
Legal Hotline Quarterly

Issue No. 8

A Publication of the Legal Hotline Technical Assistance Project
Sponsored by the AARP Foundation

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Administration on Aging Awards Title IV grants for Legal Hotlines

In the Spring of 1998, the Administration on Aging held a Title IV grant competition for programs wishing to start new senior legal hotlines or improve existing ones. Title IV is the Research and Demonstration section of the Older Americans Act.

The Administration announced the winners in September. Three programs were awarded funds to establish new state-wide senior hotlines: the Access to Justice Foundation, Inc. in Lexington, Kentucky will found the Legal HelpLine for Older Kentuckians; Southeast Tennessee Legal Services, Inc. in Chattanooga, will be the home of the Tennessee Elder Law Hotline, and New Hampshire Legal Assistance in Manchester, will operate the Senior Citizens Law Project Hotline.

The Administration on Aging also awarded a grant to Maine Legal Services for the Elderly, in Augusta, to improve and expand the Statewide Legal Hotline which it has been running since 1992. Award of a fifth grant, intended for Northern California Legal Services, which has operated its Senior Legal Hotline for Northern California since 1994, is also expected, pending final allocation of fiscal 1998 funds.

The grants are in the \$100,000 per year range, and are awarded for a three-year period.

**To reach the Legal Hotline
Technical Assistance
Project:
Call/Fax (954) 472-36336
e-mail:**

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Shoshanna Ehrlich, Esq. Editor

Pennsylvania Legal Hotline for Older Americans Restructures Services

The Legal Hotline for Older Americans in Pittsburgh is once again a pioneer in new methods of providing telephone services to seniors. The Hotline recently signed a contract with Michael Cane, the founder of Tele-Lawyer. Mr. Cane will provide the hotline with his expertise in the use of 900 phone systems. In addition, he will aid in a review of all office operations and procedures, including an evaluation of the current phone systems and computer network.

The plan calls for the hotline to institute a fee-for-service system using a 900 phone number while continuing to provide free legal services to low-income clients. Mr. Cane will provide the 900 number at competitive rates, and participate in developing a marketing plan to promote the Hotline's 900 service.

The Hotline's goal in establishing a 900 fee-for-service system is to become self-sufficient within the next eighteen months. AARP Foundation will continue to support the Hotline during this time period and will monitor the success of the 900 fee-for-service system. The Hotline also plans to incorporate as a non-profit (501)(c)(3) organization in order to seek funds to supplement its income from the 900 service.

The Hotline's six long-term attorneys, led by Joseph Hmel, are handling the restructuring of services, installation of new systems, and incorporation as a non-profit. The reports generated by the Hotline as the fee-for-service phone system and non-profit activity proceeds, will provide invaluable information to other programs on the viability of this type of financial structure as an avenue for future funding.

We await the reports with eager anticipation and wish the Pennsylvania Hotline staff GOOD LUCK as they embark on this exciting adventure into unexplored territory.



Websites of Interest

<http://law.house.gov/cfrhelp.htm>

This site will walk you through a search of the CFRs by title, cite, word, phrase or topic.

<http://www.law.cornell.edu/states/index.html>

This site provides links to each state's legal research materials. However, the state information varies in quantity and timeliness. Some states have not yet gotten their statutes or cases online.

<http://SCARCNet.org>

Here you can find a publication from the Smoking Control Advocacy Institute entitled *The Money is Coming! The Money is Coming!* The publication describes the money that may be coming to the states from tobacco litigation and how to go about getting some of the money for your program.

<http://www.internetlawyer.com>

The site is a monthly publication by Andrew Z. Adkins, devoted to the practical use of the internet by the legal profession.

<http://charitychannel.com/GuestShare>

This site invites grant writers to display samples of their grants for sharing with other fund-seekers. You can download various sample grants.

<http://www.ncslplp.org>

The Legal Hotline Technical Assistance Library catalog is posted here, among many other useful articles, information and links. Over 200 legal hotline related documents can be downloaded or ordered here.

<http://www.equaljustice.org>

This is the website for the Future of Equal Justice Project. The Legal Hotlines page is currently be reconstructed. Among the things which are available is the State-by-State Legal Hotline

Directory listing over 80 legal hotline programs currently identified nationwide. In addition to the Directory, The site will feature on-line discussion and technical assistance, the Legal Hotline Quarterly, and the Legal Bulletin



Maryland Goes Where No State Has Gone Before: A Legal Hotline for everybody!

Maryland Legal Services Corporation (MLSC) has received a \$1 million grant from the Open Society Institute to increase access to justice for all Marylanders. The Open Society Institute is a private foundation established by George Soros. Its goals are, among others, to further democracy and the rule of law. The grant period began in September, 1998 and runs through August 31, 2001.

MLSC, headed by Robert Rhudy, will use the grant to develop and implement the **Maryland Legal Assistance Network**. The purpose of the Network is to substantially broaden the range of persons who currently have access to justice. This will be accomplished by involving more private attorneys with poverty law and public interest lawyers, assuring that limited resources are used most effectively and increasing public and political support for public funding devoted to increasing access to justice. The most exciting aspect of the project is its plan to integrate innovative approaches with existing legal services and private bar resources to create a “virtual law office” providing access to justice throughout the state.

A special committee chaired by Chief Judge Robert Bell of the Maryland Court of Appeals, has been convened to oversee the development of the Network. Other members of the Committee will be drawn from the Maryland State Bar Association, the University of Maryland Law School, the Maryland Coalition for Civil Justice, MLSC, and other concerned organizations.

The Maryland Legal Assistance Network will have four components:

(1) a statewide telephone “hotline” which **any** person can call to receive legal information, screening and referrals to other agencies;

(2) expansion of the University of Maryland’s People’s Law Library on the internet, to increase public access to legal information and self-help materials in certain matters such as family law, landlord-tenant, consumer problems and small claims. The grant also provides for outreach and training for use of the People’s Law Library which will be conducted in libraries, schools, social services offices, women’s and seniors’ organizations, and community centers.

(3) A *pro se* component; MLSC will work with³ the Bar, the courts, law schools, and legal services programs to promote the provision and use of discrete task assisted *pro se* (“unbundled”) legal services; and

(4) development of an internet-based legal support and communications system to help legal services and private attorneys better serve low and moderate-income clients with a range of common and specialized legal matters.

The “hotline” component is projected to begin operation in Baltimore and Central Maryland during Year 1 of the grant and throughout the remainder of the state in Year 2. Expansion of the People’s Law Library and *pro se* assistance components, the bases of which already exist, will begin in Year 1.

