



LEGAL HOTLINE FOR TEXANS

Operations Manual

November 1, 2006

**© Copyright 2006, Texas Legal Services Center
All rights reserved.**

| | |
|-------------|---|
| | LEGAL HOTLINE FOR TEXANS OPERATIONS MANUAL |
| Page | |
| i | Table of Contents |
| | |
| 1 | CHAPTER 1. IN GENERAL |
| | |
| 1 | (I) Overview of Hotline Programs |
| 2 | (II) Reporting |
| 2 | (a) Reporting Requirements |
| 2 | (1) LSC CSR Handbook (2001) & National Index Codes |
| 2 | (A) LSC CSR Handbook – Core of LHT Reporting |
| 2 | (B) National Index Codes – Supplement LSC CSR Handbook |
| 2 | (2) Additional TEAJF SAR Requirements |
| 2 | (3) Other Reporting Requirements |
| 2 | (A) HICAP |
| 2 | (B) CVCLS (03/01/02 – present) |
| 2 | (i) Checklist - OAG & S.Ct. Interagency Agreement |
| 3 | (ii) TEAJF Quarterly Reports |
| 3 | (iii) OAG 17 Classes of Violent Crime |
| 3 | (C) Pension Counseling, AoA (10/1/04 – present) |
| 3 | (D) OVAG, OAG (9/1/05 – present) |
| 3 | (E) Disaster (Hurricanes Katrina & Rita) |
| 3 | (F) TLSC Lawyer Referral Service |
| 4 | (b) Technical Support for Legal Hotlines Project, Supported by the U.S. Administration on Aging and AARP Foundation, Senior Legal Hotlines Annual Report |
| 4 | (c) LSC CSR Handbook/TEAJF close code definitions of legal services are independent of the definition of the practice of law in Texas under Texas Government Code Section 81.101, 81.1011, etc. |
| 4 | (d) KCW Prime CSR software is friendly to LSC CSR Handbook/TEAJF SAR Reporting Requirements |
| 4 | (e) Reporting System History |
| 4 | (1) Reporting System: AARP LCE senior hotline from 05/01/89 to 12/31/200X; & TEAJF SAR from 01/01/200X+1 to present |
| 4 | (2) Conversion Tables |
| 5 | (III) Computer |
| 5 | (a) Microsoft Office |
| 5 | (b) KCW Prime CSR Software (PICAPS switching from PAID) |
| 5 | (c) CSR Software History: PICK from 05/01/89 to 08/18/06; & KCW Prime from 08/19/06 to present (PAID 10/1/04 – present) |

| | |
|----|---|
| 6 | (IV) esi Telephone System |
| 6 | (a) User Manuals |
| 6 | (b) Electronic Call Log |
| 6 | (c) Headsets |
| 6 | (d) Outgoing Long Distance Call |
| 6 | (e) Conference Calls |
| 6 | (f) List of TLSC & LHT Telephone Extensions |
| 7 | (V) Texas & ABA Ethics Rules & Standards |
| 7 | (a) Texas Disciplinary Rules of Professional Conduct |
| 7 | (b) 2001 ABA Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information |
| 7 | (1) ABA Standards, Rule 6.5 |
| 7 | (2) Legal Hotline Evaluation Checklist |
| 7 | (c) ABA Model Rules of Professional Conduct (2006 Edition) |
| 8 | (d) ABA: Legal Information vs. Legal Advice |
| 9 | (VI) AARP Senior Legal Hotline Manuals |
| 9 | (a) Legal Hotlines: A How To Manual, (2nd Edition) |
| 9 | (b) The Legal Hotline Attorney's Manual |
| 9 | (c) Other |
| 9 | (VII) Operations Manuals for Other LHT Programs |
| 9 | (VIII) TLSC Personnel Manual and Operations and Procedures Manual |
| | |
| | |
| 10 | CHAPTER 2. GENERAL HOTLINE INTAKE |
| | |
| 10 | (I) Telephone Numbers |
| 10 | (II) Hours of Service |
| 11 | (III) Incoming Calls from Clients to LHT & Call Back Screens |
| 11 | (a) Client Walk-In Intakes |
| 11 | (b) Internet Intakes |
| 11 | (c) Unanswerable Calls Documented on the esi Telephone System Electronic Call Log but not Documented on Prime Call Back Screens |
| 12 | (d) Answering & Documenting Incoming Calls |
| 12 | (1) Answering Directly |
| 12 | (2) Telephone System Greeting and Decision Tree |
| 12 | (3) Voice Mail |
| 12 | (4) Stray Voice Mails |
| 12 | (5) Incoming Calls that are not Documented on Prime Call Back Screens |
| 12 | (6) Incoming Calls that are Documented on Prime Call Back Screens |
| 13 | (A) Answered Directly |
| 13 | (B) Voice Mail Call Backs from LHT to Clients |
| 13 | (i) LHT Not Able to Call Back |
| 13 | (ii) Unsuccessful Call Backs, Call Closed on Call Back Screens |
| 14 | (iii) Successful Call Backs, Call Closed on Call Back Screens |

| | |
|----|--|
| 14 | (iv) Successful Call Backs, Call Continues to Eligibility Screens |
| 14 | (IV) Routing of Incoming Calls |
| 15 | (V) Determining Who the Client Is |
| 15 | (a) Third Party Caller vs. Applicant or Client |
| 15 | (b) Call Back & Eligibility Screens or Intake Screens |
| 16 | (VI) Third Party Callers |
| 16 | (a) Unauthorized Third Party Callers |
| 16 | (b) Authorized Third Party Callers |
| 16 | (c) More than One Third Party Caller |
| 16 | (1) In General |
| 16 | (2) Call Back Screens |
| 17 | (VII) Conflicts of Interest |
| 17 | (a) Adverse Eligible Clients Served on First-Come Basis |
| 17 | (1) When Second Party is Vulnerable |
| 17 | (2) When Caller Adverse to Victims of Violent Crime |
| 17 | (b) Probe for Conflicts at Beginning of Phone Conversation |
| 17 | (c) Documentation of 3rd Party Call on Call Back Screens |
| 18 | (d) Conflicts Checks in Prime |
| 18 | (e) If Conflict Check Determines that a Conflict Exists |
| 18 | (1) Do not Elaborate on Conflict or Receive Substantive Information |
| 18 | (2) Call Back Screen “Add to Conflicts” Button; Eligibility Screen Rejection Codes; New Case not Opened |
| 19 | (VIII) Eligibility Screens |
| 19 | (a) Ineligible Applicants Rejected |
| 19 | (b) Referrals for Ineligible Callers |
| 19 | (1) Legal Services and Other Advocacy in Texas, A Referral Guide for Low Income Texans (published by Texas Lawyers Care) |
| 19 | (2) TexasLawHelp Online Resource for Free and Low-Cost Civil Legal Assistance in Texas |
| 19 | (3) Government Agencies |
| 20 | (c) Family Violence & Sexual Assault CVCLS Clients |
| 20 | (d) Eligible Callers not Rejected |
| 20 | (IX) Client Intake Screens 1 & 2 |
| | |
| | |
| 21 | CHAPTER 3. GENERAL HOTLINE CASE HANDLING |
| | |
| 21 | (I) Third Party Callers |
| 21 | (a) Unauthorized Third Party Callers |
| 21 | (b) Authorized Third Party Callers |
| 21 | (c) More than One Third Party Caller |
| 22 | (d) Guardianship Issues |
| 22 | (e) Social Workers |

| | |
|----|--|
| 22 | (f) Problems in Client Communication |
| 22 | (g) Services Provided through Third Parties, Third Party Call Letter |
| 23 | (h) Call Back & Eligibility Screens or Intake Screens |
| 23 | (1) 3rd Party Caller vs. Applicant or Client |
| 23 | (2) One Set of Call Back Screens for Each Case |
| 24 | (II) Advising Clients on Self-Help |
| 24 | (a) Generally |
| 24 | (b) Self-Preparation of Wills, Persons of Extreme Age |
| 25 | (III) Brief Services |
| 25 | (a) Calls to Third Parties |
| 25 | (1) Requirements for Calls to Third Parties to be Made |
| 25 | (A) the general hotline client is low-income (125% FPIL); |
| 25 | (B) the problem is not a personal injury settlement case; |
| 25 | (C) it appears that a call from the Hotline attorney would not be ineffectual; |
| 25 | (D) it appears that the client could not handle the call without difficulty; and |
| 25 | (E) the call is for the purpose of resolving a matter or obtaining useful information. |
| 26 | (2) Factors to be Considered |
| 26 | (A) the complexity of the matter; |
| 26 | (B) the amount of money involved (if any); |
| 26 | (C) the availability of legal services to the client in relation to the amount of money (if any) at issue; |
| 26 | (D) the cost of obtaining legal services elsewhere in relation to the income and resources of the client; |
| 26 | (E) the practicality of obtaining legal services elsewhere in relation to the nature of the case and the income and resources of the client; and |
| 26 | (F) the ability of the client to effectively pursue the matter independently. |
| 26 | (3) Personal Injury Cases |
| 26 | (A) we are not funded to negotiate or settle personal injury cases; |
| 27 | (B) we are not in a position to represent clients with such cases on an on-going basis; |
| 27 | (C) everything that is said or done on behalf of a client (or by a client) may later bind or limit the client, even though the rules of evidence provide some protection against the in-court use of statements made to settle a matter; and |
| 27 | (D) we have excellent referral attorneys who handle personal injury cases. |
| 27 | (b) Letters to Third Parties |
| 27 | (c) Document Review |
| 27 | (1) Generally |
| 27 | (2) Advance Directives |
| 29 | (3) Durable Power of Attorney |
| 29 | (d) Document Preparation |
| 29 | (1) In General |
| 29 | (2) Court Pleadings |
| 29 | (3) Routinely Prepared Documents |
| 29 | (A) Designation of Guardian In Advance of Later Need; |

