

# Legal Hotline Quarterly

Issue No. 12

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

Fall 1999

## *Legal Hotline for Older Americans in Pennsylvania Undergoes Transformation*

The Legal Hotline for Older Americans in Pittsburgh is once again serving as a proving ground for new ideas in legal hotline services delivery and funding. *AARP Foundation* has contracted with Tele-Lawyer, Inc. to assume responsibility for running the Hotline as of August, 1999.

*AARP* founded the Legal Hotline for Older Americans in 1985 as a prototype for testing the legal hotline delivery model as envisioned by Wayne Moore. It has since served as the blueprint for numerous other legal hotline programs across the nation. Throughout the years, the Pittsburgh office has been the place where new hotline ideas and projects have been tried and tested.

The goal of the relationship with Tele-Lawyer is to determine whether a legal hotline can be self-supporting while still providing free legal information and advice to low-income callers. The Pennsylvania Legal Hotline now accept calls from Pennsylvania residents of any age. Those clients with incomes less than 200% of the Federal Poverty Level will receive a free consultation. All other callers will pay \$3.00 per minute.

Calls coming into the Pennsylvania 800 or local numbers are now answered by the Tele-Lawyer receptionist. She determines the client's financial eligibility for free service and explains the charges the client will incur for the phone consultation.

*(Continued on page 2)*

To reach the Legal Hotline  
Technical Assistance Project:  
Call: (954) 472-0997 (EST)  
Fax: (954) 472-3633  
E-mail: [rose99@mediaone.net](mailto:rose99@mediaone.net)

*Shoshanna Ehrlich, Editor*

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Non-paying clients can stay on the 800 line. Paying callers can stay on the 800 line if they agree to charge the service to a credit card. Otherwise, they may call back on the 900 line. After determining the type of legal question the client has, the receptionist routes the call to an experienced Tele-Lawyer attorney working either in-house or in their own offices or homes.

The client data and casenotes are kept in the Tele-Lawyer database which also contains online legal reference materials for the lawyers. The Tele-Lawyer in-house attorneys receive a fixed salary while the outside attorneys receive a per-minute rate.

The experiment is slated to continue until June 30th, 2000, after which the financial viability of the endeavor will be evaluated.

### ***Hotline Attorney Makes the Switch***



Joseph Hmel has been with the Legal Hotline for Older Americans since 1991. At the inception of the partnership between Tele-Lawyer and AARP to run the Pennsylvania Legal Hotline he contracted with Tele-Lawyer to provide legal advice to Pennsylvania Legal Hotline callers. Before coming to the Legal Hotline Joe was an Estate Administrator for the U.S. Bankruptcy Court and later was in private practice. He is flourishing under the new system and described to LHQ the changes since the experiment was launched in August, 1999.

At the Legal Hotline for Older Americans the attorneys worked up to 20 hours per week, mostly in 3-4 hour shifts. As AARP reduced funding for this project in recent years, Joe's work hours went down to 14 per week. In order to alleviate commuting problems, Joe was able to arrange his schedule to come in to the downtown Pittsburgh offices only three days per week. He worked one full day, and the remainder of the hours in 3-4 hour shifts. He routinely handled 8-10 calls per four-

hour shift. He was paid an hourly rate by AARP.

Since Tele-Lawyer assumed operations, Joe has been working from his home five days per week. His work schedule is 12:30 p.m. to 6-6:30 p.m. He is now paid per minute spent on the phone with clients. During the past six weeks he has been handling 85 - 100 calls per week; daily volume has ranged from 12 to 23 calls. He is making more money than previously; but much of the increase is the result of working more hours. However, when taking into consideration that he no longer has to pay for parking, gas and wear and tear on his automobile, Joe finds his present situation more financially rewarding.

The most dramatic change he notes is the increase in efficiency of attorney time under the Tele-Lawyer system. At the Legal Hotline for Older Americans a receptionist would take the client's name and number but the attorneys would do all the demographic screening and input that information into the computer. For the last several years, the Hotline was also charging \$15.00 per call to anyone whose income was over \$15,000. This required the attorney to get some basic income information and make arrangements for payment, either by taking the client's credit card number or arranging for a bill to be sent to the client. Even though the vast majority of clients served were eligible for free advice, the process added time to the length of the call. Joe estimates at least five minutes of attorney time per call was spent getting this information.

Joe now gets to take calls at the stage that most Hotline attorneys would consider optimal. A Tele-Lawyer receptionist elicits all the demographic data and income information. She calls Joe and introduces him to the client, states the subject matter of the call and then signs off. Joe proceeds directly to the client's question or problem.

If he is already speaking on the phone with a client, he will not be interrupted with another call since these calls are screened by Tele-Lawyer operators. The operator either keeps the person on hold until Joe is finished with the previous call and then forwards the call to him or else calls the new client back shortly and then forwards the call to Joe. When operations expand, another attorney would be given the subsequent call.

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Joe believes most of the calls at this early stage of the experiment are free because Tele-Lawyer has not yet launched its intensive marketing effort. He does not actually know if any call is proceeding on a free or fee basis. The average time he now spends handling a call is 8-10 minutes. He makes a conscious effort to keep the calls short in order to keep costs down for any paying clients, while spending sufficient time on each call to make sure the consultation is as complete as necessary. So far the calls appear to be from the same types of clients with the same types of questions that came into the Legal Hotline for Older Americans in its former incarnation.

