers available to the hotline. Mostly, advisory group members provide feedback on services for clients and what the hotline can do to continually make the service better for seniors. They are also asked to make a financial contribution to the organization. Clients, advocates, and potential board members are on the Council. Although the Hotline tries to have the entire state represented on the Council, they rarely have a member from all regions of the state.

The Legal Hotline Technical Assistance Project thanks these hotline managers for their submissions and eagerly solicits Best Practice Tips, news about your program, articles you have written for your local publication, responses to columns, and any other items of interest to the legal hotline community.

*email rose99@mediaone.net
fax-954-472-36333*

Planning Your AoA Hotline Proposal

By Kate White, Elder Law of Michigan, Inc.

This is a guide for organizations planning to submit a proposal for an AoA Hotline grant in 2000. *Some of the tips and tools may be very basic for experienced grant writers. Use what is helpful and disregard the rest.* It is based on the Request for Proposals from 1999. If needed, it will be updated once the actual RFP is released later this year. The tone is sometimes conversational and casual to demonstrate a point.

The Idea

A key component of any grant proposal is a good idea. To get ideas or to make sure your idea isn't already being done, you can check the internet at www.povertylaw.org for three recent proposals and to order older ones. Looking at this site can also be used in your narrative to detail your knowledge of Hotlines in general. You can also check the "Profiles" link at www.equaljustice.org/hotline1 for senior hotline models from many states.

TIP: You can actually write in your proposal that you visited the sites during the planning of your grant. Referencing the AARP's Legal Hotline Quarterly is another good source to mention and a good way to learn how hotlines operate and what seems to work.

For the AoA grants, the idea needs to be something that can be demonstrated or tested in a three year period. This may seem basic, but a lot times it is forgotten.

Proposals can create a "model" for addressing some set of circumstances that occur in your state and that might also be found elsewhere (i.e. replicable). If your situation is very unique, spend some time thinking about how your procedures or protocols might be used to address some other problem or circumstance to make the case that you are not testing something that only applies in one state and is so narrow that no one will learn anything from your experience.

If your state does not yet have a hotline, then it is a

little easier. You will be testing, among other things, whether or not a hotline is an effective delivery system for legal services in your state. Collaboration and coordination are very important, as is choosing/creating a model of a hotline that will work with your situation. For example a state with a small population but a large land mass is very different from a state with a large population and mix of large urban and rural areas. You may be able to come up with a new model and that would be excellent. You will need to know what works and what doesn't because AoA isn't likely to fund an idea that has been tried and didn't work.

If you are an existing hotline, what you propose should be something new or different, not just to your program, but among all Hotlines.

Target populations: Your proposal will be much more sympathetic if you are targeting the poorest or most vulnerable seniors. You may also be serving a traditionally under served population (explain why they are under served and how you help them). AoA is looking for ways to help minorities, seniors in rural areas, and those in the greatest social and economic need.

Innovation is a critical issue. Don't forget to tell the reviewers **why** your program is innovative. It is also important to demonstrate that it is feasible—that you have the resources, knowledge and the cooperation to make it happen.

Research is very important to all the issues raised above.

TIP: It can be very helpful to start with a two page description of what you are thinking about proposing. This can be used to get feedback from others, especially stakeholders, and to begin to build support in your state. The description should include at a minimum: the need for the project, the numbers to be served, the design of the solution (how the hotline will work), the expected outcomes, and partners (proposed to be) involved.

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Stakeholders: You need the Title III B programs and the LSC programs to be supportive. (If they are not giving or sharing funds or resources, it may be sufficient to indicate in the proposal that they are in favor of the project—or at least not opposed. **It would be best if they had a specific role in the proposal to demonstrate coordination/collaboration.**)

You will also need the state bar and the state unit on aging.

It is great if you can incorporate “constituent input.” For example if seniors in your state want the program based on survey data, or comments to a legislators office or a suggestion box, etc...Any way that you can indicate that seniors not only need the program but also want it, will help your proposal.

TIP: You will need letters of support from your state unit on aging and your state bar. Start this process early. Let them know you are planning a proposal. Ask for their support. They may be able to provide in-kind or cash match. They may also help you in other ways...you won’t know until you ask.

TIP: Your letters of support should include, if at all possible, some tangible contribution to the project. It may be the loan of conference rooms, help with outreach, anything, in addition to words of praise and support. Praise alone is not worth as much as praise plus actual contributions.

TIP: On letters of support in general—don’t waste pages on letters that don’t include contributions of a tangible nature (except the 2 required ones). The only exception might be a letter from the LSC program(s) or the Title IIIB program(s) expressing support/cooperation, if not resources.