| | |
|----|---|
| 30 | (B) Qualified Income Trusts (QIT); |
| 30 | (C) Consumer Complaints to the Consumer Protection Division of the Texas Attorney General (when the client needs help with this); and |
| 30 | (D) Motions for Appointment of Counsel in Texas County and District Courts. |
| 31 | (IV) Legal Referrals |
| 31 | (a) Women’s Advocacy Project |
| 31 | (b) Volunteer Legal Services of Central Texas (VLS) |
| 32 | (1) Eligible Clients |
| 32 | (2) VLS Case Types |
| 32 | (3) Excluded VLS Case Types |
| 32 | (4) VLS Contact Information |
| 33 | (5) Documentation in Prime |
| 33 | (6) Fax Case to VLS |
| 33 | (c) Referral to Present Attorney |
| 34 | (d) Deciding Whether to Handle a Case In-House or Refer |
| 34 | (e) Texas Legal Services Center Lawyer Referral Service |
| 35 | (V) Follow-Up, Abuse or Exploitation Cases |
| 36 | (VI) Client Intake Screen 3 & Case Notes |
| 36 | (a) Unsuccessful Call Backs from Staff Attorneys, Client Intake Screens 1 & 2 Complete |
| 36 | (b) Cases where Client’s Problem has been Resolved |
| 36 | (c) Factual Development, Advice & Consultation; Case Notes |
| 36 | (1) Factual Development, Advice & Consultation |
| 36 | (A) Consult with the office attorney or another hotline attorney while the caller is still on the line. |
| 36 | (B) Consult the necessary resource material while the caller is on the telephone (if this can be done quickly). |
| 37 | (C) Tell the client you will call them back after research. |
| 37 | (2) Case Notes |
| 37 | (A) Summary of the Pertinent Facts |
| 37 | (B) Conflicts Data |
| 37 | (C) Summary of the Information or Advice Given |
| 37 | (D) Legal Research Results |
| 37 | (E) Legal Referrals |
| 38 | (F) Brief Services |
| 38 | (G) Client Correspondence |
| 38 | (d) Coding |
| 38 | (1) Avoid General and “Catch-All” Codes |
| 38 | (2) Main Benefit Codes, Client Intake Page 3 |
| 39 | (e) One Call, more than One Case |
| 39 | (f) Open Cases, Follow Up |
| 39 | (g) Closed Cases |
| 39 | (h) Reopening Cases |
| 39 | (1) document the call from the client in the Call Back screens; |
| 39 | (2) change the Advocate code to the new attorney on Client Intake Page 2, |

| | |
|----|--|
| | uncheck the Reviewed box on Client Intake Page 3; and |
| 39 | (3) clear the Reason Closed, Date Closed, and Outcome fields on Client Intake Page 3. |
| 40 | (VII) Hard Copy Files |
| 40 | (a) LHOT Client Correspondence File |
| 40 | (b) HICAP Client Correspondence File |
| 40 | (c) Advance Directives File |
| 40 | (d) Guardianship Declaration File |
| 40 | (e) Qualified Income Trust File |
| 40 | (f) Motion for Appointment of Counsel File |
| 41 | (VIII) QUALITY CONTROL |
| 41 | (a) Poverty Law Conference, MCLE, Staff Meetings |
| 41 | (b) Legal Research Resources |
| 41 | (c) Live Monitoring of Telephone Calls |
| 42 | (d) Case Note Reviews |
| 42 | (e) Client Satisfaction Surveys |
| 42 | (f) Productivity and Quality Standards |
| 43 | (1) Productivity |
| 43 | (2) Quality of Work Product |
| 43 | (g) Complaint Procedures |
| 44 | (h) Policy Regarding Complaints About Panel Attorneys |
| 44 | (1) Discussion with the client of the client’s concern. |
| 44 | (2) Advice to the client on how to resolve the concern. |
| 44 | (3) Request that the client forward copies of pertinent documents for review. |
| 44 | (4) Contact with the referral attorney by telephone or in writing or in person. |
| 44 | (5) Request that the referral attorney forward copies of pertinent documents for review. |
| 44 | (6) Review of information from or at third party sources, including but not limited to court records. |
| 44 | (7) A resolution in writing of the matter, as a result of either the decision of the director of hotline programs or a “mediation” type agreement between the client and the referral attorney, which may result from client-referral attorney- director of hotline programs tripartite discussion, or which may result from caucus-type “mediation” by phone. |
| 44 | (8) Referral of the client to the State Bar of Texas Client Assistance program. |
| 44 | (9) Referral of the client to the State Bar of Texas grievance mechanism. |
| 44 | (10) Reporting by the Managing Attorney to the State Bar of Texas, pursuant to Rule 8.03 of the Texas Disciplinary Rules of Professional Conduct. |
| | |
| | |
| 45 | Appendix 1 – Prime Codes |
| | |
| 73 | Appendix 2 – Reporting System Conversion |

| | Tables |
|----|--|
| 73 | Appendix 3 – PICK to Prime CSR Software Conversion Tables |
| 73 | Appendix 4 - esi Telephone Decision Tree |
| 74 | Appendix 5 – LHT In-House MCLE |

CHAPTER 1. IN GENERAL

(I) Overview of Hotline Programs

The Legal Hotline for Texans (LHT) is a telephone legal hotline & helpline funded by the Texas Department of Aging & Disability Services, The Basic Civil Legal Services Program and the Crime Victims Civil Legal Services Program administered by the Texas Equal Access to Justice Foundation, The U.S. Administration on Aging, the Office of Attorney General of Texas, AARP, and others (see the TLSC Business Office Manager for copies of grants).

| Client Eligibility | P/N/S Codes | Svcs | Funding | | Office | | Telephone Number | Intake Worker | Office Attorney |
|---|-------------|------------|---------|---------------|--------|--------------------|------------------------------|-------------------------|---------------------------------|
| =/> 60 | list | list | 1 | BCLS/ DADS | 1 | General Hotline | 800-622-2520 512-477-3950 | GH intake specialist | LHT case review attorneys |
| < 60 & Medicare Eligible | list | list | 9 | DADS/ CMS | | | | | |
| AAA ombudsmen & benefits counselors | list | list | 2 | DADS | 2 | HICAP | 800-880-9797 512-477-3977 | HICAP attorney | HICAP attorney |
| pension counseling (PICAPS)* | list | list | 3 | AoA | 3 | Pension | 888-343-4414 | pension investigator | pension attorney |
| Facility Victim Program (FVP)** | list | list | 4 | OVAG | 4 | OVAG | 800-622-2520 512-477-3950 | FVP paralegal | FVP attorney |
| crime victims: =/> 60 or disabled (CVCLS)*** | list | list | 5 | CVCLS | 5 | CVCLS | 800-622-2520 512-477-3950 | GH intake specialist | CVCLS attorney |
| Health Law <= 125% FPIL | list | list | 6 | BCLS | 6 | Health Law | 800-622-2520 512-477-3950 | program staff | health law attorney |
| Katrina or Rita victims or evacuees**** | list | list | 7 | AARP | 7 | Disaster | 800-622-2520 512-477-3950 | program staff | disaster attorney |
| TLSC LRS | | lgl ref | X | self | X | TLSC LRS | 800-622-2520 512-477-3950 | GH intake specialist | TBD |
| | | | | | 8 | Utility | | | |
| | | | | | 9 | Support | | | |
| | | | | | 10 | Consumer | | | |
| | | | 99 | | 99 | Other | | | |

* PICAPS - Pension Information, Counseling & Assistance Program of the Southwest serves pension & retirement plan employees, beneficiaries and participants, regardless of age or income, who: (1) reside in Texas, Oklahoma, New Mexico or Louisiana (disaster & referral); or (2) worked or benefit from an employee who worked in one of those states and reside elsewhere; or (3) reside elsewhere and whose plan sponsor, plan administrator, or plan trustees are within one of those states.

** FVP - Facility Victim Program serves facility residents or service recipients who are victims of violent crime, personal injury or abuse or neglect, and sometimes also exploitation or fraud, by the facility. Types: (1) nursing homes; (2) assisted living facilities; (3) intermediate care facilities for persons with mental retardation; (4) facilities that provide mental health services; (5) adult day care facilities; (6) home or community support services agencies; (7) adult foster care providers; (8) local mental health or mental retardation authorities; and (9) providers of home health, hospice or personal assistance, who serve only persons enrolled in a program funded by the State of Texas.

*** CVCLS - Crime Victims Civil Legal Services Program serves victims of violent crime and their family members and claimants, who are (1) indigent (187.5% FPIL); and (2) age 60 or older, or under age 60 and disabled. Callers under age 60 not living in a facility with sexual assault or domestic violence cases are served only if they are not able to access free legal services elsewhere.

**** Disaster Office funding sources and corresponding eligibility requirements are as follows: (1) AARP - no means test, =/> 50 years of age; (2) Texas Bar Foundation - no means test or age limit; (3) DADS - no means test, =/> 60 years of age; and (4) Power of Hope Foundation - <= 125% FPIL, no age limit.

“P/N/S” means problem, national index, or special problem codes handled by Office/Program.

“Svcs” means legal services provided by Office/Program.

(II) Reporting

See the TLSC Business Office Manager for copies of reports.

(a) Reporting Requirements

See TEAJF – Grants <http://www.teajf.org/grants/index.html> for TEAJF SAR, BCLS, CVCLS, & IOLTA report forms.

(1) LSC CSR Handbook (2001) & National Index Codes

(A) LSC CSR Handbook – Core of LHT Reporting
<http://www.lsc.gov/foia2/pdfs/epr/CSRHbk01.pdf>

(B) National Index Codes – Supplement LSC CSR Handbook

See Appendix 1 – Prime Codes.

(2) Additional TEAJF SAR Requirements

(3) Other Reporting Requirements

(A) HICAP

HICAP cases are not subject to LSC CSR/TEAJF SAR reporting requirements.

(B) CVCLS (03/01/02 – present)

The CVCLS Program at LHT began on March 1, 2002.

(i) Checklist - OAG & S.Ct. Interagency Agreement

An Interagency Agreement between the Supreme Court of Texas and the Office of Attorney General of Texas contains a Checklist that must be filled out for each CVCLS case.

(II) Reporting (Continued)

(ii) TEAJF Quarterly Reports

(iii) OAG 17 Classes of Violent Crime

The Texas OAG publishes an Annual Report on Texas Crime Victims' Compensation. For the purpose of Applications for Crime Victims Compensation, the Report classifies violent crime into 17 different classes, which are tracked by the LHT CVCLS Prime special program:

| CVC Applications by Type of Crime | |
|--|-------------------------------|
| Assault/Aggravated Assault | |
| Sexual Abuse Of A Child | |
| Sexual Assault/Aggravated Sexual Assault | |
| Robbery/Aggravated Robbery | |
| Driving While Intoxicated | |
| Homicide | |
| Failure To Stop And Render Aid | |
| Other: | Physical Abuse Of A Child |
| | Stalking |
| | Vehicular Manslaughter |
| | Unknown Crime |
| | Vehicular Assault |
| | Kidnapping |
| | Criminally Negligent Homicide |
| | Physical Abuse Of Elderly |
| | Arson |
| | Miscellaneous Other |

Source: OAG Crime Victims' Compensation 2005 Annual Report
http://www.oag.state.tx.us/AG_Publications/pdfs/2005cvc_annual.pdf

(C) Pension Counseling, AoA (10/1/04 – present)

See PICAPS Operations Manual for AoA Pension Counseling Reporting Requirements.