Once the advice is given, Joe writes notes on a one-page "Client Intake Form" which includes a few sentences recording the advice. After the call, Joe calls Tele-Lawyer and reports to the receptionist the amount of time he spent on that call for billing purposes. At the end of each week, Joe had been faxing the stack of reporting sheets to the Tele-Lawyer offices. Now that the number of calls he is handling is quite large, they have begun experimenting with dictating the report sheets rather than faxing them. After the call, when Joe is speaking to the operator, he simply dictates to her the sentences regarding the advice, which she then inputs into the Tele-Lawyer database. Joe feels this has been more efficient than faxing the hundred weekly pages. While it was the practice of the six Legal Hotline for Older Americans attorneys to take turns reviewing each other's case, Tele-Lawyer does not follow such a procedure.

At this juncture of the project, Tele-Lawyer and AARP have decided to keep things as simple as possible. Joe does not presently have a computer tie-in to the Tele-Law database nor online resource materials, although should the collaboration prove successful that certainly could be accomplished in the future.

Joe has set up a home office with a phone, headset, computer station, and his reference materials. These include the AARP Desk Reference

manual, Frequently Asked Questions Manual, court rules, treatises on elder law and a variety of subject

areas. Joe has also put together a referral resource guide listing phone numbers of legal aid and government offices and other referral agencies.

Unlike the Legal Hotline for Older Americans, referral to a private attorney, mailing of informational brochures, health care and financial powers of attorney are not part of the Tele-Lawyer service. It is strictly limited to telephone advice. Joe wishes he were able to continue to provide some of these services.

In order for the fee-for-service calls to support the free calls for low income clients, the target number of calls is 100-120 per day. Obviously, Joe will not be able to handle all of those himself. However, he foresees additional increases to his income tied to the success of the experiment. All in all, Joe really likes this new way of working. Although he misses being able to talk over a ticklish question with another lawyer from time to time, he also finds he is tremendously more productive in his new situation. We are looking forward to the fascinating data sure to come out of this experiment and hope it is successful in demonstrating a new way to fund free legal services to low income clients.

**Pennsylvania Legal Hotline**  
**101 Convention Center Drive**  
**Suite 1200**  
**Las Vegas, NV 89101**  
**Phone: 702-312-6252**  
**800-262-5297**  
**Fax: 702-412-6249**  
**e-mail: telelaw@msn.com**

## ***Legal Hotlines for Older Texans Nursing Home Advocacy Project***

The Legal Hotline for Older Texans has been providing legal advice, brief services, and referrals to seniors since 1989. In 1998, in cooperation with the Texas Legal Services Center, the Texas Department on Aging Elder Rights Division and the Area Office on Aging's Long Term Care Ombudsman Program, it launched the Nursing-Home Advocacy Project to target one of the most at risk groups needing legal services. The mission of the Project is to safeguard the rights of Texas nursing-home residents to adequate treatment and safe and secure facilities.

The Project works with local area representatives of the Long Term Care Ombudsman and patients' families to assure that nursing-home patients are treated with dignity and respect and that medical care is provided in a timely manner by adequately trained staff.

Nursing home residents or family members may call the Project's dedicated toll-free Hotline number and speak with a lawyer knowledgeable about the laws affecting people in nursing homes. All telephone consultations are free. The Nursing Home Project Attorney is available to answer questions and provide legal advice about nursing-home residents' rights, quality of care, abuse and neglect, and potential remedies for these and other problems encountered.

The Hotline attorneys may put the resident or a family member in touch with the Long-term Care Ombudsman or other appropriate advocacy group for mediation and problem resolution. In cases needing more in-depth services, a hotline attorney may offer the resident or family member an appointment with an attorney on the Legal Hotline referral panel. All Hotline referral attorneys have agreed to accept cases on a reduced fee basis. Each referral attorney has been screened for participation in the Legal Hotline panel. Where the nursing home residents or family member complains of injury or neglect by the nursing-home, the Nursing Home Advocacy Project offers referrals to a board certified personal injury attorney .

The Nursing Home Advocacy Project Hotline is answered live by the Legal Hotline for Older Texans' Managing Attorney, Roger Curme, or one of the other Hotline attorneys, in his absence. The Nursing Home Advocacy Hotline routinely receives two to three calls per day, but those numbers increase dramatically after a publicity event.

The Nursing Home Advocacy Project, during the course of the year, sent out five news releases to newspapers across the state and ran two TV public service announcements which appeared on local TV stations all over the state. Project Staff also make presentations at local libraries and other venues.

While the Legal Hotline for Older Texans has always provided legal advice to nursing-home residents and their families, the Nursing-Home Advocacy Project greatly expands the target population. The Legal Hotline for Older Texans exists to serve Texans over 60 years of age. As of September 1st, 1999, the Legal Hotline is operating with a substantial grant from civil service filing fees which carry income restrictions. The Legal Hotline may now provide legal advice and brief services only to those seniors whose income does not exceed 125% of the federal poverty level. Any over-60 Texas resident may still receive referrals and brochures from the Hotline.

The Nursing Home Advocacy Project accepts calls from any nursing-home resident or family member without restriction as to age or income.



For  
tion con-  
The

**Advocacy Project**

**815 Brazos, Suite 1100 Austin TX 78701**

**888-343-4414**

more informa-  
tact:  
**Nursing Home**

**LARC CLIENT SATISFACTION  
SURVEY RESULTS & ANALYSIS\***  
**September 1998-February 1999**

*\*The Legal Hotline Quarterly wishes to thank Jessica Ladd, Executive Director of the Legal Advocacy and Resource Center in Boston, for her permission to print this material.*

LARC has been conducting a monthly client satisfaction survey of hotline callers since August 1996. Approximately 10% of all hotline callers are selected each month to receive a mailed survey to be returned in a business reply envelope. (A copy of the survey form and cover letter is attached). To determine the random sample, every 10th caller on a master list for a one month period is selected to receive a survey. Following the initial selection, replacements are then selected (by going to the next client on the master list) where the initially selected clients fell into one of the following categories: no mailing address available; domestic violence involved and sending survey could cause problems for client; anonymous inquiries; helper assisted calls where the client could not be directly contacted; and divorce inquiries where the parties are still living together. We also translated the survey into Spanish and administered that version where a selected caller was primarily Spanish speaking.