The Need

To make a compelling case to get the grant, it helps

to have **some specific problem(s) that your proposal will solve.** Document the problem in concrete terms. “Currently, it takes 2 weeks for a senior to get an appointment to meet with a lawyer.” “Staff spend 40% of their time traveling to meet with seniors in rural areas, leaving only 60% of their time to do actual case work or advice.”

Also focus on any special populations and their particular legal needs that you plan to serve. You may want to specify areas of law that will be your priorities, especially if there is a shortage of knowledgeable public and/or private attorneys in your geographic area (i.e. Medicaid).

Evaluation

Once you come up with an idea, ask yourself, “how will I evaluate the project?” You will need to be able to measure, test, or demonstrate how your project improved some aspect of service delivery via your hotline.

TIP: You may want to gather some bench mark data prior to the implementation of the new program or service so that you can then measure the improvements the program or project made.

Remember to ask “how will I prove that my project is a success?” and come up with an answer. Specific outcomes need to be proposed. For example, “expand the number of seniors receiving legal advice by 25%,” or “decreases the waiting period to get legal advice by 30%,” etc.

The AoA also expects projects to specify how many:

- Seniors served relative to the number in the state. (Sample: there are 500,000 seniors age 60 and older in X state and 270,000 have incomes below 125% of the federal poverty level. The project will serve 2500 annually or 5% of the senior population)
- cases and calls to be handled each year. You can get help estimating these by checking the “Senior Legal Hotline Annual Report” link at www.equaljustice.org/hotline1 for productivity

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and cost statistics for the senior hotlines for 1999. Older reports are available at www.povertylaw.org. If you are starting from scratch, estimate low for the first year and increase the numbers for year 2 and 3.

- calls and cases to be handled by experienced attorneys. It is good to include why you think they can handle the number mentioned. It may be because they already have worked on a hotline or handled a large part of their previous practice over the telephone, etc...)
- Average cost per call and average number of calls per case. (The cost should equal your total budget.)

Budget

This can be challenging, but don't leave it to the last minute. Estimate your **total** costs for the project, including the value of in-kind goods/services. (This is everything, not just the AoA funds.) Multiply the total project cost by .25 (or 25%). This is how much of project needs to come from somewhere other than AoA.

Remember, if you have a small number of seniors in your state, you need to request less federal funds than a big state.

TIP: make a spread sheet with a column indicating your budget line items and columns representing various funders (AoA, State, Inkind, Your Organization, etc.) and plot out how much is coming from where and for which line items. This will help you complete the AoA budget forms. You may even want to use their line items...see the forms in the RFP packet.

TIP: Each quarter you will be required to submit reports and copies (3) of grant products. At the end of the three year period you will need to submit a large number of copies of a final report and products from the grant (14 copies). Be sure to build in time and money for these expenses.

Structure of the Grant Proposal

The AoA wants the narrative portion of the proposal in four main parts. Each part is worth 25 points, so it is important to answer each section as fully as possible. Winning proposals will have the most points.

TIP: Clearly answer each of the major questions the AoA wants addressed in the appropriate section.

Below is a draft list of some of the questions to answer in the sections of the narrative. (**Don't neglect to carefully read the RFP when it is available!!!**) This list may be revised once the 2000 RFP is actually available. It is not exhaustive, but the many of the main issues should be dealt with for each of the major categories. As you write, address/incorporate the questions and answers.

TIP: It is a really good idea to have someone who knows very little about your program or services read the RFP and then your proposal to see if you have addressed the issues requested. You also should have someone other than the author read your narrative for grammar issues.

Purpose and Need for Assistance:

- What is the problem/need for a statewide senior hotline? Start with the problem(s) to be solved in your state. (Include the size and characteristics of your state and number of people potentially impacted by the problem.)
- How will it be solved (how will a hotline with your features solve the problem)? What method, protocol, service are you testing? How do you anticipate that it will solve the problem? Briefly layout how a client will be served and what areas of the law you will specialize in and why. List any special populations you will be targeting. Briefly explain what your broad expected outcomes are and the benefits to seniors in your state.
- Why is a senior hotline needed, not a general hotline for all ages?
- Demonstrate your knowledge of other hotlines (that you researched them on the web, participated in conference calls, called other programs etc.). Be sure you explain the relationship between your project and the LSC and Title IIIB funded programs in your state. If you don't know what LSC and Title IIIB are, be sure you find out. Also VOCA projects or other private programs providing legal services may be operat-

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ing in your state. You may want to coordinate with them and mention them as well. Mention the Legal Hotline Technical Assistance Project operated by AARP Foundation and their quarterly newsletter.

- How will you fund the project at the end of the grant period?