An ongoing evaluation component will be incorporated into the Maryland Legal Assistance Network at the outset, with a comprehensive evaluation to be conducted in Year 3. Once this ambitious project is up and running, it may serve as a national model for wide-range expansion of access to legal assistance for low and moderate income persons.

Position Announcement

The Maryland Legal Services Corporation is seeking a **Project Manager** to oversee the development and coordination of the “Maryland Legal Assistance Network” (MLAN) described in the article on this page. Prospective candidates for the Project Manager position should have extensive experience in helping to develop, manage and provide civil legal assistance to low or middle-income persons in conjunction with legal service organizations, law school clinic programs, and/or bar associations. Experience with the applications of computer and telecommunications technology to help provide legal services is a plus. Salary: \$50,000 plus DOE, with excellent benefits. Interested persons should immediately send a letter, resumé, and reference to Robert J. Rhudy, Executive Director, Maryland Legal Services Corporation, 15 Charles Plaza, Suite 102 Baltimore, MD 21201, fax 410-385-1831; e-mail mlsc@erols.com

State of Washington Legal Hotlines CLEAR and CLEAR * Sr.

Coordinated Legal Education, Advice and Referral (CLEAR) is the statewide telephone intake and legal advice component of the Northwest Justice Project (NJP) which provides legal services to Washington’s low-income population. CLEAR*Sr provides the same services to the state’s over-60 population. The creation of the Northwest Justice Project and its extensive hotline services is a testament to the comprehensive state-wide planning and cooperation among the various legal services providers in Washington State.

History and Funding

Northwest Justice Project was created in 1996 as a direct response to the Congressional restrictions imposed on Legal Services Corporation funds. The State Plan created by the Washington State Access to Justice Board designated NJP as the recipient of the LSC funds, while Columbia Legal Services was created as the non-LSC entity. Columbia receives state monies as well as Title IIIB funding from the Administration on Aging. CLEAR contracts with Columbia to do initial intake and advice for that agency. CLEAR then bills Columbia for the intake services provided.

In accordance with the State Plan, CLEAR’s mission is to provide high quality advice, information, brief services, and referrals to the state’s low-income population. It began operation in 1996.

CLEAR*Sr provides the same services to the state’s elders. Both CLEAR and CLEAR*Sr are housed at Northwest Justice Project and their operations are intertwined. CLEAR*Sr began serving clients in March of 1998 with a start-up grant from Title IV of the Older Americans Act. That grant is matched with IOLTA funds.

As the non-federal match portion of expenditures, CLEAR*Sr receives in-kind support from NJP, which provides office space, phone equipment, the computer network, 10% of the Executive Director’s time, and 50% of the Hotline Manager’s time.

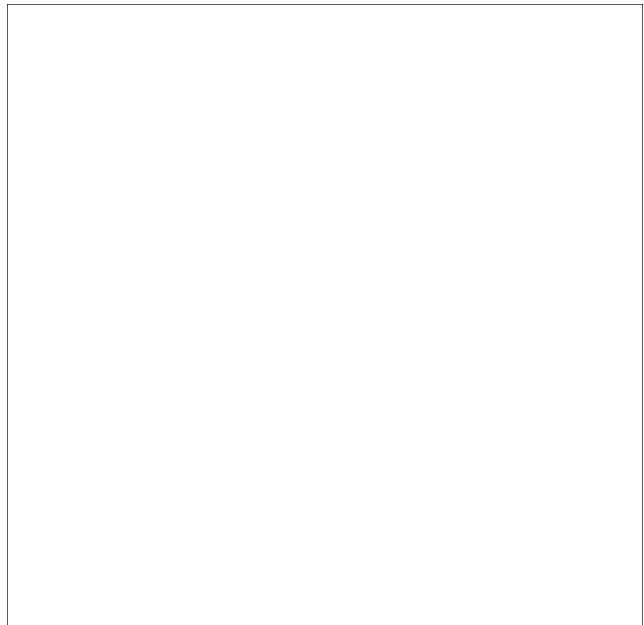
CLEAR has 16 full-time advocates to advise the Washington low-income population of over 700,000, while CLEAR*Sr has one full-time attorney. A part-time CLEAR* Sr attorney is being

hired. The 60+ population of Washington is over 800,000. The senior low-income clients may be handled by either CLEAR or CLEAR*Sr.

Organization and Location

It is always fascinating just how a hotline’s office reflects the flavor of its hometown. The NJP office is practically a travel ad for the pioneer spirit and natural beauty of its Seattle location. The building is just steps from the Kingdome, and a block from the trendy Pioneer Square District, where homeless people share a beautiful historical park with tourists and workers having lunch in the upscale sidewalk cafés.

The NJP offices are situated in a delightfully restored brick building listed in the National Registry of Historic Buildings. It is connected by a glass-enclosed atrium to a sister building. The atrium is full of large potted trees, café seating and a fountain. It is the only known legal services office to feature a piano bar in the lobby!



The Atrium at Northwest Justice Project

The NJP offices are on the fourth floor.

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Architectural firms, accountants and software firms are other tenants of the building. There is no "hotline room" at NJP. Rather, staff members have individual offices with the brick and wood features of the outer walls exposed. There is a reception desk at the entrance, a copy room, a conference room, a law library, as well as smaller rooms for volunteers and interns to work in.

Patrick McIntyre is the Executive Director of the Northwest Justice Project, a full-service legal services program with 10 regional offices. Joan Kleinberg is the Director of CLEAR, and Megan McLeod is the Manager of CLEAR*Sr.

The CLEAR staff consists of Joan Kleinberg, 13 attorneys and 3 paralegals who handle the calls. One of the CLEAR staff attorneys is Megan McLeod who spends 1/2 of her time as a CLEAR attorney and the other half as the manager of CLEAR*Sr. CLEAR *Sr has one full time attorney, Jim Kerney, and 1/2 of the time of a support staff person, Danielle Fisher. CLEAR also has three support staff persons who handle the paper flow. They print, sort and file the intake sheets after the advocates have completed them, and distribute them to call-handlers for faxing to other offices. They also may follow-up on conflicts checks and send out brochures and letters to clients. The support staff also keeps the phone receptionist station manned in the morning.

Joan spends most of her time dealing with the other agencies involved in serving the state's low income population, providing monthly reports to all the participating agencies, making adjustments to call flow by reprogramming the phone system, supervising the staff, arranging outreach and publicity, and generally handling the day-to-day operations of CLEAR.