During Fiscal Year 1999 LARC tried other approaches to gather client follow-up data and hotline satisfaction rates, including phone surveys. One of our volunteer law students attempted to call clients during the Spring of 1999 and explore outcomes and hotline experiences with previous hotline callers. During this time LARC suspended mailing client satisfaction surveys. However, we found that the phone surveys were not as successful as the mailed surveys in terms of a response rate. Even though we could follow up on a specific question to obtain more accurate results when clients were on the phone, our law student had difficulty actually reaching clients through call-backs. As of September 1999 we have reinstated the mailed cli-

ent satisfaction survey.

Explanation of Percentages in Reported Results: Percentages in each of the results reported below have been calculated based on the number of survey recipients responding to each individual question - we found that many of the survey recipients answered some but not all of the questions.

Response Rate: For September 1998 through February 1999, our survey response rate was 18% (deducting those returned for insufficient address).

Initial Contact: 92% of respondents contacted LARC through the telephone hotline, and 8% were walk-in clients. While 60% of callers reported that they did not have trouble reaching the hotline, 40% reported that they did. Of those reporting difficulties in reaching us, most noted that they had a long wait on hold to reach an advocate. Despite this wait, 71% of the callers who experienced difficulty in reaching our service reported that they would not have preferred to leave a message if it would have taken two or more days for us to call them back.

Information & Advice: 52% of callers reported that they had received brief advice or information directly from the hotline; 26% reported that they received referrals; and 22% reported that we sent them written information. (Respondents were permitted to select more than one option, so there is some overlap among the categories). Of those callers, 79% reported that they were satisfied with the way we explained things, and another 13% were somewhat satisfied. 61% of the callers reporting that they had received advice also reported that they took action based on the advice they received from us. A sampling of actual comments describing what kind of action was taken follows:

- I went to court.
- Wrote a letter of complaint.
- Contacted a malpractice attorney in my area.

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- Filed a motion with the court to remove a default judgment.
- I sent a letter after I looked through the information you sent to me.
- I called another agency for more information and advice.
- Sent a certified letter to my landlord informing him of my knowledge of the law (thanks to your attorney) and my expectations regarding any future entry into my apartment – he complied.
- Requested a hearing and was represented; it worked out to my satisfaction.

**Referrals and Mailings:** 42% of callers reporting that they received referrals from the hotline also reported that they had called the other agencies. Of those, 47% reported that the referral agencies were helpful and another 16% reported that the referral agencies were Asomewhat@ helpful. Although we have revised our survey questions about mailings, we continue to receive confusing and sometimes contradictory responses. As a result, we developed a specific survey in September 1998 that we include with client mailings in order to better analyze our growing list of mailings. Results of the mailings surveys are also included in this report.

**General Satisfaction Level** 96% of respondents reported that they would call the LARC hotline again if they needed help with a legal problem, and 96% reported that they would advise a friend to call us about a legal problem. These percentages represent our highest satisfaction levels to-date. Most of the general satisfaction comments were favorable as well. A sampling of comments -- including some negative responses -- follows:

- You spent a lot of time on the phone with me. I was pleased.
- Your staff was courteous and efficient.
- Your legal advice was just what I needed. Your staff suggested non-confrontational mannerisms and tone of voice – both of which made all the difference when I talked with my landlord. It "set the stage" for what became a dialogue with solutions rather than argument and a series of accusations. I really

am very grateful! Thank you!

- I had a question about my lease. The LARC representative was good at providing examples and clarifying the lease.
- I am appalled and amazed at the completely unrealistic financial restrictions and criteria necessary to qualify for legal assistance. The guidelines completely exclude almost any hard-working family making anything over minimum wage. The current guidelines make it almost impossible to receive free or limited fee-based legal services. Thanks for nothing.
- Your service was outstanding. My understanding of my legal problem was somewhat vague and your helpline gave me the assurance I needed. As a matter of fact, I have advised friends about your services.
- The attorney I spoke with was very helpful and explicit regarding the law and what my options were. I was, and am, very appreciative of your service.

Dear Caller,

You recently contacted our free legal hotline for assistance. Please take the time to complete the attached survey so that we may serve you better in the future. You may return the survey in the business reply mail envelope which is enclosed. Thank you for helping us.

### **Legal Advocacy & Resource Center Hotline Client Satisfaction Survey**

#### ***Initial Contact***

1. Did you come to our office or did you contact us  
by phone?                      came in                      phone

2. Did you have trouble reaching us?      yes      no  
 If yes, please check any of the following  
 problems that you had:

I had to wait on hold over 20 minutes.  
 I had to call two or more times before

I \_\_\_\_\_  
 reached someone.      \_\_\_\_\_  
 I was told someone would call me  
 back, but there was a long delay.  
 \_\_\_\_\_  
 I don't have a phone.  
 \_\_\_\_\_  
 Other (please describe):

3. Instead of calling and waiting on hold, would you  
rather leave a message and have someone call you  
 back the next day?      yes      no

4. Instead of calling and waiting on hold, would you  
 rather leave a message even if it took two days for  
 someone to return call?      yes      no

### ***Information and Referrals***

5. Why did you call us?

I had a question I needed answered.  
 I wanted a lawyer to represent me in a  
 court or agency hearing or proceed-

ing.