Approach/Method-Work Plan and Activities

- How/why is your project innovative? (different, new, etc) What hypothesis (service, protocol) are you testing? What problem are you solving and how are you doing it?
- Can your program (or elements of) be replicated? Who would benefit from replicating it and why?
- Create a step by step work plan/timeline for proposed project activities (a chart). Mention in general terms how you will set up your project and accomplish your goals. Indicate that you have the resources and knowledge to make it happen (why you can accomplish your goals). Indicate that there is consensus/cooperation to make your project work among stakeholders.
- Make sure your tasks are in a logical order (i.e. hire staff before you train them).
- Who will do what? Assign specific tasks to specific job titles or people. (You will be reporting on these quarterly.) Be sure to indicate who will do reports for AoA, who is in charge, etc. (save their qualifications for last section.)
- List your collaborations/partners here.

Anticipated Outcomes and Dissemination

- Who are you helping (rural, non-English speaking, etc)? How many will be helped? How will they be better off? How will you measure the improvement? How will you evaluate your program? What will you do if you encounter a prob-

lem and need to change the design of the project? It is advisable to include some measure of customer satisfaction.

- List your planned number of calls and cases, average number of cases per attorney, etc...
- List your planned outcomes. Why are they realistic and why/how are they significant/important? (You will be reporting on these quarterly.)
- How will the project continue after AoA funding?
- How will you disseminate the results of your project? How will you inform the legal community and other legal service providers of what you are doing and how it is working out? It needs to be timely and targeted to an audience who would have an interest. Dissemination should be happening during and at the end of the project. (include these activities on the timeline).
- Is your project replicable? Could other states use your model?

Level of Effort

- Explain the skills and talents of **key** staff. Why they will be able to do the tasks planned. Brag about accomplishments and skills. Estimate time for the proposed tasks and include enough of their time in the grant (link to budget).
- Do you have enough resources to carryout the proposed plan? Explain why you do. Make sure that all the costs related to the tasks listed previously are provided for—in cash or in-kind.
- Have your letters of support detailing their contributions.

Resources for Title IV Grant-writing

- Kate White will provide consultation for planning and writing your grant. She will also review your plans, outlines, and proposal and offer suggestions. Please call her at 517-485-9164 or email her at

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kwhite@mlan.net

- 1999 Request for Proposal can be downloaded at **www.aoa.gov/t4/fy1999**. The 2000 RFP will also be posted there sometime in May/June.
- Census information for the older population of your state can be found at:
www.aoa.gov/aoa/stats/98pop/
- The Legal Hotline Technical Assistance Project Homepage **www.equaljustice.org/hotline1**. Get hotline profiles, productivity and cost statistics for senior hotlines, post inquiries to the interactive web board.
- The Legal Hotline Technical Assistance Online Library at **www.povertylaw.org**
Download the 1999 Title IV winning hotline proposals, order older winning proposals, order pre-1999 productivity and cost statistics, download Best Practice Tips Guide, order Legal Hotlines: A How-to Manual.
- The Legal Hotline Technical Assistance Project-you can call or Shoshanna Ehrlich to ask questions or find resources. 954-472-0997;
rose99@mediaone.net



From the Frontline

By Carol Matthews

THE CALLING GAME

Although it is the inalienable right of all hotline attorneys to grumble about their work it is obvious that there must be something about the job that is very satisfying. In our office we have six paid hotline attorneys and the most recent hire has been here more than five years. Four of us have been here for ten or more years. What is it we like so much about working on the hotline? One colleague said what she likes is talking to so many really sharp octogenarians. Other attorneys say what they like best is the variety. An aspect I like is the pace and unpredictability of the calls. People have the most amazing and unusual problems. It feels good to solve so many problems for people in a relatively short phone call. It's also nice to be thanked profusely for doing it. The direct and immediate communication with a client can be satisfying. There can be something very cozy about a telephone conversation with a stranger and the instant intimacy often results in more candor and less embarrassment than face to face encounters across a desk. Elderly shut-ins particularly like to be able to talk on the phone and are grateful to the lawyers who call them.

Most of us would agree that a big plus is the collegiality and team spirit prevailing on the hotline. Naturally, this is because we are all such incredibly brilliant and wonderful people but credit is also due to having, in Jan May, a supervisor who is dedicated to providing the services we supply. Because he frequently talks to clients himself he knows what's what and is supportive of his staff. He richly deserves the award he was recently given for twenty years of superlative service. (*Story on page 4.*)

Of course there are some job negatives such as clients who won't listen or are nasty but they are the exception. The more frustrating part of the job is that the hotline attorney often sees only the beginning of a case and may not know how it comes out. But, a colleague points out, if you find yourself talking to a client who strongly resembling Attila the Hun at least you don't have to talk to him for long...