Megan performs a parallel function for CLEAR*Sr. She maintains reports, networks with the senior services providers, creates publicity and writes grants, develops publications for client use, and supervises the senior hotline attorney.

At CLEAR, the attorneys and paralegals perform the same functions. They answer the calls, and provide information, advice, brief service or referrals to the clients. At CLEAR*Sr, only the attorney, Jim Kerney, handles the calls. Danielle Fisher works on the hotline publicity, and is creating the NJP website.

Volunteers

CLEAR*Sr has recruited one volunteer attorney who comes in 1-2 days per month. He is about to start handling calls and will work only on consumer and housing issues which the phone system can screen out for him. There is a small office available for his use. He received training from Megan and she will review his casenotes.

CLEAR has about 8 active volunteers. In February 1998, a member of a downtown Seattle law firms recruited friends to serve as CLEAR volunteers. They received 3 1/2 days of training in substantive law plus on-the-job training by sitting-in on calls. They each work 1/2 day per month and take calls only in the family law and housing areas. In addition to increasing the number of attorney hours available, the volunteer project provides terrific publicity for the hotline and maximizes the cooperation between CLEAR and the private bar.

System Work-Flow

CLEAR is the point of entry for all of NJP's offices, the 7 regional offices of Columbia Legal Services-the state's non-LSC program- and to greater or lesser degrees, the 23 local bar sponsored volunteer programs. It provides primary intake for all free legal services programs except those that serve Seattle. In Seattle (King County), intake is still performed under the pre-CLEAR model in order not to overburden the system at this point in its development. For Seattle callers, CLEAR offers basic information and a simple referral to a legal services office. The degree of centralization and volume achieved by CLEAR and CLEAR*Sr is made possible by an extremely sophisticated phone system with Automated Call Distribution.

CLEAR

An average of 75-140 calls come in to CLEAR per day during the time the lines are open from 9:30 to 12:30. There are usually about 12-13 people on phone duty during that time. The calls are picked up by the phone system and routed according to the answers to certain questions. CLEAR*Sr has its own phone number. Seniors calling the CLEAR number are asked to press "3" and routed to the same place as if they had called the CLEAR*Sr number. CLEAR callers then hear an announcement explaining the services and eligibility requirements. By asking callers to indicate the answers to certain questions, the phone system

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creates call groups, known as “skills” such as General, Spanish, Housing, Family Law, Seniors, and Low-Income Seniors. The announcement gives examples to help callers select the proper option. Each call is tagged as needing a certain skill. Joan can also set certain casetypes as higher priority, so that they can go to the front of the line.

The advocates are each assigned skills, based on which calls they are able to take. Thus, the CLEAR*Sr attorneys “skills” are seniors and low-income seniors, while a bilingual advocate may have all “skills” except 60+ over-income seniors. A volunteer may have only “Housing” as his “skill”. The calls wait until the the next advocate with the skill needed is available. The average wait time on-line is about 10-12 minutes, but can go up to 20 minutes.



Joan Kleinberg, Director of CLEAR in Seattle

Clients periodically hear an option to leave voicemail messages which are returned by CLEAR staff in the afternoon hours. About 10% of callers choose to leave messages.

If the caller fails to punch any numbers and simply stays on the line, the receptionist will pick up. There are five bilingual phone advocates. If the caller doesn't select a language, the phone receptionist will find an advocate to speak with the client or contact the AT&T translator's service. The phone system

reports the number of callers who abandon the call. This appears to be between 20-30 % of callers.

6

Joan must assess the number of advocates signed on for phone duty each morning and determine what volume control measures should be instituted. These include closing the voice mail option so that too many messages do not accumulate, resetting the frequency of the “please keep holding” message, or closing intake altogether if too few advocates are signed on, as may happen on a training day.

In order to keep control of the workload, CLEAR prioritizes casetypes for degree of service it will provide. Its priority areas are issues involving children, economic security, family law, housing, and public benefits. Calls in low-priority matters, such as neighbor disputes, may receive only a brochure or a referral to another agency. Callers with mid-priority level problems will receive quick advice, referrals and publications, if available. Clients with high priority issues will receive detailed advice and may be considered for a brief service if the problem is compelling and likely to be resolved by the service. These include writing to a landlord, researching an issue and writing an advice letter, or negotiating with an agency or landlord. If no referral is available in for high priority problem, CLEAR may assist the client in resolving his problem *pro se*, by, for example, helping him draft a responsive pleading in an eviction.

In cases which cannot be resolved by CLEAR, the advocate will search the database for an appropriate referral agency and fax over the intake information.

CLEAR*Sr.

CLEAR*Sr callers who are over-income stay on the CLEAR*Sr queue. If the caller is 60+ and LSC income eligible, his call will be routed to whichever queue is shorter. Usually this is the CLEAR*Sr queue. The average wait time is 6 minutes. The CLEAR*Sr attorneys usually return messages left on voice mail the same afternoon.

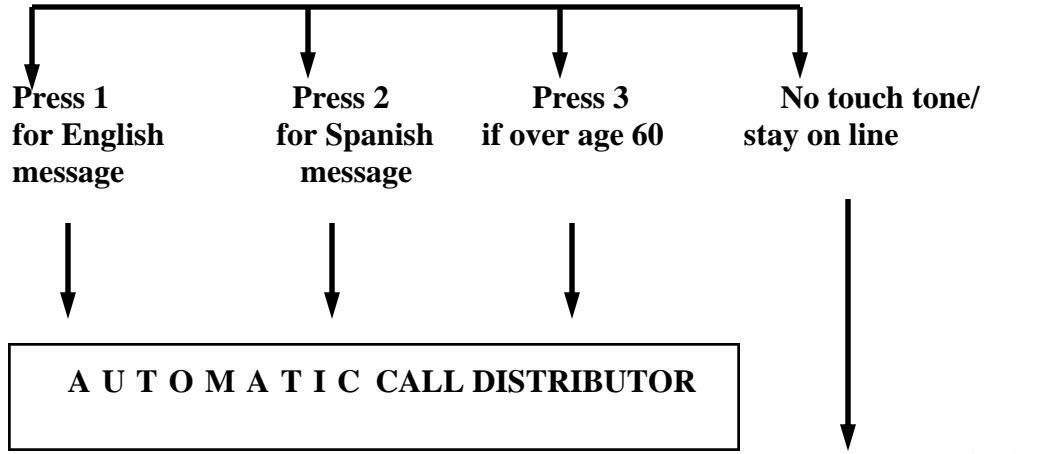
The average number of calls coming into to CLEAR*Sr is about 20 per day. These are not triaged for casetype as are CLEAR calls. Advocates provide the fullest advice possible, although priorities may be instituted if excessive volume becomes a chronic problem. CLEAR*Sr is able to stay current because many of its calls are handled by the CLEAR staff, when the caller is dual-eligible. CLEAR*Sr attorneys also do some brief services and fax intake data to the Title IIIB or other referral avenue for clients needing further assistance.