Other (please describe):

6. How did we help you with the problem you called  
 about? (you may check more than one line)

\_\_\_\_\_ LARC gave me information about  
 how to handle the problem myself.  
 \_\_\_\_\_ LARC gave me the name and tele-  
 hone numbers of other organizations to call.  
 \_\_\_\_\_ LARC sent me written information.

7. If we gave you verbal information, were you satis-  
 fied with the way we explained things?

\_\_\_\_\_ yes  
 \_\_\_\_\_ no  
 \_\_\_\_\_ somewhat

8. If we suggested that you do anything (write a let-  
 ter, contact another agency to report of problem, go  
 to court) did you do any of the things?

yes      no  
 If yes, what did you do?

9. If we sent you written information, was this infor-  
mation helpful?      \_\_\_\_\_

yes  
 no  
 somewhat  
 What did we send you?

10. If we suggested that you call other organizations,  
 did you call the other organizations for help?

\_\_\_\_\_ yes      no  
 Which places did you call?

Were they helpful?

\_\_\_\_\_ yes      no      somewhat

Please describe any problems you had  
 with the referrals:

### ***Conclusion***

11. Other than providing you with a free lawyer, was  
 there anything else we could have done that would  
 have helped you in this situation?      yes      no

If yes, please tell us what we could have done:

12. Would you call us again if you ~~had~~ had another legal  
 problem?      yes      no

13. Would you advise a friend to call us about a legal  
 problem?      yes      no

14. Please write any other comments you have in the  
 space below.

**Legal Advocacy & Resource Center**

**Written Information Satisfaction Survey**

**LARC CLIENT MAILINGS SURVEY  
RESULTS & ANALYSIS  
September 1998 -- August 1999**

LARC has sent client satisfaction surveys to approximately 10% of Hotline callers since 1996. However, the responses regarding mailings are often confusing and sometimes contradictory. Additionally, LARC's list of client mailings has continued to grow significantly within the past year. We developed a specific survey in September 1998 to help us to gauge the effectiveness and utility of our mailings more directly. We include the survey with each client's mailed materials. We record what materials are sent to each client in a box at the top of the survey. Clients may then return the survey in a business reply envelope after reviewing the mailings. A copy of the survey form is attached.

Explanation of Percentages in Reported Results: Percentages in each of the results reported below have been calculated based on the number of survey recipients responding to each individual question. As with our client satisfaction survey, we found that some survey respondents answered some but not all of the questions. Likewise, questions that are not strictly "yes or no" questions allow respondents to select more than one option thus creating some overlap among the categories.

Response Rate: For September 1998 through August 1999 our survey response rate was 10% (deducting those returned for insufficient address). When we implemented the surveys we did not have a wholly accurate system for determining how many surveys we sent each month; for the first four months, we overcounted the number of surveys sent, resulting in a falsely low return rate percentage. We have since developed a much more accurate system to count surveys and have found that the actual return rate is several percentage points higher than 10%.

Materials Sent: We have a wide variety of mailings available to send to our callers. As evidenced by our calls statistics, a majority of our clients call with housing, domestic relations, and con-

sumer issues. Subsequently, the majority of clients who return mailings surveys have received housing, family or bankruptcy information materials.

Initial Contact: 66% of respondents indicated they called with a question which they wished to have answered. 33% hoped to find an attorney to represent them in a court hearing or administrative agency proceeding.

Information and Advice: 90% of callers found the written information they received helpful, 9% considered it "somewhat" helpful, and less than 1% reported they did NOT find the information they received helpful. Of those respondents who found the material helpful or somewhat helpful, 36% reported it gave them general background in an area; 34% reported that it answered a specific question they had; 16% responded that the information explained how to file papers in court; and 14% reported the information was helpful because it contained suggestions of other places to contact. Of those who found the material not helpful or only somewhat helpful, 65% indicated the material answered some but not all of their questions; 7% stated the material did not answer any of their questions; and an aggregate 18% found the information too long, too complicated or containing too many legal terms.

Client Action and Results: 65% of the respondents reported that they "took action" based on the written information they received. 26% reported they wrote a demand letter; 19% contacted another agency to report a problem; 18% prepared papers to file in an existing court case; 16% started a court case; and 6% requested an administrative agency appeal. The remaining 15% took "other" action. A sampling of actual client descriptions of "other" action taken follows:

- All I had to do was call my landlord and tell him I was about to call for a housing inspection, and he fixed a problem that he had been ignoring for months almost immediately.
- Sent out the form letter that you provided to my creditors.
- Looked on the Internet and in a bookstore for

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more specifics about divorce and child support.

- I went to the registry to try to find the name of a specific property owner.
- I was able to approach the property manager with my tenant issue with far greater confidence due to the knowledge I gained.
- I called for the required papers to start divorce proceedings.
- I wrote a letter to my landlord outlining my rights as a tenant.

Of those clients who took action, 14% reported they resolved their problem to their satisfaction. Another 14% felt comfortable going to court or hearing without a lawyer or an advocate to represent them after reviewing the materials we sent. 9% were able to find an attorney or advocate to represent them, and only 2% reported they lost their court case or administrative hearing. 52% of our respondents indicated that their problem had not been resolved to their satisfaction yet. However, since the surveys are sent the date the client initially calls, and then presumably returned to us within the week, it is quite possible that callers simply have not had adequate time to resolve the problem satisfactorily.

General Satisfaction Level: 97% of respondents reported that they would call the LARC Hotline again if they needed help with a legal problem. The majority of general satisfaction comments were also very favorable. Below is a sampling of comments, including some negative responses.

- I think the services are excellent. If I need legal services again I will contact your agency again. I will also recommend the service to other people.
- Very helpful with referral numbers to find help going to court of. Thank you.
- The women I spoke with was very helpful. She was very patient with me and understood my dilemma. I feel she felt deeply concerned about me and was eager to assist. She was honest and direct; she did not give me " the run around". I thank her for caring.
- I would call again only because there are very

few other avenues of assistance available.