(D) OVAG, OAG (9/1/05 – present)

TX OAG OVAG grants require additional reporting including the current FY Performance Report <http://www.oag.state.tx.us/victims/funding.shtml>. See FVP Operations Manual.

(E) Disaster (Hurricanes Katrina & Rita)

See the various disaster grants for reporting requirements.

(F) TLSC Lawyer Referral Service

See the Lawyer Referral Service Operations Manual.

(II) Reporting (Continued)

(b) Technical Support for Legal Hotlines Project, Supported by the U.S. Administration on Aging and AARP Foundation, Senior Legal Hotlines Annual Report
<http://www.legalhotlines.org/standards/index.cfm#productivity>

LHT reports to the Technical Support for Legal Hotlines Project even though not required by its funding sources.

(c) LSC CSR Handbook/TEAJF close code definitions of legal services are independent of the definition of the practice of law in Texas under Texas Government Code Section 81.101, 81.1011, etc.

(d) KCW Prime CSR software is friendly to LSC CSR Handbook/TEAJF SAR Reporting Requirements

(e) Reporting System History

(1) Reporting System: AARP LCE senior hotline from 05/01/89 to 12/31/200X; & TEAJF SAR from 01/01/200X+1 to present

LHT used the AARP LCE senior hotline reporting system from May 1, 1989 until TEAJF SAR reporting began effective January 1, 200X+1, at which time LHT's reporting system switched over to LSC CSR Handbook/TEAJF SAR.

(2) Conversion Tables

See Appendix 2 for the conversion tables of the AARP LCE reporting system to the LSC CSR Handbook/TEAJF SAR system and other reporting systems.

(III) Computer

LHT computer software is Microsoft Office & KCW Prime CSR software. User manuals are available electronically or in hard copy. Please check with the TLSC research attorney for manuals, details or questions about the computer system.

(a) Microsoft Office

(b) KCW Prime CSR Software (PICAPS switching from PAID)

(c) CSR Software History: PICK from 05/01/89 to 08/18/06; & KCW Prime from 08/19/06 to present (PAID 10/1/04 – present)

The original AARP LCE reporting friendly CSR software, PICK, as modified, was used from May 1, 1989 until August 18, 2006, after which all data entry has been in KCW Prime. See Appendix 3 for conversion tables of PICK screens & fields to Prime screens & fields.

(IV) esi Telephone System

esi <http://www.esi-estech.com/>

(a) User Manuals

User manuals are available electronically or in hard copy for the esi telephone system. Check with the TLSC research attorney for manuals, details or questions about the telephone system.

(b) Electronic Call Log

The esi telephone system includes a detailed electronic call log of all incoming calls from callers to TLSC/LHT & all outgoing calls from TLSC/LHT.

(c) Headsets

You may use the receiver or the headset as you prefer. If you need a headset please contact the TLSC Business Office Manager.

(d) Outgoing Long Distance Call

After dialing long distance phone numbers you will get instructions from the phone system as follows: "Please enter your account code followed by the pound key." The account code is the two-digit code that you received when you began working at LHT. Follow the instructions. The call should go through.

(e) Conference Calls

Conference calls can be very useful. For example, a conference call may be used to facilitate referral of the client to an attorney or other source of assistance, or bring a third party on the line to resolve a problem or to provide assistance to the client. If there are questions on how to make conference calls, ask the TLSC research attorney.

(f) List of TLSC & LHT Telephone Extensions

A list of TLSC & LHT telephone extensions is posted at each Hotline station and is available from the TLSC Business Office Manager.

(V) Texas & ABA Ethics Rules & Standards

(a) Texas Disciplinary Rules of Professional Conduct

LHT is subject to the Texas Disciplinary Rules of Professional Conduct (Texas Government Code, Title 2, Subtitle G, Appendix A, Article X).

(b) 2001 ABA Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information

<http://www.abanet.org/legalservices/downloads/delivery/hotlinestandards.pdf>.

In August of 2001 the American Bar Association adopted Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information, which delineate the minimum obligations and best practices for legal hotline services. These Standards have not been adopted in Texas but supplement this Operations Manual to the extent they are not in conflict with the Texas Disciplinary Rules of Professional Conduct or this Operations Manual.

(1) ABA Standards, Rule 6.5

ABA Rule 6.5 is a new rule recommended in the final report of the American Bar Association's Commission on Evaluation of the Rules of Professional Conduct (the "Ethics 2000 Commission"), as approved by the American Bar Association's House of Delegates in February 2002 (<http://www.legalhotlines.org/standards/rule65.doc>). The Rule was devised in response to the concern that a strict application of the conflict of interest rules may be deterring lawyers as volunteers in programs in which clients are provided short-term limited legal services under the auspices of a nonprofit organization or a court-annexed program. The paradigm is the legal-advice hotline or pro se clinic, the purpose of which is to provide short-term limited legal assistance to persons of limited means who otherwise would go unrepresented. Moreover, the relaxation of conflict rules-making the rules apply only if the lawyer knows of a conflict-in this unique circumstance where full conflict screening is not possible does not pose a significant risk to clients given the significantly limited nature of the legal advice provided in nonprofit short-term limited legal service programs.

(2) Legal Hotline Evaluation Checklist

Legal Hotline Evaluation Checklist Based on the ABA Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information

<http://www.legalhotlines.org/library/ABA%20Checklist.doc>

(c) ABA Model Rules of Professional Conduct (2006 Edition)

<http://www.abanet.org/cpr/mrpc/home.html>

(V) Texas & ABA Ethics Rules & Standards (Continued)

(d) ABA: Legal Information vs. Legal Advice

http://www.abanet.org/legalservices/findlegalhelp/faq_legalinfo.cfm#legalinfo

“Although the line between legal information and legal advice is blurry, there are important differences between the two. Anyone can sell or give you legal information. On the other hand, only a licensed lawyer can give you legal advice. Legal information is supposed to be general and not based on a specific set of facts. Legal advice is provided by a trained lawyer who uses his or her knowledge of the law to tell you how the law applies to your specific circumstances.

When you get legal advice from a lawyer, you also enter into an "attorney-client relationship" with the lawyer. This gives you certain legal protections. For example, the lawyer cannot tell someone else what you said without your permission. Your lawyer can't advise or represent someone whose position or interests will conflict with yours. You do not have these protections when you get legal information from someone.”

The Introduction to the 2001 ABA Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information states in pertinent part: “The hotline services addressed in these standards are those that have the *capacity* to provide fact specific legal advice that assists callers in reaching decisions about legal matters, taking steps to resolve those matters or making a decision not to take action. In such a situation, the hotline service is facilitating legal services and the hotline staff providing callers with advice are practicing law. The lawyers participating in these hotline services must then comply with the state-based rules of professional conduct. Difficulties sometimes arise when a caller seeks only general information that is not fact specific. While hotline personnel should provide that information, they must assume the attorney-client relationship exists and provide information while operating within the governing rules of professional conduct. Some hotline services advance a position that they only offer information, and not advice, and therefore are not subject to the application of the rules. If a service *only offers information under all circumstances* and does not offer advice based on the facts presented by individual callers, the service may be able to justify this position. But if the hotline service has the *capacity* to offer fact-specific advice to callers, even though in some circumstances the personnel only provide information, the personnel are practicing law and the rules of professional conduct apply to them. In this situation, the hotline personnel do not know when their services will be limited to general information or expanded to legal advice until the matter is concluded. Therefore, the hotline service has the responsibility to operate in ways that abide by the core values of the legal profession and the lawyers must comply with the state-based rules of professional conduct. Nevertheless, hotline services providing legal advice and information, and the lawyers who participate in them, have a right to define and limit the scope of the services they provide.”

(VI) AARP Senior Legal Hotline Manuals

The following AARP senior legal hotline manuals supplement this LHT Operations Manual to the extent they are not in conflict with the Texas Disciplinary Rules of Professional Conduct or this Operations Manual:

(a) Legal Hotlines: A How To Manual, (2nd Edition)

<http://www.legalhotlines.org/standards/index.cfm#procedural>

Description: Produced by the AARP Foundation Technical Support for Legal Hotlines Project. A detailed compendium addressing all aspects of setting up and operating a legal hotline. Information was gathered from hotline programs across the country. The manual contains references and appendices to a variety of studies, articles, and resources.

(b) The Legal Hotline Attorney's Manual

<http://www.legalhotlines.org/library/Attorney%20Manual%202-24-04.pdf>

Description: Written by an AARP LCE hotline attorney for other hotline attorneys. Help for new hotline attorneys on handling procedural and ethical issues they will face when handling calls.

(c) Other. AARP Legal Hotlines web page

<http://www.legalhotlines.org/standards/index.cfm> .

(VII) Operations Manuals for Other LHT Programs

Office attorneys for the other hotline programs, HICAP, CVCLS, Pension, FVP, Health Law & Disaster may develop Operations Manuals specific to their programs. Hotline programs with Prime special programs, including Pension, FVP & CVCLS, should develop written procedures for navigating their Prime special programs. These Operations Manuals for Other LHT Programs supplement this LHT Operations Manual.

(VIII) TLSC Personnel Manual and Operations and Procedures Manual

TLSC has established both an Operations and Procedures Manual and a Personnel Manual that generally apply to full-time staff. Copies of the TLSC Personnel Manual and Operations and Procedures Manual are available from the TLSC business office manager.

CHAPTER 2. GENERAL HOTLINE INTAKE

(I) Telephone Numbers

| Client Eligibility | Telephone Number | Intake Worker |
|--|------------------------------|----------------------|
| =/> 60 | 800-622-2520 | GH intake specialist |
| < 60 & Medicare eligible | 512-477-3950 | GH intake specialist |
| AAA ombudsmen & benefits counselors | 800-880-9797 512-477-3977 | HICAP attorney |
| pension counseling (PICAPS)* | 888-343-4414 | pension investigator |
| Facility Victim Program (FVP)** | 800-622-2520 512-477-3950 | FVP paralegal |
| crime victims: =/> 60 or disabled (CVCLS)*** | 800-622-2520 512-477-3950 | GH intake specialist |
| Health Law </= 125% FPIL | 800-622-2520 512-477-3950 | program staff |
| Katrina or Rita victims or evacuees**** | 800-622-2520 512-477-3950 | program staff |
| TLSC LRS | 800-622-2520 512-477-3950 | GH intake specialist |

(II) Hours of Service

The general hotline intake calls are answered 9:00 a.m. to 5:00 p.m., Monday through Friday, insofar as possible. Callers can leave voice mail messages at any time.