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**WASHINGTON CLEAR AND CLEAR*SR
WORK-FLOW CHART**

INCOMING CALLS

Universal Welcome Message



A U T O M A T I C CALL DISTRIBUTOR

Speak with Advocate

Conflicts Check

Arrange for alternative interview with CLS; VLS

Appropriate for advice only referral

Appropriate for brief service

Appropriate for or representation

- Verbal Advice
- Publications

- Attempt resolution through correspondence, negotiation
- perform research

Fax intake information

CLOSE FILE

CALENDAR TO FOLLOW-UP

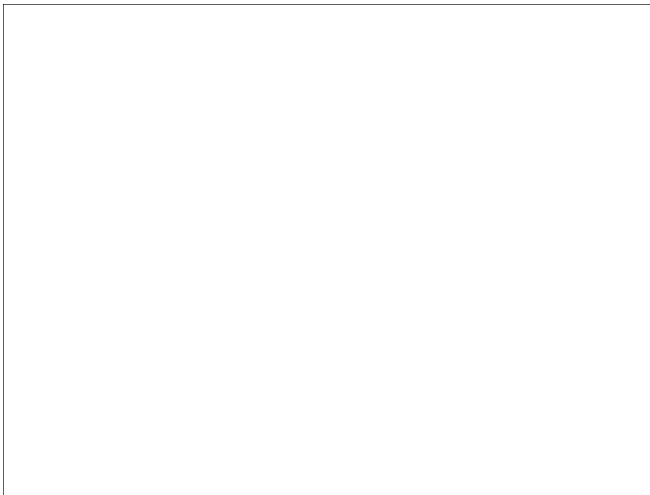
CLOSE FILE

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**Equipment
Computers**



The Northwest Justice Project is presently still using TurboCases but is about to switch to Kemp's Clients for Windows. Joan worked with the software company to have Clients incorporate features NJP required for the hotline intake system. NJP regional offices are not yet linked in a computer network. Intake sheets for referrals or representation are still faxed from CLEAR to the relevant office.



Telephones



Joan is the first hotline director to profess love for a phone system; the system is so versatile and comprehensive that the CLEAR staff sing its praises.

The Lucent Definity phone set-up has 24 lines. All staff members have their own voice mail. The phone system is designed for large offices with no less than 65 users, has its own computer and software and costs over \$80,000.

The Automated Call Distribution (ACD) or queuing feature allows CLEAR to carry out its mission to handle calls live. It can be programmed to route calls in different ways to respond to the number of advocates on-line for the shift. It also produces numerous reports. Productivity, average wait time, and call abandon rates, are some examples of the reports the phone system will produce. Each phoneset displays how many people are waiting and how many minutes the oldest call has been holding in queue.

Quality Control and Materials

At CLEAR, new attorneys have their case printouts reviewed daily. Once the attorney is experienced, the notes are reviewed randomly. The office fosters a culture of collaboration and advocates are encouraged to ask questions in a casual manner. They may also broadcast an office-wide e-mail query looking for an answer to a client's question. They advocates have a weekly meeting to discuss the cases.

Megan McLeod, CLEAR*Sr Managing Attorney

Desk reference, client educational and self-help materials are prepared by CLEAR and Columbia Legal Services staff. CLEAR advocates also have access to internet legal resources, WestLaw, and statutes and cases on CD-ROM.

CLEAR has also prepared a library of educational and *pro se* materials for clients. There are over 120 brochures on consumer issues, family and juvenile law, health rights, housing, income maintenance, and other issues. CLEAR is developing a website where the brochures will be accessible to the public and other agencies at **nwjustice.org**.

There is presently no private attorney referral panel but CLEAR*Sr is making an effort to develop a panel in those counties which are underserved by other legal service agencies.

The only problems Joan describes are controlling volume--matching resources to clients demands. The program constantly strives to avoid busy signals. If Joan could have her heart's desire for the hotline, it would be perfect software. These common hotline concerns notwithstanding, the staff's enthusiasm for the CLEAR delivery system is evident throughout the office.



Georgia Senior Legal Hotline History and Funding

May 1, 1998 marked the official start-up of the Georgia Senior Legal Hotline. Ellie Crosby has been the Managing Attorney of the Hotline since Atlanta Legal Aid Society (ALAS) received its hotline grant from the Administration on Aging in Fall of 1997. The Georgia Senior Legal Hotline is a collaborative effort between ALAS, Georgia Legal Services Corporation and the Georgia Division of Aging Services. Those groups began looking for funding to start a seniors' legal hotline in 1993, but it was not until ALAS won the AOA Title IV grant competition in 1997 that they were able to implement the plan.

The Hotline is funded mainly through the Title IV start-up grant and ALAS. The Division of Aging provided use of its extensive phone system and pays the Hotline's phone bills. The Division also provides substantial in-kind support in the form of prime office space, mail, copying and other office services. A small amount of ancillary funding comes from the Woodruff Foundation (Coca-Cola) and small contributions from clients.

The Georgia Senior Hotline has two full-time attorney equivalents to handle calls from the 960,000+ over 60 Georgia residents.

Organization and Location

The Senior Hotline is a Project of Atlanta Legal Aid Society whose Executive Director is Steve Gottlieb. ALAS has a downtown Atlanta office about four blocks from the offices of the Legal Hotline, and two satellite offices. ALAS runs several projects, including the Long Term Care Ombudsman Project for the Atlanta area, the Home Defense Project, the Mental Health Project, an AIDS Project and various *pro bono* projects in other counties. Ellie and the four part-time hotline attorneys are all employees of ALAS.

The Division of Aging, which provides the hotline office space, is located in the State of Georgia Office Building in the downtown Atlanta area known as Five Points. It is across the street from the Underground Atlanta entertainment district, and musicians, entertainers, and speakers are a usual sight on the wide steps of the Office Building and the park area in front. The building is 41 stories high and the Division of Aging is on the 36th floor. Ellie's

office features a glass wall affording panoramic views of Atlanta and the surrounding tree-covered counties. The Georgia Hotline wins the award for highest hotline office, with no close competitors.