- I have to say that the person I spoke with was extremely knowledgeable. She was polite, helpful and kind. I'm an incredibly proud woman and rarely take advantage of services such as the ones you provide. I am very happy that I did. Because of your agency, I found that there is indeed a light at the end of this tunnel.
- The wait was very long, but the information was helpful.
- Thank you very much. I am most grateful for the assistance you provided regarding laws for rent increases for tenants at will.
- The person I talked to was very knowledgeable and helpful. I forgot to ask for written information and was delighted to find this information in my mailbox only days after making the call. Thanks! It helped me feel more confident in my approach.
- The copy I received had parts that were not legible, and the information I received over the phone was wrong.
- The first time I called in particular, I spoke with a person who spent enough time to make sure I fully understood my rights and I felt well-informed. Thanks, can't say how much I appreciate the support, and thanks for the written information as well.
- I appreciate all the time and effort spent on my behalf -- especially in the time of personal turmoil and confusion.
- The women I spoke to were patient and helpful. They were comfortable with the information they gave and took the time to explain thoroughly.

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Dear Caller,

You recently called our free legal hotline for assistance. Please take the time to fill out the following survey about the written information that we have sent you, so that we may serve you better in the future. All responses will be kept confidential.

Thank you

1. Why did you call us?

- I had a question I needed answered
- I wanted a lawyer to represent me in a court or agency hearing or proceeding
- Other (described): \_\_\_\_\_

2. Did you find the written information helpful?

- Yes       No       Somewhat
- If "YES" or "SOMEWHAT," check all that apply:
  - It answered a specific question that I had
  - It gave me a general background in an area
  - It explained how to file papers in court
  - Other (describe): \_\_\_\_\_

If "NO" or "SOMEWHAT," check all that apply:

- It was too long
- It contained too many legal terms
- It was too complicated
- It answered some but not all of my questions
- It did not answer any of my questions
- Other (describe): \_\_\_\_\_

3. Did you take any actions based on the written information?

- Yes       No
- If "YES," what type of action?
  - Wrote a demand letter
  - Contacted another agency to report a problem
  - Requested an administrative agency appeal
  - Started a case in court
  - Prepared papers to file in an existing court case
  - Other (describe): \_\_\_\_\_

4. If you took any actions, what happened? (Check

all that apply):

- Went to court or a hearing without a lawyer or advocate
- Found a lawyer or advocate to represent me
- Won my case in court
- Won my administrative hearing
- Resolved by problem to my satisfaction
- Lost my case in court
- Lost my administrative hearing
- My problem has not been resolved to my satisfaction yet
- Other (describe): \_\_\_\_\_

5. Would you call us again if you had another legal problem?      Yes      No

6. Other comments or suggestions:

\_\_\_\_\_

**Legal Advocacy & Resource Center  
(LARC)**

**197 Friend Street  
Boston, MA 02114  
617-371-1123  
Fax: 617-371-1188**

***Tennessee Elder Law Hotline  
Southeast Tennessee Legal Services***



The Tennessee Elder Law Line started taking calls from senior Tennesseans on March 8th, 1999. It was established with a start-up grant from Title IV of the Older Americans Act. The hotline was set up to serve the 900,000 Tennessee residents who are over 60 years of age.

***History and Funding***

The Tennessee Elder Law Hotline is the fruit of cooperation among legal services providers and state agencies. At the beginning of 1998, the eight legal aid programs in Tennessee got together and decided to apply for the Administration on Aging Title IV statewide senior legal hotline grants. They secured the cooperation of the Tennessee Commission on Aging and local area agency on aging directors. The programs agreed that Southeast Tennessee Legal Services (STLS) would be the one to seek the AoA grant. The Title IV funds are matched at the rate of 50% by legal services funds. STLS also receives state court filing fees and Health Care Counseling funds. The Title IV funds are allocated mainly for hotline attorney salaries, phone bills and outreach activities while STLS provides office space, phone and computer equipment.

Looking toward the funding picture once the three year start-up grant ends, the legal services program development director and the Tennessee Bar Association have promised to help in the effort to locate permanent operating funds.

***Organization and Location***

The STLS main office is located in Chattanooga. The program also serves the Cleveland area where an additional office is located. Michael Roe-

buck is the Executive Director. Debra House is the STLS Deputy Director as well as the Co-Project Director of the Elder Law Hotline. Lynne Dechman is the Title III Senior Citizens Project Director as well as the Co-Project Director of the Elder Law Hotline. In addition to those projects and general legal services work, STLS has Domestic Violence, Domestic Relations, and Fair Housing Projects.

The downtown STLS offices are housed in the Bond Mansion, a three-story residence built in 1882. Its location directly across from the courthouse and other governmental buildings makes it convenient for legal services attorneys. The reception and conference areas are set up in what were the living and dining rooms of the old mansion. The Executive Director has taken pains to make sure the beautiful hardwood floors, moldings, and other architectural features were preserved. The reception area is furnished with Oriental rugs and mahogany furniture in keeping with the building's style. The stately building makes a beautiful home for Southeast Tennessee Legal Services. Unfortunately, all the available office space is filled with staff and there is no room to expand.



**STLS Offices in Chattanooga  
(The Bond Mansion)**

**Tennessee Elder Law Hotline  
Phone: 800-836-0128  
Fax: 423-756-0128**

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There is no special “hotline room”. One of the staff attorneys who handles hotline calls full time has his own office. Lynne Dechman, however, shares her office with the part-time hotline attorneys who are on duty, while Deb House, who works in both the Cleveland and Chattanooga office, makes do with a desk in a hallway of the mansion.