Attorneys are scheduled to handle General Hotline calls from 8:00 a.m. to 5:00 p.m. on weekdays. Attorneys may also make call backs until 8:00 p.m. on weekdays and during the day on weekends.

(III) Incoming Calls from Clients to LHT & Call Back Screens

Nearly all client cases come into LHT by telephone. Exceptions include: fax, USPS, walk-in, and others.

Substantive incoming calls are documented on Call Back screens.

Some calls are closed on the Call Back screens but for most calls the intake process on the call continues on to the Eligibility screens.

(a) Client Walk-In Intakes

Several times each year, historically, clients come to the office in person for services, usually because they do not understand that LHT is a hotline. LHT is not normally set up to assist clients in this manner but if an attorney is present to assist them then services should be provided face-to-face but as though the client were on the telephone. The case should be documented in Prime Call Back screens and otherwise as in other cases.

(b) Internet Intakes

At this time, LHT does not have a secure web site and does not handle legal matters over the internet. However, e-mail still is very useful for sending materials and accomplishing other business that does not involve transfer of confidential or privileged information. Also, if the client has the internet on a computer screen in front of them while the telephone conversation is ongoing they may be directed to material on the internet.

The client may be able to consent to waive rights in order to facilitate handling of legal matters with LHT over the internet.

Prime Notes screens may be copied and pasted into a document or the text of an e-mail and sent by e-mail and e-mail and electronic documents may be copied and pasted into Prime Notes screens.

(c) Unanswerable Calls Documented on the esi Telephone System Electronic Call Log but not Documented on Prime Call Back Screens

All incoming calls are documented by the esi telephone system electronic call log. Some calls are abandoned before there is a chance for LHT to answer them directly or by voice mail (for example, caller hangs up while on decision tree, etc.) or are otherwise not answerable. For these calls Call Back screens generally are not documented.

(III) Incoming Calls from Clients to LHT & Call Back Screens (Continued)

(d) Answering & Documenting Incoming Calls

Answerable incoming calls may be answered directly or by voice mail.

(1) Answering Directly

Answering directly is greatly preferred to voice mail.

General Hotline telephones are answered by intake staff: “Good morning (afternoon), Legal Hotline for Texans.”

(2) Telephone System Greeting and Decision Tree

If the general hotline incoming call is not answered when it initially comes in to LHT, that is, when it starts ringing at the general hotline intake specialist’s work station, it goes to the esi telephone system decision tree. (See Appendix 4 for the general hotline telephone system greeting and decision tree.)

(3) Voice Mail

General Hotline incoming calls that are not answered directly at the end of the decision tree go to voice mail where the caller may leave a message.

(4) Stray Voice Mails

The general hotline intake specialist monitors the unused voice mail boxes of LHT & TLSC for stray voice mail messages meant for the Hotline or TLSC.

(5) Incoming Calls that are not Documented on Prime Call Back Screens

Some answered incoming calls may be determined by the general hotline office attorneys to not be substantive calls from clients about legal services from the Hotline (for example, caller dials wrong number trying to call a shoe store). For these non-substantive calls Call Back screens generally are not documented.

(6) Incoming Calls that are Documented on Prime Call Back Screens

Logs and details of substantive incoming general hotline calls answered directly or by voice mail are documented in the Prime Call Back screens. These documented call logs should substantially mirror the telephone system electronic call logs for those incoming calls.

(III) Incoming Calls from Clients to LHT & Call Back Screens (Continued)

(A) Answered Directly

In most cases, if the general hotline intake specialist answers directly and speaks with the caller over the telephone and completes the Prime Call Back screens, then the intake process continues on to the Prime Eligibility screens.

(B) Voice Mail Call Backs from LHT to Clients

If the incoming call was by voice mail then the general hotline intake specialist must try to return the call insofar as reasonably possible.

(i) LHT Not Able to Call Back

In some cases the general hotline office attorneys may determine that it is not possible to return a given voice mail incoming call (for example, no telephone area code left on the voice mail message by a caller from a pay phone and no way to determine the area code). These calls generally should be documented in Call Back screens insofar as possible, including why LHT was not able to call back. Also, the box "Call Series Completed" box is checked by the general hotline office attorneys to show that the incoming call was closed on the Call Back screens.

(ii) Unsuccessful Call Backs, Call Closed on Call Back Screens

Unsuccessful attempts to contact the client are documented on Prime by the general hotline intake specialist, including the date and time of the unsuccessful call, the outcome of the call (left message on answering machine, no answer, repeatedly busy, left message with person named "X", etc.), and other data as necessary and appropriate.

If three unsuccessful attempts to return a voice mail incoming call are made by the general hotline intake specialist, then on or after the third call, the caller should be notified, insofar as possible, that LHT wants to help with the matter, that LHT has attempted to contact the caller three times unsuccessfully, and that if the caller still needs services from LHT then the caller should please call LHT back. The best form of notice reasonably available should be used (send letter USPS, telephone message, etc.). Also, Call Back screens are documented as follows: the initial call from the caller to LHT, the three calls from LHT to the caller, the notification from LHT to the caller, and any notes or other data collection as necessary and appropriate. Also, the box "Call Series Completed" is checked by the general hotline office attorneys to show that the call was closed on the Call Back screens.

If no contact has been made with the caller and the first and/or last name of the caller is not known, for example, a call back from a voice mail message where no name was left, use "Unknown" for documentation purposes in the Prime Call Back screens.

(III) Incoming Calls from Clients to LHT & Call Back Screens (Continued)

Addresses obtained over the internet by “Reverse Lookup” may not be relied upon solely for client communication and must be confirmed to be correct.

If the caller calls back after the notice, uncheck the “Call Series Completed” box and handle the call as other incoming calls; that is, attempt to contact the caller at least three more times.

(iii) Successful Call Backs, Call Closed on Call Back Screens

In some cases the general hotline intake specialist will make contact with the caller but the intake of the call will not continue beyond the Call Back screens to the Eligibility screens (for example, case resolved itself immediately after incoming voice mail message left). In these cases the initial call from the caller to LHT, the calls from LHT to the caller, and the reason for closing the case on the Call Back screens are documented in the Call Back screens, and the box “Call Series Completed” is checked by the general hotline office attorneys to show that the call was closed on the Call Back screens.

(iv) Successful Call Backs, Call Continues to Eligibility Screens

In most cases, if the general hotline intake specialist speaks with the caller over the telephone and completes the Prime Call Back screens, the intake process on the call continues on to the Prime Eligibility screens.

(IV) Routing of Incoming Calls

Callers are routed to the appropriate LHT office prior to intake insofar as possible.

Generally, if a client is eligible for services from both the general hotline and another LHT office, then the other office should handle the case.

The LHT office attorneys and TLSC offices should coordinate routing of cases.

(V) Determining Who the Client Is

Questions on determining who the client is are resolved by general hotline staff or office attorneys.

(a) Third Party Caller vs. Applicant or Client

Many times a caller is calling on behalf of somebody else and it must be determined whether the person on whose behalf the call is being made or the caller is the applicant for services or client. See (VI) Third Party Callers immediately below.

When the caller is clearly not eligible for hotline services, the person on whose behalf the call is being made must be the client and the hotline staff attorney will only advise in that person's best interest.

When both the caller and the person on whose behalf the call was made are eligible, it must be established whether the caller is the client. This is critical in cases where there are potential conflicting interests between the caller and the person on whose behalf the call is ostensibly made.

If the client is not the caller, the intake specialist or attorney should attempt to discover whether the client is capable of communicating directly with the Hotline. If so, then the staff attorney should advise that the client contact us directly in every case where the caller has a potential conflict of interest with the client. If this is not possible, the attorney must be mindful of the potential conflict as advice is given.

(b) Call Back & Eligibility Screens or Intake Screens

The applicant for services or would-be client is the "Caller" on the Call Back screens, not a third party caller on behalf of the applicant or client. Calls from third party callers should be logged and documented in the Call Back screens and as otherwise appropriate, and non-adverse third party callers should be documented as contacts of the applicant/client.

Above the "Notes about Call TO Client" row of fields is a notes field, which populates the Eligibility E-Notes screen. Comments on authorization of the caller to speak on behalf of the applicant or client, caller type, and general comments or memorandums about the caller should be entered in this notes field.

(VI) Third Party Callers

Questions on third party callers are resolved by general hotline staff or office attorneys. See Chapter 4. General Hotline Case Handling. (I) Third Party Callers, below for details.

(a) Unauthorized Third Party Callers

Many times, family members or friends who have no formal authorization to speak on behalf of a client will contact the Hotline and state that they are calling on behalf of the client. We prefer to speak directly with the client. The caller should be asked by the general hotline intake specialist if the client can speak with us directly. If the answer is yes, then the client should call us. If the caller seems to be honestly articulating a valid reason why the client cannot call, proceed with caution. When dealing with an unauthorized non-client caller, it is important whenever possible to at least obtain the client's consent.

Note comments related to the caller being unauthorized on the Call Back screen in the area above the "Notes about Call TO Client" row of fields.

(b) Authorized Third Party Callers

If a third party calls on behalf of an eligible client, the intake specialist should ask to speak at least briefly with the client, to verify that the caller has permission to speak on their behalf. In lieu of direct authority, ask the caller if they have a power of attorney, guardianship or other formal authorization.

If the caller has a power of attorney, is guardian or is otherwise authorized then intake may be taken through the authorized caller. If there is any doubt that the caller is authorized then verify the authorization (have them fax the power of attorney, etc.) Even if a caller is authorized, it is important to determine that the caller is not exceeding their authority.

(c) More than One Third Party Caller

(1) In General

In cases where more than one authorized family member contacts the Hotline on behalf of an incapacitated client, the general hotline attorney must insist that the family members decide among themselves who will be the one assigned to communicate with the Hotline. Talking to more than one family member or friend about a client's problem will lead to confusion, repetition, and possibly misunderstanding.

(2) Call Back Screens

There is only one set of Call Back screens for each case and the Caller is the Applicant for services and would-be Client. Use Call Back screens to track phone calls after the case is open.