The Hotline has one other private office where a hotline attorney works; files and materials are also kept there. Additionally, there are four modular-style workstations in burgundy fabric. Three are equipped with computers and phones for hotline call-handling. Attorneys and volunteers can use the fourth station for other types of work.

Staffing

The paid staff consists of Ellie, four part-time attorneys and one part time work study student from Emory Law School. Ellie spends her time supervising the lawyers, training new attorneys, recruiting referral sources, fundraising, acting as a liaison to ALAS, and managing the day-to-day operation of the Hotline. Ellie also spends between 1/4 and 1/3 of her time handling client calls.

The Hotline attorneys answer calls, provide some brief services, make referrals, and collect and collate desk reference materials.

Volunteers

The Hotline has excellent volunteer participation. Ellie has secured the services of six volunteer attorneys who come in between 2-8 hours per week and handle calls in the same manner as the paid attorneys. Additionally, the recently created Borchard Center on Law and Aging, through its fellowship program, provides an attorney who works at the Hotline 1/2 day per week.

Four students from Georgia State Law School volunteer also. These students answer calls and interview the clients to gather the facts. They input the demographic information and the factual history into the computer. Often, they will find the relevant Code section and attach it to the print-out for the case. That way, when the attorney is ready to advise the client, she has already reviewed the facts and applicable law. Two pre-law undergraduates also help out with filing and other clerical tasks.

As part of its support for the Georgia Senior Legal Hotline Title IV, the Georgia Bar Elder Law committee pledged to create a special committee to provide training and otherwise help the hotline.

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There are about 20 attorneys from the Elder Law Bar working on these special committees which provide support for the hotline. These attorneys work as a *de facto* Legal Hotline Advisory Board.

The committees prepared all the press releases for the hotline opening and made sure they were distributed to newspapers and bar associations. Other committee members provide substantive training to the hotline attorneys or work on fundraising or other hotline projects.

Ellie believes one of the reasons the hotline has such a depth of volunteer support is that she makes a special effort to listen to the kinds of projects the potential volunteers want to participate in and then designs the project so that the hotline can receive a needed benefit at the same time as the volunteer is performing a service that is satisfying to him.

Attorneys have been recruited through a variety of avenues. The local law schools have provided student volunteers. The State Bar *pro bono* panel assisted in recruiting and placing attorneys at the hotline; another attorney was recruited via the ALAS website which has a section devoted to the Senior Legal Hotline. Other volunteers have come from the pool of paid hotline attorney applicants. One of the Bar committees helping the hotline distributed a referral panel recruitment survey to state bar members. That survey also contained a request for volunteer hotline attorneys and resulted in some additional in-office volunteer attorney hours for the hotline.

System Work-Flow

The Georgia Senior Hotline takes calls statewide but also serves as the intake point for all three ALAS offices as a Title III provider of legal services to seniors. If there is no backlog of calls, the phone will be answered by a law student or one of the attorneys. The law student will record the preliminary information and print it out. The print-outs are placed in a message center for the attorneys to make call backs. If an attorney answers the phone, she will proceed to handle the call.

An average of 30-35 calls come into the hotline per day. It is usual for the hotline to have a backlog of one day. Whenever there is a backlog, all calls are forwarded to voice mail. The voice mail message informs the client of the length of the

backlog, and asks the caller to leave his number along with a good time to call back.

While the backlog has been holding steady at about one day in recent months, the staff has determined that a two-day backlog will be acceptable but anything longer requires volume control measures. So far, the hotline has been able to manage the backlog by asking ALAS to do its own intake on those days when the hotline backlog is excessive.

Each day, one of the hotline attorneys is designated "lead attorney". The lead attorney goes through the voice mail and creates message slips. She then *triages* the slips and print-outs from the student interviews to determine which calls must be handled first. She assigns those to the other attorneys on duty. The remainder of the messages are placed in chronological order and answered on a first-come first-served basis.

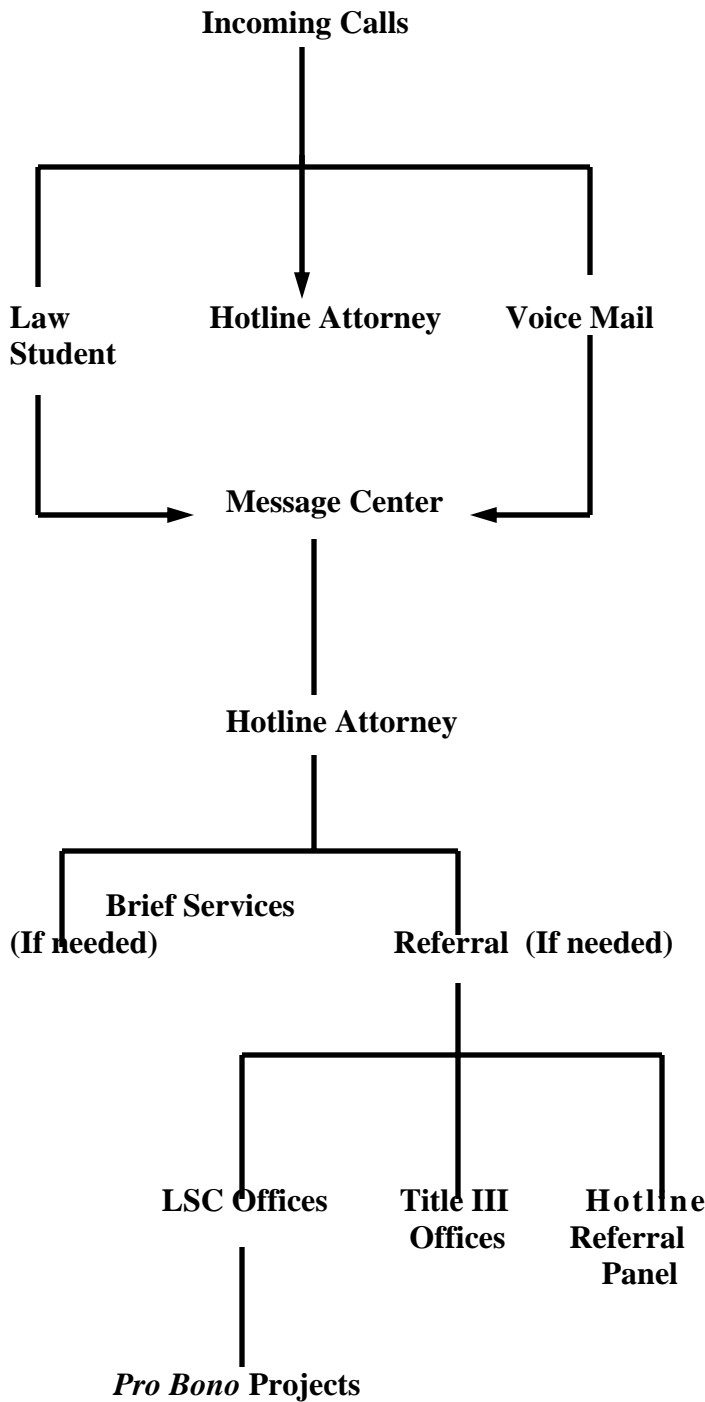
Brief Services

The Hotline provides brief services for about 1/3 of its calls. These include reviewing a document such as a lease, making calls to third parties, and writing letters on the client's behalf. The hotline attorneys will also prepare a brief document such as a living will or Power of Attorney and walk a client through a process such as republishing a will or executing a self-proving clause for a will. The attorneys will also send close-out letters for certain cases.