### ***Staffing***

This Hotline is headed by two Co-Directors, Deb House and Lynne Dechman. Deb handles the reporting, grant writing, contacts with other agencies such as the Tennessee Commission on Aging, legal services and Title III providers. She maintains the database and is responsible for hiring staff. Lynne manages the day-to-day operation of the Hotline including staff scheduling, reviewing all the legal work, and maintaining resource materials. Lynne also handles hotline client phone consultations as needed. She devotes about 50 percent of her time to hotline duties and the remainder to her Title III Senior Citizens Project.

When the hotline first opened, the calls were handled by two staff attorneys who worked on the Hotline for 50 percent of their time. This proved unworkable as the full-service cases often required the attorneys’ attention during their hotline shifts. Deb and Lynne adjusted the staffing to provide more complete hotline coverage by assigning one full-time attorney to the hotline along with a part-time attorney. Lynne and Deb also handle calls bringing the hotline staff to about two full time equivalents. The Tennessee Elder Law Hotline has no plans to incorporate law students into its operation since no law schools are located in Chattanooga.

### ***System Workflow***

The Tennessee Elder Law Hotline accepts calls from 9-12 and 1-4. During the lunch and evening hours a message informs the caller of the day-time hours. The hotline attorneys answer the phones. There are usually two attorneys on duty per-shift. If a third call comes in while the attorneys are speaking

on the phone, Lynne or Deb often picks up the call and takes client information. Otherwise, the client may leave a detailed message on voicemail. Lynn checks the voicemail twice per day and distributes the message slips to the Hotline attorneys.

The Hotline routinely receives between 10-20 calls per day. After publicity efforts, calls have spiked for a period to over 20 per day. Most of the calls are answered 'hot'; the remainder are returned the same day or the next morning. During spikes in call volume, Lynne and Deb increase their participation in call handling. If the call volume becomes too heavy to be handled in this way, the Hotline may need to manage volume by cutting back call hours or closing intake temporarily. So far, this has not been necessary. The hotline was able to manage a particularly heavy demand period by temporarily assigning a staff attorney to hotline duties.

Upon picking up a call, the attorneys take down demographic information which they input into the database as they go. About three-fourths of the cases are closed with advice, information, or a referral. The Hotline also performs brief services such as making phone calls to agencies on the client's behalf or reviewing documents.



**House,  
Director of**

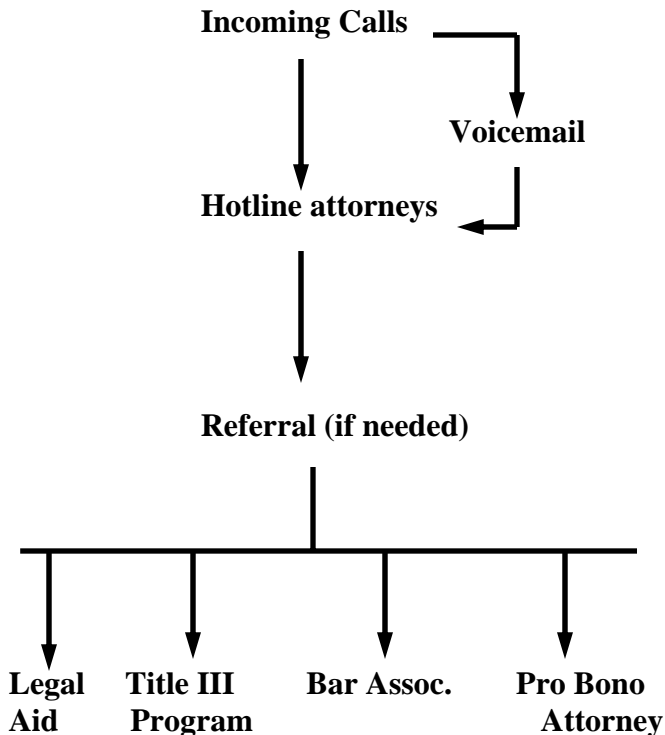
**Deb  
Deputy**

**Southeast Tennessee Legal Services  
and Co-Project Director of  
the Tennessee Elder Law Hotline.**

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**Tennessee Elder Law Hotline  
Work Flow Chart**



**Volunteers**

A past president of the Tennessee Bar Association simply called Southeast Tennessee Legal Services and asked to help. She participated by trying to recruit retired attorneys in the Chattanooga area to handle calls for the Elder Law Hotline. As a result of her efforts, the hotline learned that the area has virtually no pool of retired attorneys from which volunteers could be drawn.

Another volunteer worked at the hotline in its efforts to track client satisfaction. A summer intern called hotline clients to inquire about their satisfaction with the services. The clients reported a high level of satisfaction.

**Equipment  
Phones**

The Hotline has its own phone system -- a Panasonic XDP, with intercom and voicemail. The Hotline works without an automated call distribution system. The Hotline phones, although a separate system, are linked to the other office phones. The Hotline has two 800 lines and one local line, any of which can roll over onto any line that is available. The phone system allows the Hotline to 'flash' a call to another office or agency so that a client can be connected to the appropriate referral office on the spot. The 'flashed' call does not tie up one of the hotline's lines but does get charged to its phone bill.

**Software**

The entire Southeast Tennessee Legal Services office uses Kemp's Clients for Windows software. It was originally acquired by the program in 1996 and the hotline simply incorporated its operation into the software already in use. Deb likes everything about the software, particularly the time-keeping function.

**Training and Quality-control**

At the inception of the Hotline, new attorneys received a week-long training dealing with substantive issues, Hotline procedures, and use of phones and computers. The substantive training was presented by specialists in the various areas of law. New attorneys start off watching Lynne or Deb handle calls. Lynne will sit in with new attorneys as they handle their first few calls. The case notes are printed daily for Lynne's review.