(VII) Conflicts of Interest

(a) Adverse Eligible Clients Served on First-Come Basis

In most cases, when both adverse parties are eligible, clients are served on a first-come basis.

(1) When Second Party is Vulnerable

You should exercise special caution, however, when the second (potentially adverse) party is a vulnerable (older, disabled, facility resident, etc.) person whose interests are unrepresented, who does not have an existing LHT file, who is not likely to call the Hotline and who might be detrimentally affected by the advice you give to the caller (see Texas Disciplinary Rules of Professional Conduct, Texas Government Code, Title 2, Subtitle G, Appendix A, Article X, Section 1.06(b)). If you feel you cannot fully advise the caller on all legal alternatives, you should decline to serve the caller. In deciding whether or not to serve the caller, you should give consideration to whether the caller wishes to accommodate the interests of the other party involved. When the caller clearly is interested in protecting the interests of the vulnerable person, condition all information on the fact that we are considering the vulnerable third party and not the caller as our client.

(2) When Caller Adverse to Victims of Violent Crime

Another problem arises when a caller is charged with a violent crime, is the subject of a protective order, has been convicted of a violent crime, etc. If a caller is charged with a violent crime, tell the caller that LHT cannot provide services due to a conflict; do not receive substantive information after the conflict is discovered; advise the caller to remain silent and obtain an attorney; and if the caller cannot afford an attorney, advise them generally regarding right to appointed counsel in a criminal case. However, if a caller is otherwise eligible for LHT services and has a criminal defense matter where the underlying crime is not a violent crime then services may be provided as in other cases.

(b) Probe for Conflicts at Beginning of Phone Conversation

LHT has always probed for conflicts of interest under the Texas Disciplinary Rules of Professional Conduct (Texas Government Code, Title 2, Subtitle G, Appendix A, Article X) at or near the beginning of the initial telephone conversation between LHT and a caller.

(c) Documentation of 3rd Party Call on Call Back Screens

When someone calls about a problem involving an adverse party who may be eligible for Hotline services, the call should be documented in Prime Call Back screens.

(VII) Conflicts of Interest (Continued)

(d) Conflicts Checks in Prime

When someone calls about a problem involving an adverse party who may be eligible for Hotline services, you must always check LHT's records with the Prime Conflicts Check (2-way, 4-way, and 6-way as appropriate) to determine that the adverse party is not already a client of LHT. Conflicts may be checked in very easily in Prime, including from Call Back screens, Eligibility screens, and Client screens.

(e) If Conflict Check Determines that a Conflict Exists

(1) Do not Elaborate on Conflict or Receive Substantive Information

Do not elaborate on a conflict, at most, just state that it exists. Do not receive substantive information from the caller after a conflict is discovered.

(2) Call Back Screen "Add to Conflicts" Button; Eligibility Screen Rejection Codes; New Case not Opened

If the Hotline is already representing a party in a case and an adverse but otherwise eligible client calls, use the "Add to Conflicts" button on the Call Back screen to update conflict information, and reject the adverse party caller with the rejection code for conflicts on the Eligibility screen. Do not open a case on Client Intake screens.

Conflicts information may also be documented in the conflicts fields on the Prime Eligibility screen and Client Intake Page 1 screen and elsewhere in Prime.

(VIII) Eligibility Screens

Eligibility screens document whether the applicant is eligible for services. Eligibility screens generally are completed by the general hotline intake specialist speaking with the caller or applicant after Call Back screens have been completed.

Calls from ineligible applicants are rejected and closed on the Eligibility screens. For eligible callers, the intake process continues on to Client Intake Pages 1 & 2.

Eligibility screens are not completed for HICAP AAA cases or TLSC LRS callers.

(a) Ineligible Applicants Rejected

If an applicant is ineligible for services, financially, by conflict, or otherwise, a substantive reason rejected code is entered into the Rejected Reason field on the Eligibility screen.

The rejected applicant's date of birth is obtained by the intake specialist and recorded in the Eligibility screens under the E-Notes field as there is no DOB field on Call Back or Eligibility screens.

The "Call Series Completed" box on the Call Back screen is checked by the intake specialist and Client Intake screens 1 & 2 are not completed

Rejected cases are reviewed by the general hotline office attorney.

(b) Referrals for Ineligible Callers

If the caller is determined by intake staff not to be eligible for services from LHT, those callers should be referred, as appropriate, to the appropriate free legal services agency or agencies.

Referral resources include:

(1) Legal Services and Other Advocacy in Texas, A Referral Guide for Low Income Texans (published by Texas Lawyers Care)

(2) TexasLawHelp Online Resource for Free and Low-Cost Civil Legal Assistance in Texas <http://texaslawhelp.org/TX/index.cfm>

(3) Government Agencies

Intake staff also refers ineligible callers, as appropriate, to government agencies including Texas Department of Family & Protective Services, Texas Attorney General, Texas Department of Insurance, Texas Department of Aging and Disability Services, etc.

(VIII) Eligibility Screens (Continued)

(c) Family Violence & Sexual Assault CVCLS Clients

CVCLS clients under age 60 who are disabled, not residing in a facility as defined in Texas Health & Safety Code Section 250.001(3), with family violence cases or sexual assault cases are referred to the Women's Advocacy Project (WAP). If WAP is not able to handle the case, for example, there is a conflict, then LHT will handle it.

(d) Eligible Callers not Rejected

LHT does not reject eligible clients.

Once the general hotline intake specialist determines the caller is an eligible applicant and the Eligibility screens are completed, including the Optional fields in the box at the bottom of the Eligibility screen, the intake process continues on to Prime Client Intake screens 1 & 2.

(IX) Client Intake Screens 1 & 2

The general hotline intake specialist speaks with the client on the telephone and completes Client Intake screens 1 & 2. Case type must remain "H."

The general hotline office attorneys sort these cases by date, type, priority, etc. and assign them to staff attorneys for case handling. High priority includes emergencies and imminent deadlines such as health & safety, eviction, foreclosure, benefit termination, etc.

CHAPTER 3.

GENERAL HOTLINE CASE HANDLING

(I) Third Party Callers

(a) Unauthorized Third Party Callers

Many times, family members or friends who have no formal authorization to speak on behalf of a client will contact the Hotline and state that they are calling on behalf of the client. We prefer to speak directly with the client. The caller should be asked if the client can speak with us directly. If the answer is yes, then the client should call us. If the caller seems to be honestly articulating a valid reason why the client cannot call, proceed with caution. When dealing with an unauthorized non-client caller, it is important whenever possible to at least obtain the client's consent. When this is not practical, use a third-party-call letter to the client (see below).

(b) Authorized Third Party Callers

If a third party calls on behalf of an eligible client, the staff attorney should ask to speak at least briefly with the client, to verify that the caller has permission to speak on their behalf. In lieu of direct authority, ask the caller if they have a power of attorney, guardianship or other formal authorization. If there is no power of attorney, guardianship or other formal authorization and it is not possible to get the client's direct permission, the attorney should use his or her best judgment about whether it would be appropriate to provide information to the caller on behalf of the client, keeping in mind that occasionally the Hotline receives calls from persons purporting to be calling on behalf of an eligible client, but whose position is adverse to that of the client, or whom the client does not want to speak for them. Be especially cautious with relatives, calling without authority, who object to the Hotline contacting the client.

If the caller has a power of attorney, is guardian or is otherwise authorized then services may be provided through the authorized caller. If there is any doubt that the caller is authorized then verify the authorization (have them fax the power of attorney, etc.) Even if a caller is authorized, it is important to determine that the caller is not exceeding their authority.

(c) More than One Third Party Caller

In cases where more than one authorized family member contacts the Hotline on behalf of an incapacitated client, the attorney must insist that the family members decide among themselves who will be the one assigned to communicate with the Hotline. Talking to more than one family member or friend about a client's problem will lead to confusion, repetition, and possibly misunderstanding.

(I) Third Party Callers (Continued)

(d) Guardianship Issues

When the issue presented by a caller involves the filing of an application for guardianship, and both the prospective applicant and proposed ward are eligible for LHT services, you must be clear as to whose interests you are representing, those of the alleged incapacitated person or those of the prospective petitioner. An ineligible caller inquiring about guardianship of an eligible client may be given only the limited information that guardianship involves a court filing, that the assistance of an attorney should be sought, and that any guardian appointed will be supervised by the court and will have a fiduciary duty to act in the best interests of the ward. It is generally the position of LHT to keep clients out of guardianship and in the community to the maximum extent feasible. See the Texas Disciplinary Rules of Professional Conduct, Title 2, Subtitle G, Appendix A, Article X, on the matter of client under a disability.

(e) Social Workers

When a social worker calls on behalf of a client, you may give legal information and advice on the same basis as you would when a family member or friend of a client calls. Remember that the social worker is not the client. In instances where the social worker is employed by an institution such as a nursing home, assisted living facility or hospital, keep in mind that there is a potential conflict in the interests of the client and the facility. While the social worker will declare an advocacy role on behalf of the client, s/he is also an employee of the facility.

(f) Problems in Client Communication

When a caller appears to be incapable of either expressing his/her problem clearly or understanding your advice, you can try to get another party involved, with the client's consent. You may do this by either asking the client to have a family member or social worker call, or you may offer to call someone the client suggests. For those callers who have no family or social worker, you may offer to call the Area Agency on Aging on the client's behalf. See the DADS web site for Area Agency on Aging contact information.

(g) Services Provided through Third Parties, Third Party Call Letter

In any case where we have served a client through a third party, we consider whether to send the client a letter, a third party call letter, telling the client that a third party called on their behalf, explaining the Hotline's services, and inviting the client to call directly. This will inform the client that a contact occurred.

(I) Third Party Callers (Continued)

When we advise a caller on behalf of a client, we must make absolutely clear that we are giving the advice for the third party client, and that if that third party client should later contact us directly, the information that is given to the caller will not be held as confidential with respect to the actual client. So, if their interests conflict, we are decidedly representing the interests of the third party client. This precaution should avoid problems which later may arise concerning the issue of whether the caller was our client and whether we are thus bound to keep the relationship between the caller and us confidential.

You as the attorney should use discretion as to when this letter is appropriate.

(h) Call Back & Eligibility Screens or Intake Screens

(1) 3rd Party Caller vs. Applicant or Client

The Applicant for purposes of the Eligibility screens or the Client for purposes of the Intake Pages is designated as the Caller for purposes of the Call Back screens regardless of whether the Applicant/Client or a 3rd party caller telephoned the Hotline.