With its present volume level, the staff is experiencing the tension of balancing the need to keep current with calls against the clients' need for additional help. Toward that end, the staff has developed some criteria for determining when a brief service will be provided. The hotline attorney may offer a brief service if there is no alternative avenue of assistance, if the services will be short and likely to be successful, and if the matter is not trivial. There is no charge for any of the hotline services. The attorneys also make sure that the client understands the limited scope of the brief service and will not expect representation should further steps be required.

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Georgia Senior Legal Hotline Work-Flow Chart



Legal Hotline Referral Panel

The Hotline clients have the usual referral avenues-low income callers can be referred to a local legal services office; callers with a Title III program priority problem can be referred to the local Title III provider. In Atlanta, both those resources are ALAS offices. The Legal Services program will sometimes refer clients to their *pro bono* project, if they cannot help the client in-house.

In order to expand the referral options for hotline clients, Ellie set up a private attorney referral panel. There are currently 160 participating attorneys. All the local bar associations throughout the state assisted in the recruitment process. They distributed a referral attorney survey Ellie had sent them and printed announcements about the formation of the referral panel in their local newsletters. The individual lawyers then called or faxed the hotline with their geographic and subject areas. The referral panel attorneys agree to take low-income clients for free or a reduced fee. They may charge full fees to higher income callers.

All the participating attorney information is loaded into the hotline software. The client's problem code and geographic area will cause the proper referral attorney names to pop up. The Hotline attorneys will give the client three names. It is up to the client to contact the attorney for an appointment. The low-income clients are informed that they can negotiate a low-fee or no fee with the attorneys.

Equipment Computers



The Hotline's five computers have Kemp's Clients for Windows installed as the case management system. The hotline, but not ALAS, uses the software. The Hotline communicates with ALAS via e-mail, but the computers are not networked between the two offices. The program has been pleased with the software. Ellie particularly praised the letter generating feature.

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Phones



The Georgia Legal Hotline phones are part of the State of Georgia offices in-house system. The Division of Aging set up and pays for the additional lines the hotline uses. There are three incoming lines. The main 800 number and local numbers are piggy-backed onto the same line. If the main line is in use, the call will roll onto a second line, and then onto a third line. If all three lines are in use, the next will roll onto Ellie's direct line. There is also a fifth line that is used only for outgoing calls.

Ellie has a personal voice-mail box; there are also two other mailboxes which the hotline attorneys share. During high-volume periods, all the incoming lines are forwarded into a voice-mailbox. The lead attorney for the shift writes message slips for the mailbox calls and puts them in a message center.

Training and Quality Control

New attorneys receive a three-day training which includes both substantive training and hotline procedures. Ellie recruits private bar members to present the substantive law sessions in areas in which they practice. The new attorneys then sit-in on calls with an experienced hotline attorney until they feel ready to handle calls. During the first couple of weeks, Ellie or another hotline attorney will listen in to help the new attorney handle the calls.

Ellie reviews the casenotes for every call the hotline handles. She also regularly reviews the case list for each attorney to make sure that attorneys have called back on those cases where a law student took the background information, and that cases with brief services or pending research do not stay open too long.

The staff also receives ongoing training. During a weekly lunch meeting, Ellie may present a difficult case that has come up during the week. Also, a presenter may be invited to talk about questions of common concern such as mental health problems of the elderly. Also, the staff attends the yearly Legal Aid substantive law update training.

Materials

The Hotline staff has put together a desk reference resource they call the "substantive law notebook." It contains updates and outlines on particular subject areas, as well as referral agency information. The Hotline also maintains subject files. As attorneys come across new information, they add it to the files. The update outlines the attorneys receive at the Legal Aid update trainings are also added to the subject files.

At the weekly lunch staff meetings, one person is assigned to make a report on the new materials that have been collected that week. That way, each attorney is aware of new information before it is filed away in the subject folders and will know where to locate it when the subject comes up.

The Hotline also has Georgia Code, U.S. Code and Regulations and various CLE and other training materials. The Georgia State Law Library is one block from the hotline office and the Legal Aid library at ALAS is four blocks away. The attorneys also have access to internet research.

The hotline also has client self-help and informational materials such as small claims court pamphlets, fair debt collection letters, debt write-off letters to send to creditors, as well as educational brochures collected from Legal Aid, Legal Services, the State Bar and the Division of Aging, on a wide variety of topics.

Special Projects

The Seniors Legal Hotline conducts several community education-oriented activities. It provides speakers at community centers on specific legal topics. The Hotline provides "Hot Tips" for older consumers, such as alerting them to charitable fraud. The "Tips" are mailed to libraries and courthouses for posting and appear on the ALAS website, which has a section devoted to the senior legal hotline.