**Materials**

The pre-start-up production of desk reference materials did not go as smoothly as planned. The Hotline assigned private attorneys to write specific chapters for a proposed Desk Reference Manual and Frequently Asked Questions Manual. Unfortunately, many of the chapters were never written. These ref-

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erences are still being put together. So far, chapters on Wills and Estates, SSA and SSI, Housing, and Long Term Care have been written. In the interim, the hotline has been using a treatise on Elder Law as a desk reference.

The hotline attorneys have the Tennessee Statutes, about 50 self-help brochures to mail out, as well as federal, Tennessee, and AARP materials on CD ROM. The hotline attorneys also have available the Southeast Tennessee Legal Services law library. The county law library is only two blocks away. The Hotline is also trying to develop an Elder Law collection.

### **Referrals**

Deb has developed protocols for referrals to specific organizations. Deb participates in statewide meetings with the legal services providers to plan referral and follow-up procedures. There are eight legal aid offices in Tennessee which concentrate on housing, public benefits, and life necessity issues and accept referrals from the hotline in those areas. Some of these offices have designated a contact person for referrals from the Hotline. As part of the referral protocol, the Hotline faxes a referral letter and the program sends back a confirming letter.

The Tennessee Commission on Aging dictates the priorities for the Title IIIB providers in Tennessee. To accomplish a Title III referral, a Hotline attorney calls the Title III program with the client information and the program gets in touch with the client. If the Title III or legal aid office declines to accept the case, it is not counted as a referral for the hotline's reporting data. The case stays open at the Hotline until the disposition of the referral is known.

The Hotline also refers clients to social service programs and Area Agencies on Aging. These are made by 'flashing' the client's call or the client may take the number and make the call themselves. Clients needing a private attorney may be referred to the county bar associations or to the Tennessee Bar.

The Hotline also works with the STLS *Pro Bono* Coordinator to make referrals to private attorneys. Developing a low-fee referral attorney panel is a goal

for year two of the Project.

### **Outreach Activities**

The Tennessee Hotline has been especially innovative in developing methods to reach the vast rural population of that state. In a particularly endearing collaboration, Southeast Tennessee Legal Services held a contest for Tennessee school children to create a poster advertising the Tennessee Elder Law Hotline. The Hotline made 2000 prints of the colorful winning creation and had them posted in social services offices, libraries, court houses, nursing homes and hospitals. They were distributed to many of the addressees on the Tennessee Commission on Aging mailing list.

Press releases were made available to 32 local and statewide newspapers as well as TV and radio stations. Lynn and Deb spoke on local talk shows to introduce the Hotline.

The Hotline also received the cooperation of the Tennessee phone company to spread the news of the hotline's start-up. The phone company agreed to insert a one-time notice announcing the Tennessee Elder Law Hotline in its July, 1999 phone bill. With this simple but unique contribution, the Hotline was able to ensure that its phone number reached every home with a phone in the state.

### **Challenges and Recommendations**

Deb notes several issues which presented challenges to the smooth operation of the Hotline. More lead-in time would have allowed the Hotline to complete its desk reference materials in time for the new attorney training sessions. The STLS offices, though lovely, have no space left for additional staff.

Deb also learned that assigning staff attorneys who also have full-service duties to the hotline was not efficient as the hotline's schedule had to be adapted to their court appearances and other tasks.

Deb's advice to hotline developers is to make sure to build sufficient lead-in time into the start-up plan to avoid some of these obstacles.

***Best Practice Tips***  
***By Carol Matthews\****

**FAST FACTS FOR FAST LAWYERS**

Hotline attorneys in our office make very little use of the law library. The pace and pressure of telephone lawyering preclude much in-depth research. Sometimes just the walk down the hall to the library takes more time than is available. Having become a lawyer in the old days when answers were to be found in fat books, loose leaf services, and multiple volumes of Shepherds, I rather miss the quiet of the library and the feel of heavy case reporters and thin paper. For the most part, hotline attorneys, including myself, rely on resources that are immediately to hand. Literally. Or at least within the range of my telephone cord. I want to be able to reach what I need without leaving the phone or disrupting the caller. The walls around my desk illustrate this point. One wall has charts of eligibility criteria for various programs, another has the intestate distribution chain for D.C. plus the telephones numbers of the probate offices. On one side there are lists of referral sites while the wall opposite has indispensable telephone numbers. Practically every inch is taken up with useful information of some sort: fax numbers, schedules, notes, addresses, advisories, etc. Stuff that won't fit on the wall is piled on my desk, or shelved within the radius of my telephone umbilical cord. My rolodex is worth its weight in paper clips but like other valuable items not nailed down it has a tendency to go walkabout.

Some of the more useful legal resources are locally produced manuals and handbooks on topics pertinent to our practice. Such resources reflect the state of the law as it is right here in our jurisdiction and frequently contain helpful practice tips.

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

For example, a local law school puts out an easy-to-

-use manual on landlord tenant law containing basic information suitable for a layman, and for a more detailed analysis we have a 554 page L&T manual for lawyers prepared by a local Neighborhood Legal Services provider. We also have on hand booklets and other publications prepared by the courts on such topics as probate, divorce, guardianships and the like. Another source of useful materials is CLE courses. They nearly always have useful handouts, references, and suggestions. Some materials we produce ourselves in the form of short memos, referral sources, frequently asked questions, etc. Obviously, the advantage of locally generated materials is that they do, or should, contain the unwritten law as well as the official law. I only wish we had more of this. For instance, it would be wonderful to have a realistic guide to dealing with the Department of Motor Vehicles. I suspect most of us know less about the DMV than the average scofflaw. Or how about a manual telling us how to get some action from the Veterans Administration, or collect workers comp payments from the District government.