(2) One Set of Call Back Screens for Each Case

Only one set of Call Back screens are set up for each case. The Call Back screens are linked by case number to the Eligibility or Intake screens for the case.

(II) Advising Clients on Self-Help

(a) Generally

Many LHT clients are both capable of and willing to represent themselves in cases where self-representation is appropriate. This usually will involve cases brought before a Justice of the Peace, administrative appeals, and cases heard before an Alternative Dispute Resolution Center (mediation). These clients will usually make more than one telephone call to the general hotline for instructions on how to proceed. Once you determine that the client is capable of understanding your advice and following through, you should proceed enthusiastically. However, do not advise the client to enter the name of the Legal Hotline on any formal complaint forms. It is not appropriate to give "how to" instructions to individuals who are determined to draft their own wills or powers of attorney.

(b) Self-Preparation of Wills, Persons of Extreme Age

MEMORANDUM

TO: ALL HOTLINE ATTORNEYS
FROM: BRUCE
RE: PRO SE WILLS
DATE: JUNE 9, 1989

From the book "Write Your Own Will," the paragraph below is useful. Because of the great risk for error, we should continue to advise clients not to try to draw up their own wills and codicils. The better route is for the client to use the services of an attorney for a will or codicil.

Persons of extreme age

Much more difficult problems are presented by people of greatly advanced age who may or may not be too feeble-minded to execute a will. Because of the many legal complications facing very aged people, they should have their wills prepared for them by an attorney. It is always advisable to have an attorney prepare the will of such a person, particularly when it can be anticipated that the will may be attacked in court. The usual grounds for such an attack are that the person making the will lacked the mental capacity.

(III) Brief Services

Brief services generally are provided only for low-income (\leq 125% FPIL) clients.

Except as otherwise provided below, the general hotline staff attorney should use discretion as to when providing brief services is appropriate.

If you have a question about whether it would be appropriate to assist a client with brief services, please check with the office attorney or director of hotline programs.

(a) Calls to Third Parties

You can make a telephone call to a third party (such as a state agency) to research a problem or to get a better understanding of the facts. You may also occasionally find that a call to the opposing party in a case is the best way to assist the client in resolving the problem.

A third party call can be made by the lawyer alone or as a conference call with the client.

We must always let the third party know that we are not attorneys “of record” nor otherwise engaged in ongoing representation of the client.

Sometimes this will be clear to all concerned without articulation, but if need be, please explicitly let third parties know that the client, on whose behalf the call is being provided, will be referred elsewhere if the matter is not resolved. This may actually facilitate resolution.

(1) Requirements for Calls to Third Parties to be Made

Under the following circumstances, calls to third parties may be made on behalf of LHOT clients:

- (A) the general hotline client is low-income (125% FPIL);**
- (B) the problem is not a personal injury settlement case;**
- (C) it appears that a call from the Hotline attorney would not be ineffectual;**
- (D) it appears that the client could not handle the call without difficulty; and**
- (E) the call is for the purpose of resolving a matter or obtaining useful information.**

(III) Brief Services (Continued)

(2) Factors to be Considered

The attorney may decide, in the ethical exercise of his or her professional judgment, whether a third party call would likely resolve the matter or obtain useful information on behalf of the general hotline client or otherwise effectively assist the client.

The following factors should be considered:

- (A) the complexity of the matter;**
- (B) the amount of money involved (if any);**
- (C) the availability of legal services to the client in relation to the amount of money (if any) at issue;**
- (D) the cost of obtaining legal services elsewhere in relation to the income and resources of the client;**
- (E) the practicality of obtaining legal services elsewhere in relation to the nature of the case and the income and resources of the client; and**
- (F) the ability of the client to effectively pursue the matter independently.**

The Hotline attorney should analyze the factors in sections A-F above, and may make a third party call if the lawyer concludes that doing so would be effective and consistent with the above factors.

(3) Personal Injury Cases

In a case involving personal injury, calls to adversary third parties may not be made for negotiation or settlement purposes. Although seldom, there may be times when a call to a non-adversary third party may be appropriate in personal injury cases, such as if the client cannot remember the date that an injury occurred, but another (non-adversary) party would remember the date, and the date is important to know what to advise regarding the statute of limitation.

This and other reasons for calling non-adversary third parties in personal injury cases will occur very rarely. The most frequent reason to call to a third party in a personal injury case is for negotiation or settlement purposes, and such calls should not be made. The reasons for this include:

- (A) we are not funded to negotiate or settle personal injury cases;**

(III) Brief Services (Continued)

(B) we are not in a position to represent clients with such cases on an on-going basis;

(C) everything that is said or done on behalf of a client (or by a client) may later bind or limit the client, even though the rules of evidence provide some protection against the in-court use of statements made to settle a matter; and

(D) we have excellent referral attorneys who handle personal injury cases.

(b) Letters to Third Parties

Letters to a third party on behalf of the client include Fair Credit Billing Act letters; collection “no contact” letters; Deceptive Trade Practices Act letters; demand letters, and other letters. Letters to third parties are the written equivalent of a call to a third party

(c) Document Review

(1) Generally

General hotline attorneys have discretion to review a legal document for a low-income client (125% FPIL) (e.g., a contract, lease, advance directive, etc.), but only if it is not more than six (6) pages. Ask the caller to send a copy of the document (not the original) and explain that it will not be returned. Clients should be made to understand that the copy of the document should be mailed to the Hotline address at 815 Brazos St., Ste. 1100, Austin, Texas 78701, or faxed to the Hotline at (512) 477-6576. Documents may be e-mailed to the attorney’s e-mail account with consent of the client after internet security issues are disclosed.

The Hotline only routinely reviews the Medical Power of Attorney and Directive to Physician but the Hotline will review other documents.

(2) Advance Directives

Many general hotline end user clients are not aware of their options for controlling personal decisions after incapacity. The Legal Hotline for Texans endeavors to make a special effort to inform its clients of their options relating to the legal availability of alternatives to guardianship, including Medical Powers of Attorney and Directives to Physician under the Advance Directives Act, Texas Health & Safety Code Chapter 166.

(III) Brief Services (Continued)

For each client you speak with, for whom it would not otherwise be inappropriate, our information about alternatives to guardianship, publication items #0473 - Alternatives to Guardianship under Texas Law, and #0474 - Health Care Decisionmaker Packet, should be offered. This may be done at the conclusion of the call. Item # 0473 contains general legal information about alternatives to guardianship under Texas law. Item #0474 contains forms and instructions for Medical Power of Attorney and Directive to Physician. Of course, if the computer file shows that the client has already received our alternatives to guardianship information, it would not be appropriate to offer it again. If the client is interested in receiving this free information, open another case (assuming the initial case was not about this topic), enter case notes to the effect that the client was informed of the availability of the information, would like to receive it, and that it was sent.

If the client wants to discuss the topic on the telephone, it is appropriate to do so, and case notes should be entered accordingly. If the client only requests to receive the information and another separate case has been set up, and the client subsequently calls back to discuss the matter, the subsequent call is logged as a call in the existing separate case and not as a new case.

If the client executes the Medical Power of Attorney or Directive to Physician forms from information item #0474 and sends a copy back to the Hotline, the Hotline attorney will review the documents and follow up with the client as appropriate. This document review and follow up are logged as calls in the existing cases and not as new cases. If the advance directive form was correctly filled out and executed by the client, the Hotline attorney that reviewed it enters appropriate case notes and sends the client a standard letter notifying the client that the power of attorney or directive was properly executed and is valid. If the advance directive form was not correctly filled out and executed by the client, the Hotline attorney that reviewed it enters appropriate case notes and contacts the client and follows up as appropriate.

If it is not practical to bring up the topic of Alternatives to Guardianship during the telephone conversation with the client, and the client has not otherwise requested the information, it is not appropriate to send the information unsolicited. The Hotline has received client complaints on some occasions when this has been done. Instead, use a “client follow-up” form letter offering the information.

Clients who are eligible for services from an AAA (older Texans & Medicare eligible Texans) should be referred to AAA benefits counselors who are certified under Texas Government Code Section 81.1011 to assist with preparation and execution of Advance Directives described in Chapter 166 of the Texas Health & Safety Code, and Designations of Guardian Before Need Arises under Texas Probate Code Section 679.

(III) Brief Services (Continued)

(3) Durable Power of Attorney

Note: The Hotline does not provide the form for the Durable Power of Attorney found in the Texas Probate Code, Chapter XII, Section 490 (Statutory Durable Power of Attorney). It is the policy of the Hotline to recommend the client see a local attorney for an in-person consultation to have this document prepared. In many areas, a low-income client can obtain this document for free from a pro bono or legal services program. The Hotline panel referral flat fee for this document is \$45.00.

(d) Document Preparation

(1) In General

Documentation preparation services may be provided in the discretion of the hotline attorney.

(2) Court Pleadings

LHT prepares court pleadings for clients on rare occasion. The client signs the pleadings Pro Se but the attorney who prepared the pleading identifies themselves below the signature block as the attorney who prepared the pleading for the pro se litigant.

(3) Routinely Prepared Documents

The general hotline only routinely prepares a limited number of documents for clients: Declaration of Guardian In Advance of Later Need; Qualified Income Trusts (QIT); Consumer Complaints to the Consumer Protection Division of the Texas Attorney General (when the client needs help with this); and Motions for Appointment of Counsel in Texas County and District Courts.

(A) Designation of Guardian in Advance of Later Need

LHT handles cases where the issue or one of the issues is designation of guardian in advance of later need (for example, an older Texan wants to revoke a durable power of attorney and execute a new DPOA with a new agent and expressly disqualify the agent from being the older Texan's guardian if the need arises in the future). The statutory form for Declaration of Guardian In Advance of Need is found in Section 679 of the Texas Probate Code and is available on the internet through the TLSC web site and www.texaslawhelp.org.

(III) Brief Services (Continued)

If the initial case was about this topic, which will be the usual case, then for each client you speak with, for whom it is appropriate, our item #0480 – Guardianship Declaration Questionnaire, should be offered. Item # 0480 contains information about advance designation and a Guardianship Declaration Questionnaire form and instructions. If the client is interested in receiving this free information, do not open another case. Send the publication in addition to other services provided in the case, such as advice or legal information. Enter case notes including that item #0480 was sent and the specific advice or legal information regarding advance designations.

If the client subsequently calls back to discuss the matter further, that subsequent call is logged as a call in the Prime Call Back screens in the existing case and is not a new case. The Hotline attorney enters appropriate case notes.