An unique project is a newsletter designed to make the wider legal community feel connected to the hotline. An attorney on the Elder Law Committee of the Atlanta Bar is volunteering his time for the hotline by publishing a newsletter containing information about new laws and tips about the hotline. The Newsletter is distributed to attorneys who do volunteer work for the hotline, the referral-panel attorneys, Title III programs, and Elder Law

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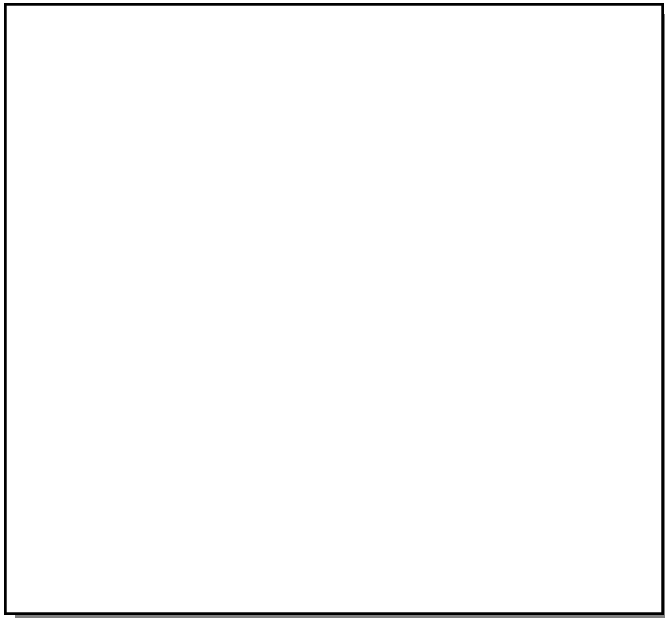
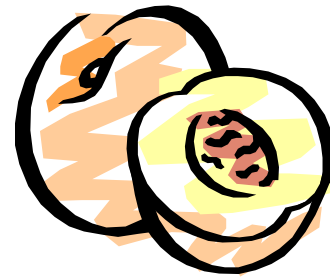
(continued from page 12)
section attorneys.

The Georgia Hotline has just launched a new and exciting collaboration with the Georgia State Law School *Wills and Estates* class. The students in this class, along with Ellie, held a Wills clinic at an Atlanta seniors' high-rise. Under Ellie's supervision, students interviewed the clients and had them fill out estate planning checklists. The clients were a low-income group without real property, so that the wills would be simple to prepare.

The students then drafted the wills which are reviewed by attorneys from the private bar. Changes are made according to the suggestions of the supervising attorneys and the client's wishes. Ellie then goes back to the high-rise with the students to execute the wills. This new project not only gives law students much-valued practical experience but is also a wonderful opportunity for the clients, many of whom have tried in vain to have a free will prepared by other agencies. The Wills Project is such a success that the professor of the Wills course is planning on making this clinic a permanent assignment for students in her Wills class.

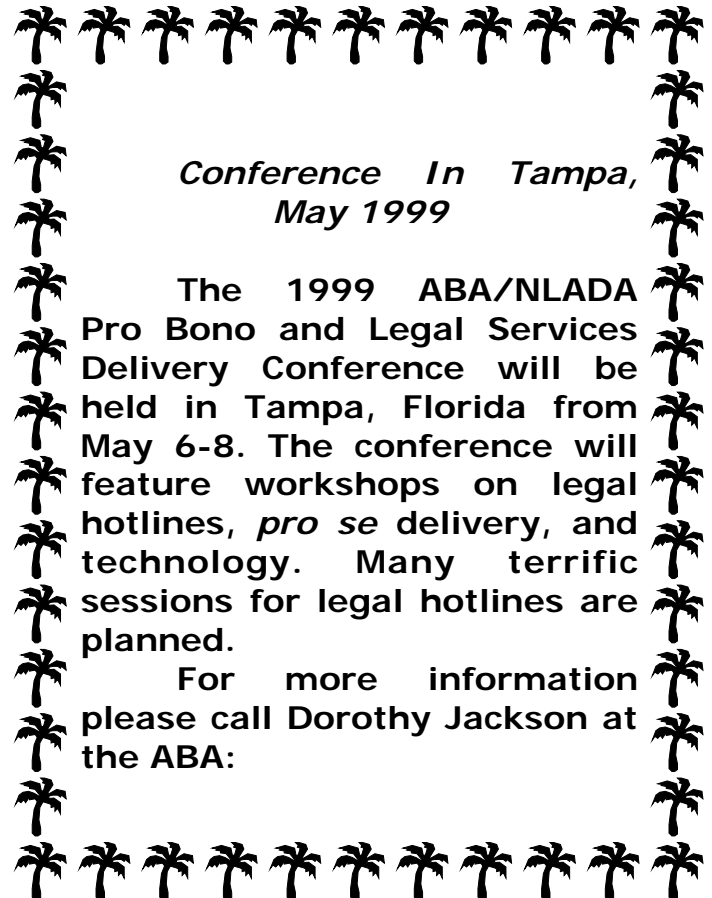
of brief services in the hotline delivery model is an important management issue. The Georgia Hotline is also confronting the problem of finding stable and continuous funding.

Ellie's experience with managing the hotline has been a wonderful one. She loves the fact that she learns something new everyday and finds both the volunteers and staff delightful to work with. Knowing that every day the hotline is making a positive difference in people's lives makes it a pleasure for her to come into work every day.



Ellie Crsoby,
Manager of the Georgia Legal Seniors Hotline

Ellie has found that defining the parameters



Conference In Tampa,
May 1999

 The 1999 ABA/NLADA Pro Bono and Legal Services Delivery Conference will be held in Tampa, Florida from May 6-8. The conference will feature workshops on legal hotlines, *pro se* delivery, and technology. Many terrific sessions for legal hotlines are planned.

 For more information please call Dorothy Jackson at the ABA:

From the Frontline

by Carol Matthews*

Did I Really Go to Law School?

There is real satisfaction in doing well what a hotline attorney does best: giving sound legal advice on the telephone. When the client has all the facts, when the legal issue is clear, and the advice obvious, I smile with pleasure at a job well done- - sometimes a little too soon. At times the client doesn't believe a word I say. The problem is that my advice is not the same as the legal advice the client has already received elsewhere, from a neighbor, a social worker, or a lady at the beauty parlor.

A typical situation on an elder hotline develop as follows. The caller is distraught because an elderly relative is in the hospital in a coma; a hospital staff person has advised the caller to get a power of attorney over the patient and told him that this power can be obtained from any lawyer. I slowly explain that comatose people can't execute legal documents, and launch into a description of the alternatives available in this jurisdiction. I offer all the information, advice, referral, booklets and guides at my disposal and the caller appears to understand and accept my suggestions. But when it gets down to following through on my advice, the caller decides the easier course would be to just find another lawyer who will give him the coveted power.

When the source of the misguided advice is the attending physician I try not to feel too insulted given the esteem in which society holds the medical profession. Only occasionally do I shout "tell that doctor that I promise not to practice medicine if he'll stop practicing law." And then only after I've hung up the phone. More frequently the source of the bad advice is a hospital social worker who ought to know better. I remind myself that social workers perform a very valuable service, and that they are the source of much good support, advice, and referrals and so it is natural for the family to come to rely on them. But when the legal authority trumping my good advice is a stranger in the elevator- that is insulting!