Since not all laws are local, neither are all useful resources. The Federal Trade Commission is a wonderful source of information on many consumer issues. They will provide pamphlets that can be passed on to clients with various problems from nagging creditors to funeral planning. The Social Security Administration and HCFA put out lots of useful information on their programs. Other organizations may also provide materials that the Hotline will find helpful. AARP has many such publications (well naturally I would say so but we really do.) Ditto the area office on aging, and all the organizations dealing with poverty issues. Hotlines that focus on specific legal areas will have their own list of resources. Whatever the source the important point is that the information must be up-to-date and easily available.

One resource we find very helpful is a forms file. This is just a file full of forms commonly encountered by our clients. It contains such things as a small claims court complaint, various probate forms, applications for assorted benefits, tax forms, and so on. Many of our clients have poor reading skills and it is much easier to counsel

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someone when you are both looking at the same thing.

The very best resource of all for every hotline attorney I know is their fellow hotline attorneys. Staff attorneys can also be valuable, of course, but the good thing about other hotline attorneys is that they always know just what you mean and usually what to do and say. The average hotline lawyer quickly acquires a great deal of miscellaneous, often correct, information in addition to the basics. If we didn't, the hotline would be much less efficient since we don't have the luxury of leisurely thinking and hours of research. On the other hand, the fast pace guarantees there is seldom a dull moment.

Even someone as addicted to reading things written on paper as I am can see that the future of information gathering and storage is going to be done on the Internet. I have been told that nearly everything there is to know, and much else besides, can be discovered *on-line*. In our office we have had Internet access for the last few years and most of us even know what icon to click on. What few of us know is how to use it in the course of our hotline duties. To judge by the lack of response to the recent LHQ question concerning Internet usage few other programs are tapping this resource either. Surely this will change, and probably soon. Hotlines are accustomed to believing they are the wave of the future, so inevitably we will soon be part of the Internet information wave that has already arrived. In fact I have already started a collection of useful web site addresses. I store them in a shoe box under my desk.



## ***Web sites of Interest***

### **www.healthlaw.org**

#### National Health Law Program

A new publication from the National Health Law Program is available free at the site. It contains a wealth of internet resources for health law advocates.

### **www.abi.org**

#### American Bankruptcy Institute

This web site provides bankruptcy information for consumers and lawyers.

### **www.bbb.org**

#### Better Business Bureau

If a client calls with a complaint about a specific business, you can check the complaint record for that business or file a complaint on-line.

### **www.nsclsc.org**

#### National Senior Citizens Law Center

Contains the latest information on topics of particular interest to seniors such as Social Security and Medicare.

### **www.irs.ustreas.gov**

#### Internal Revenue Service

This site answers basic tax filing and other questions.

## **Best Practice Tips\***

*Notes by the Editor*

The Tip solicited for the Fall quarter was:

**"What legal resources do your Hotline attorneys (paralegals) find most useful? Do you use the Internet to access legal resources? How much of a difference does the Internet make in your day-to-day operations?"**

This request generated fewer responses than any of the others we broadcast this year. From those that came in, plus visits to numerous hotlines and speaking with managers, it appears that the Internet has not yet made a big difference in the work that the Hotline attorneys do. While most programs do have Internet access, the Hotline attorneys are, in most cases, able to handle the consultation by referring to desk reference materials and only conduct Internet researches in a limited number of cases. If this doesn't accurately describe your program, we would like to hear from you.

On the other hand, most hotlines whose operations are known to the Technical Assistance Project have a wide variety of hard copy desk reference materials at the Hotline attorneys' fingertips. These include state statutes, subject area handbooks, CFR's, self-help brochures, and referral agencies that the attorneys can check when speaking with the client.

In my experience as a Hotline attorney, the most useful tool was the Frequently Asked Questions Manual. That was always the first place I looked for the answer, and most of the time the information needed to fully advise the client was contained there. A program which has such a resource in place before start-up will save many hours of attorney research time. Once the program is up and running, it becomes more difficult to create the manual, as staff become occupied with handling calls. However, it is fairly easy to add the answers to new questions likely to recur as attorneys research them for a particular client.

A major contribution to making sure hotlines have this tool is being provided by the AARP Legal Services Network. That program is committed to developing Frequently Asked Questions manuals and a library of self-help brochures for each of the 50 states. Although these materials are copyrighted, AARP is

allowing their use by nonprofits. Those hotlines that wish to use the LSN FAQs to provide telephone advice, are welcome to do so. If you want to modify, reproduce or distribute any information from those FAQs that is also permissible, so long you attribute AARP on the material and do not charge any fees for them.

The FAQs have both an attorney and client version. Ten states' FAQs and self-help brochures are already posted for download at the Legal Hotline Technical Assistance Library at [www.povertylaw.org](http://www.povertylaw.org). These are: Arizona, California, Connecticut, Florida, Massachusetts, New Jersey, Ohio, Pennsylvania, Texas, and Wisconsin. Check the substantive law link at the library and then look for your state.

A number of additional states' materials are also available but not yet posted at the National Center for Poverty Law web site. Those states are: Michigan, Illinois, New York, Hawaii, Louisiana, Missouri, Maryland, and Minnesota. They will be posted at [povertylaw.org](http://povertylaw.org) as soon as possible. In the meantime, please contact the Technical Assistance Project to inquire about receiving them.

### **Save the Date**

**The 2000 ABA/NLADA Equal Justice Conference  
Will take place April 5th-7th  
In Houston.**

**Lots of legal hotlines workshops  
are being planned .**



**We look**

**forward to**