If the client correctly fills out and signs the Guardianship Declaration Questionnaire and sends it back to the Hotline, the Hotline attorney prepares a Designation of Guardian in Advance of Later Need form for the client and sends it to the client together with a standard cover letter, which gives the client instructions as to completion of the advance designation form, and requests that the client return to the Hotline a copy of the completed or executed document for review and safekeeping. This document preparation and follow up are logged as calls in the existing cases and not as new cases. The Hotline attorney enters appropriate case notes, etc. into Prime.

If the Guardianship Declaration Questionnaire form was not correctly filled out and signed by the client, the Hotline attorney contacts the client and follows up as appropriate. This contact and follow up are logged as calls in the existing cases and not as new cases. The Hotline attorney enters appropriate case notes.

Clients who are eligible for services from an AAA (older Texans & Medicare eligible Texans) should be referred to AAA benefits counselors, who are certified under Texas Government Code Section 81.1011 to assist with preparation and execution of Advance Directives described in Chapter 166 of the Texas Health & Safety Code, and Designations of Guardian Before Need Arises under Texas Probate Code Section 679.

(B) Qualified Income Trust

LHT through the HICAP office prepares Qualified Income Trusts (42 U.S.C. 1396p(d)(4)) when requested by DADS. Texas Health & Human Services Commission has promulgated a standard QIT form, which is available from the HHSC Medicaid Eligibility Handbook, Appendix 36 – Qualified Income Trusts and Medicaid Eligibility (<http://www.dads.state.tx.us/handbooks/meh/res/me-ap36.htm>).

(C) Consumer Complaints to the OAG - Under Revision; and

(D) Motion for Appointment of Counsel in Texas County and District Courts - Under Revision.

(IV) Legal Referrals

If the client's legal problem cannot be resolved by general hotline services, refer the client for ongoing legal representation or specialized advice. Make the legal referral to Legal Aid or other pro bono program if the client would be eligible (financially and geographically) and has a type of case the particular program would handle. If such a free referral is not available, a referral may be made to reduced-fee attorney on the TLSC Lawyer Referral Service panel as available and appropriate. If a panel attorney is not available, a referral may be made to another Lawyer Referral Service. If a client is presently represented by an attorney on the legal matter that is the subject of the client's call to LHT, then the client generally should be referred to his or her present attorney.

If the referral is for a legal matter in a different state, refer the client to the State Bar Association of that state.

Note: If a clearly eligible client, with a legal problem apparently within a free legal services program's priorities, is referred and is turned down for services, it is permitted for the Hotline attorney to make a call to the program in question and find out the reason, or try to facilitate the referral. Then, if appropriate, the client may be advised regarding the appeal procedures for that particular office, and/or may be provided with whatever other legal referrals the Hotline may have available for that client.

(a) Women's Advocacy Project

Clients who are (1) CVCLS eligible; (2) disabled, < 60 years of age, and not a resident of a facility described in Texas Health & Safety Code Section 250.001(3); and (3) victims of family violence or sexual assault are referred to the Women's Advocacy Project (WAP). If they subsequently call back after contacting WAP and request services, for example, if WAP has a conflict, then LHT may serve them.

(b) Volunteer Legal Services of Central Texas (VLS)

LHT and VLS have arranged for direct referrals of end user client cases from LHT to VLS if the required services are beyond the scope of LHT, if the case is in Austin or Travis County, and if the case has already been rejected by TRLA and/or other free legal services providers or if a referral to TRLA and/or other free legal services providers would otherwise be inappropriate.

(IV) Legal Referrals (Continued)

(1) Eligible Clients

Clients must live in Travis County (or be a party to a case that is being litigated in Travis County). VLS Clients may be undocumented residents. Clients also must meet VLS income criteria, which is usually 125% of the federal poverty income level, but which can go up to 187.5% in some situations. VLS' income and asset criteria are pretty much the same as TRLA. VLS will place cases up to 187.5% of the federal poverty guidelines, but if the case is harder to place, VLS may need to reject it in favor of a more compelling case that is lower income. Also, Clients who appear to be hostile or have mental health issues or other challenges would not be good referrals. VLS is not able to find, and more importantly, keep volunteers when they refer these out. LHT staff attorneys should comment if there is anything VLS needs to know about the client - e.g. possible mental health issues, etc.

(2) VLS Case Types

VLS case types include Wills; Probate; Guardianship of Adults; Divorce with or without family violence (dissolution only, no SAPCRs); Landlord/Tenant, Social Security Disability, Consumer, Chapter 7 Bankruptcy, Real Estate; Poverty Law; Employment (some employment cases are harder to place because VLS' volunteers tend to work with firms who represent employers) & Meritorious General Law Cases except as excluded below.

(3) Excluded VLS Case Types

The following VLS case types are excluded: Criminal Law; Fee Generating Cases; Grandparent Family Cases; Child Custody & Support; Modification; SAPCRs; Ch 13 Bankruptcies; Public Housing (legal aid does public housing cases as a priority), Workers Compensation, and Immigration (PAPA does immigration cases in Travis County).

(4) VLS Contact Information (Needs Check for Updates as of 11/06)

Here is the VLS contact info: Phone = (512) 476-5550; Fax = (512) 322-0764. The General Law clients will be interviewed by Becca Menduni at ext. 305. The Spanish speaking only General Law Clients will be interviewed by Carolyn Gump at ext. 302. Divorce cases with violence will be interviewed by Julie Vallarino at ext. 306 and Divorce cases without violence will be interviewed by Anna Meyers at ext. 304, unless they are Spanish speaking and then they go to Carolyn. The letters to the clients will direct them which staff to contact.

(IV) Legal Referrals (Continued)

(5) Documentation in Prime

LHT should complete Prime Call Back, Eligibility, & Client Intake Pages 1, 2 & 3, and the Client Notes screens. If the only service provided by LHT to the client is the referral to VLS then the case should be closed as referred after legal assessment. Note: VLS also uses Prime, but an earlier version than LHT.

(6) Fax Case to VLS

The mechanics of the communication from LHT to VLS are under revision due to LHT's switch to Prime CSR software in 08/06 and other changes at LHT.

LHT, with the permission of the client, will fax case information to VLS so that VLS may provide assistance as appropriate. The staff attorney who made the contact with the client and who is making the referral to VLS should provide the client with the VLS Contact Information.

If there is anything that is urgent or particularly important for VLS to know about the case that makes it more urgent, such as a limited time frame, answer due, attorney on the other side, etc., that will, of course, be contained in the case notes, but should also be specifically and conspicuously noted by the LHT attorney in the fax communication to VLS. This way, VLS can put it at the top of the referral list.

If the case is urgent, the LHT attorney should obtain permission from the client to have VLS contact them upon receipt of the fax, and specifically note in the fax communication to VLS that the case is urgent and that the client wants VLS to call.

The general hotline intake specialist will (1) send a form letter to the client telling the client to contact VLS, similar to the letters sent on referrals to panel attorneys; (2) fax the case information to VLS; and (3) file the faxed documents & fax Confirmation Report in the Client Correspondence Files.

(c) Referral to Present Attorney

Occasionally an LHOT client who is already represented on the matter by an attorney calls the Hotline. It is permissible for the Hotline to give such clients legal information, but a referral should be made back to the client's present attorney for specific advice or other services.

If a caller is already represented by an attorney in an ongoing case, you may provide legal information, but you may not give particularized advice or undertake any active representation. After giving the legal information, make a referral to the client's present attorney.

Texas Disciplinary Rules of Professional Conduct, Rule 4.02 (d), together with Comment 2, allows consultation for second opinion purposes, and allows a client to interview an attorney for the purposes of prospective employment.

(IV) Legal Referrals (Continued)

If the client requests a referral for an ongoing court case where the Client is represented by an attorney of record, you must make it clear that s/he must first dismiss the present attorney before a replacement attorney can accept employment. In court, this is usually done by motion to substitute, where one attorney, who is attorney of record, is allowed to withdraw simultaneously with another attorney becoming attorney of record when the motion is granted.

Often in these cases, the client is having trouble with his or her present attorney. Since it is often difficult to obtain representation by a new attorney for an ongoing case, the client should be advised to use caution in firing a present attorney.

A client having serious problems with their present attorney may be referred to the State Bar of Texas for grievance information. The SBOT Texas Lawyers Client Assistance Program is designed to try to head off a grievance through assistance and mediation by the State Bar of Texas. The Hotline can also send the State Bar of Texas brochures about grievances.

(d) Deciding Whether to Handle a Case In-House or Refer

Because of the volume of calls the general hotline receives, the decision to handle a case in-house as opposed to making a referral to our panel is an important one. Cases that require extensive factual development, which cannot be readily accomplished on the telephone, should be referred to legal services programs, pro bono program or other free legal services if available, if not, then to the TLSC LRS reduced fee panel or other reduced fee services if available, and if not, to a Lawyer Referral Service certified by the SBOT under the Texas Occupations Code. Likewise, cases that involve an expertise not available on the hotline staff or which would involve time-consuming research on an issue not likely to come up with frequency should also be referred as appropriate.

An important factor, of course, is the availability of a referral attorney in the client's geographical area. In those areas where we have no referral attorneys and where the importance of service to the client's overall situation is great, we must consider doing as much as practicable in-house, assuming there are no other resources available to the client.

(e) Texas Legal Services Center Lawyer Referral Service

As mentioned above, if the LHT client's problem cannot be resolved by the Hotline or by a source of free legal services such as a Legal Aid or pro bono program, a referral may be made to the Hotline Referral Panel for reduced-fee representation.

See the TLSC LRS Operations Manual.

(V) Follow-Up, Abuse or Exploitation Cases

It is the Hotline policy to follow up on all cases where the issue presented involved potential or actual abuse or exploitation or where there is some doubt that the client understood clearly the advice given. Bear in mind the mandatory reporting requirements regarding abuse of children, older persons, persons with disabilities, residents of facilities, and others (Chapters 48 & 102 of the Texas Human Resources Code, Chapter 261 of the Texas Family Code, Title IV of the Texas Health & Safety Code, etc.). The number that we call to reach Adult Protective Services & Child Protective Services to report abuse is: 1-800-252-5400

The case may be tickled on Prime by checking the “Followup” box on Client Intake Page 3.