* Carol Matthews is a hotline attorney with the Legal Counsel for the Elderly hotline in Washington D.C. Please e-mail Carol any ideas for From the Frontline topics at cmatthews@aarp.org.

The hotline attorney must also contend with erroneous "legal facts" that are believed by members of the community to be true. In Washington D.C. we encounter a variety of these "urban myths": if you pay taxes on property it is yours; people over 70 don't have to pay any income taxes no matter how much money they make; and common law divorce is just as valid as common law marriage. The most pervasive misconception is the one that holds that a person going into a nursing home must take with him the deed to his house in order to give the property to the nursing home. One would think that clients would be delighted to hear that Medicaid doesn't work quite like that and they may qualify to keep their home. The more likely reaction is disbelief. In fact some of the clients are distressed to hear that no one is going to relieve them of the burden of selling their property.

Clients may doubt that you know what you are talking about in the many instances where the law runs contrary to common sense. The intestacy laws frequently stretch a lay person's credulity. Why would the law favor a neglectful daughter over a devoted godchild just because the first is blood kin? When the law is not contrary to common sense it may certainly appear to be contrary to the common good. As one client explained to me, his neighbor, not himself, was liable for the tree damage because the neighbor had insurance and he did not. Trying to explain *why* the law is the way it is or even that it is just *is* the way it is sometimes seems like an uphill battle. If my clients have read Dickens they must surely want to echo the character who opines that "*if the law thinks that, then the law is an a\$\$.*"

Oh well, there is always tomorrow. A day when the clients believe what I say is a good day.



Michael Holmes, supplier of WinCases software for legal hotlines has moved his offices since the Legal Hotline Quarterly Summer 98 Software Issue came out. His new phone number is 781-209-1130.

Aid primarily uses attorneys, but screeners have been

Practice

The following is reprinted from “**Best Practice Tips Guide**” prepared by Leslie Corbett, Executive Director of Coordinated Advice and Referral Program for Legal Services, in Chicago (CARPLS) with information provided by 12 programs including senior and low-income hotlines along with new information collected since the publication of the Guide.

Staffing

A. Paid Staff vs. Volunteer

The majority of programs surveyed use paid staff to perform hotline functions. North Central West Virginia Legal Aid Society, the Legal Hotlines for Older Texans, and Legal Aid Society of Hawaii all use both paid and volunteer staff. Hawaii reported using volunteers as an integral part of their staff. They use law students and other legal volunteers to staff the hotline as well as using lay volunteers for clerical assistance. CARPLS and Coordination Legal Education Advice & Referral (CLEAR) in Washington State, are developing volunteer programs to staff the hotline. A number of programs voiced their need for more volunteers and better strategies for using volunteer assistance. The elder hotline in Washington D.C. stated that their software was not user-friendly and thus not volunteer-friendly. (The old software has just been replaced). The Legal Hotline for Older Floridians uses paid attorneys to staff the hotline although it has used volunteer attorneys from time-to-time. The Elder Law Hotline at Kansas Legal Services in Wichita uses an extensive system of volunteer lawyers to handle hotline calls. The Georgia Seniors Legal Hotline uses paid attorneys as well as volunteer attorneys to handle calls, and law students to assist with fact gathering and research.

B. Lawyers vs. Non-Lawyers

Not only do most hotline use paid staff, they also primarily use lawyers to provide their hotline services. As mentioned, Hawaii also uses paralegal and law students to staff the hotline. The Kansas program uses lawyers to assist its elderly clients but uses non-lawyers in the domestic relations unit. The West Virginia program uses attorneys as well as legal assistants and law students. Southern Arizona Legal

Points

delegated certain interview tasks depending on their abilities so that they can assist in gathering facts on selected cases. Maine Legal Services for the Elderly primarily uses attorneys, but Medicare issues are handled by a para-legal. The Legal Hotline for Older Iowans is staffed by attorneys but fact gathering is sometimes done by legal assistants.

C. Full-Time vs. Part-time

Part-time employees are used most often in hotline work, according to the programs surveyed. The intensity of hotline work often leads to burn out thus making part-time staffing a smart alternative. In addition, part-time staff can bring aspects of their private practice experience to the table. Staff learn from each other and can use this in their own practices. Programs that are staffing their hotlines using part-time legal staff include CARPLS, Legal Aid Society of Hawaii, the senior hotlines in Washington D.C., Pennsylvania, Maine, Florida, Georgia and Texas. The elder hotline in Michigan uses contract attorneys who work approximately 30 hours per week.

A number of programs surveyed have full-time employees. However, the hotline portion of the program is often staffed part-time. For example, both CLEAR and the West Virginia program have full-time hotline employees but the hotline only operates for three and a half hours a day. The hotline staff have other duties to perform for the rest of the day. SALA has a full-time managing attorney who staffs the hotline part-time as well as part-time staff who are responsible for specific topic areas. The Kansas program, the Iowa hotline and the Legal Services of Puerto Rico use full-time employees to staff their hotlines.

D. Effectiveness of Staffing Pattern

All of the programs surveyed believed that their staffing pattern was effective, but at least three mentioned that additional part-time staff would be helpful. In addition, the program in Puerto Rico believes their staffing pattern has improved since they added a social worker to support the attorneys performance in cases where the client’s problem is of

STATE-BY-STATE DIRECTORY of LEGAL HOTLINES
Fax-back form

Does your information in the State-by-State Directory of Legal Hotlines need correction or updating? Do you know of a legal hotline program that should be included in the directory?

If so, please fax-back the form below to:
Legal Hotline Technical Assistance Project
954-472-3633
e-mail: rose@bc.seflin.org

The directory book will be updated once a year and all programs in the directory will receive a free copy. As soon as we get new information we can update the online State-by-State Directory of Legal Hotlines at www.equaljustice.org

HOTLINE: _____

Name of Program/Sponsor : _____

Address :

Phones:
Administrative Phone: _____

FAX: _____

Client Hotline Phone Number(s): _____

In-State Toll Free Number : _____

CONTACT PERSON: _____

E-mail: _____

Program Website _____

HOTLINE PROFILE: _____

Start Date: _____

Hotline Type: (e.g. specialty-area; single- office intake; state-wide intake; stand-alone, etc.)

Service Area: _____

Eligible Client Profile: _____

Hotline Funding Sources: _____

Are Hotline Fees Charged? _____

Hotline Staffing: _____

(in Full Time Equivalents [FTE]) _____

Approximate yearly # Cases Handled: _____

Software Name: _____

Software Satisfaction Rating (low 1 – high 5): _____