(VI) Client Intake Screen 3 & Case Notes

(a) Unsuccessful Call Backs from Staff Attorneys, Client Intake Screens 1 & 2 Complete

If three unsuccessful attempts to return a voice mail incoming call are made by the general hotline staff attorneys, then on or after the third call, the caller should be notified, insofar as possible, that LHT wants to help with the matter, that LHT has attempted to contact the caller three times unsuccessfully, and that if the caller still needs services from LHT then the caller should please call LHT back. The best form of notice reasonably available should be used (send letter USPS, telephone message, etc.). In addition, the staff attorneys should provide services insofar as possible. Cases are closed by the staff attorneys by checking the “Call Series Completed” box on the Call Back screen and entering a close code in the close code field on Client Intake Screen 3. These cases are reviewed by office attorneys as other cases.

If the caller calls back after the notice, open the case and handle it as other cases.

(b) Cases where Client’s Problem has been Resolved

Sometimes an LHT caller informs the Hotline that the matter they called on has been resolved before the case has been handled by the Hotline. If this happens, the caller should be told if they need services from the Hotline on any other matter in the future, they should contact the Hotline again. Document the call in the Prime Call Back screens, document in the case notes that the case has been resolved and LHT services are no longer needed, and close the case by checking the “Call Series Completed” box on the Call Back screen on and entering a close code on Client Intake 3.

(c) Factual Development, Advice & Consultation; Case Notes

(1) Factual Development, Advice & Consultation

Elicit all the facts you need to provide useful and accurate advice. If you are not sure what facts to elicit, consult reference materials for the relevant law. It is all right to put the client on “hold” for a short time, or to call the client back.

If you are not sure what the appropriate advice should be, don’t guess. No advice is better than poor advice. The Legal Hotline reputation is at stake as well.

If you do not know an answer to a question, do one of the following:

(A) Consult with the office attorney or another hotline attorney while the caller is still on the line.

(B) Consult the necessary resource material while the caller is on the telephone (if this can be done quickly).

(VI) Client Intake Screen 3 & Case Notes (Continued)

(C) Tell the client you will call them back after research. Do the necessary research and call back. You must also detail the research in the case notes, listing the question and the researched answer. Only legal research for clear factual situations should be conducted. If the issue in a general hotline case needs extensive factual development, it should be referred to Legal Aid or other pro bono source, a reduced fee panel attorney, or a Lawyer Referral Service.

(2) Case Notes

Complete notes of the call should be entered promptly in the Prime Client Case Notes screens. Click the “Insert Date/Staff Number” button and today’s date and the attorney’s staff number will appear on top of previously entered case notes or notes converted from the PICK CSR software system in August of 2006. Enter the latest case notes on top of previously entered notes.

Case notes should include:

(A) Summary of the Pertinent Facts

Remember that collateral matters such as client income or resources may be helpful to an analysis of the matter and may be entered into the eligibility screens and referenced in the case notes.

(B) Conflicts Data

The names of any potentially adverse parties and the results of the required conflict checks in Prime. Conflict data should be entered into the conflicts fields in Prime and may be referenced in the case notes.

(C) Summary of the Information or Advice Given

(D) Legal Research Results

If legal research was needed and done, note the question researched, the answer found, and give the citation. This information may be copied from the internet, electronic documents, etc. and pasted to the Notes fields in Prime.

(E) Legal Referrals

If a referral was made, document to whom or what. Documentation of the referral in the case notes is in addition to and coordinated with entry of referral data on other screens and fields in Prime.

(VI) Client Intake Screen 3 & Case Notes (Continued)

For referrals of LHT clients to the TLSC LRS attorney panel, type into the case notes the name of the referral firm and a statement that the referral terms (\$20 referral fee if applicable, applicable flat fee, \$80/hr or 30 % contingency, etc.) were explained to the client.

[Describe mechanics of referral to TLSC LRS here]

(F) Brief Services

An explanation of any brief services, such as calls to third parties, documents reviewed or prepared, or letters sent.

(G) Client Correspondence

If there was correspondence, document Prime with a description of the correspondence and a note that the correspondence has been filed in the appropriate Hard Copy File (see Hard Copy Files below).

(d) Coding

(1) Avoid General and “Catch-All” Codes

Reporting should be complete and accurate. General codes such as “Miscellaneous” or “Other” should be used only as a last resort after an exhaustive effort to avoid having to use them. The funding sources and reviewers do not like general codes and using them when a more specific code is available results in underreporting and hurts the Hotline.

(2) Main Benefit Codes, Client Intake Page 3

LHT is required by TEAJF to report outcome measures in the SAR including major benefits from direct legal representation of individuals and dollar outcomes. CVCLS, OVAG, AoA pension counseling and other individual programs have additional outcome reporting requirements. The “Main Benefit “ field on Client Intake Page 3 is a dropdown with the outcomes listed in the TEAJF SAR.

Research on collection of outcome data by LHT is ongoing. Feedback is needed from staff attorneys.

See Hotline Outcomes Assessment Study, Phase III
<http://atjsupport.org/DMS/Documents/1037903536.22/finalhlreport.pdf>; and
Outcome Measures of the Oregon Department of Human Services Legal Assistance Program Standards under the Older Americans Act
<http://www.dhs.state.or.us/policy/spd/transmit/pt/2006/pt06001.pdf>

(VI) Client Intake Screen 3 & Case Notes (Continued)

(e) One Call, more than One Case

Sometimes one call between LHT and a client will result in more than one new case as defined in the LSC CSR Handbook. For each case, set up Call Back screens, Eligibility screens, and Client screens. A relatively easy way to do this is as follows: from the Client Intake screens of the first/original case that was created from the call, click on the button “Duplicate.” This will create a new case with a new case number on a new set of populated Client screens. From the new Client Intake 1 screen, click on “Review Callback;” this will create a new set of populated Call Back screens for the new case with the new case number.

(f) Open Cases, Follow Up

The case may be tickled on Prime by checking the “Followup” box on Client Intake Page 3.

(g) Closed Cases

Close cases with the close code on Client Intake Page 3 and check the “Call Series Completed” box on the Call Back Screen.

(h) Reopening Cases

Sometimes cases are reopened. One example is when a general hotline attorney has closed the case, but the client calls back a week later with a new question on the same case, and a new/different attorney handles the new issue.

Documentation of Reopened Cases:

(1) document the call from the client in the Call Back screens, uncheck the “Call Series Completed” box while the reopened case is open;

(2) change the Advocate code to the new attorney on Client Intake Page 2, uncheck the Reviewed box on Client Intake Page 3; and

(3) clear the Reason Closed, Date Closed, and Outcome fields on Client Intake Page 3.

After the new issue is handled the case is closed as other cases.

(VII) Hard Copy Files

(a) LHOT Client Correspondence File

Client correspondence such as letters and other documents sent to us by general hotline clients, or on behalf of clients, are kept under client names in filing cabinets.

Under Revision.

(b) HICAP Client Correspondence File

Correspondence, such as letters and other documents sent to us by AAA benefits counselors and ombudsmen on behalf of clients or produced by us for AAA clients, is kept in filing cabinets.

Under Revision.

(c) Advance Directives File

There is a separate LHOT client correspondence file for advance directives, specifically, Medical Powers of Attorney and Directives to Physician, that have been reviewed by LHT attorneys. The advance directives file is kept in a filing cabinet in the west hotline station.

Under Revision.

(d) Guardianship Declaration File

There is a separate LHOT client correspondence file for guardianship declaration correspondence (information item #480 - Guardianship Declaration Questionnaires sent to LHT by the clients, and the Designation of Guardian in Advance of Later Need forms that have been prepared by LHT attorneys and executed by the clients). The guardianship declaration file is kept in a filing cabinet in the west hotline station.

Under Revision.

(e) Qualified Income Trust File

Under Revision.

(f) Motion for Appointment of Counsel File

Under Revision.

(VIII) QUALITY CONTROL

There are several measures which will help insure that the Hotline provides a quality service.

(a) Poverty Law Conference, MCLE, Staff Meetings

LHT staff attorneys are sent to the Poverty Law Conference put on by Texas Lawyers Care of the SBOT each year. Also, in-house MCLE trainings targeted specifically to LHT staff attorneys are held periodically.

Periodic staff meetings are held to discuss pertinent substantive law issues and to resolve operational problems. This sharing of information is an important learning tool.

(b) Legal Research Resources

Hotline staff should refer to legal resources available at the Hotline. Reference materials are available on the internet. Colleagues may be consulted. Such consultation should be used primarily to get a jump on research but not as a substitute for research.

If you do not know the answer to a question, research the question in the TLSC/LHOT legal library, on the internet, or ask a colleague. Do not give advice unless you are sure it is valid.

All Hotline attorneys are evaluated by the director of hotline programs at least once per year, except for the Health Law attorney, who is evaluated by the TLSC Deputy Director.

Any complaints about Hotline attorneys should be referred to the director of hotline programs.

If necessary, a Hotline attorney may ask a referral attorney for help with answering a client's question when that attorney may have a special expertise not available on the Hotline staff. This should be done sparingly.

Hotline attorneys should be familiar with all resources in the Hotline library and at TLSC.

(c) Live Monitoring of Telephone Calls

The general hotline office attorneys or director of hotline programs may check the quality of the advice given by listening to calls as they are handled by Hotline staff.

(VIII) QUALITY CONTROL (Continued)

(d) Case Note Reviews

The general hotline office attorneys are responsible for reviewing each day's general hotline case notes. The director of hotline programs reviews case notes from all the other hotline programs except for Health Law. The review is for both technical and substantive corrections and follow-up. This is a central feature of the Hotline delivery system quality control. The procedure is as follows:

General hotline staff attorneys receive either e-mails or printed case notes with written comments or requests from the general hotline office attorneys. These should be reviewed and acted upon promptly by the Hotline attorney.

Staff attorneys take whatever course of action they consider to be appropriate, including discussing the case review with the office attorneys if the staff attorney does not agree with the case review.

Computer entry mistakes should be corrected immediately.

If it is necessary to call the client back, that is a priority.

The action taken is recorded in the case notes in Prime, for example, if the client was called back with further advice, or wherever in Prime is appropriate depending on the circumstances.

The action taken by the staff attorney is reviewed by the office attorneys who follow-up if necessary.

(e) Client Satisfaction Surveys

Client Satisfaction Survey forms must be sent as required by specific grants. All programs must send surveys at least once per year.

The general hotline sends out surveys quarterly. Copies of the general hotline Client Satisfaction Survey and materials are available from the director of hotline programs. Copies of Client Satisfaction Surveys and materials from other hotline programs are available from the office attorney of the hotline office that handles the particular hotline program.

(f) Productivity and Quality Standards

The Legal Hotline for Texans endeavors to provide high quality legal advice to a large and relatively vulnerable client population with very limited resources. Attorneys are encouraged to be as efficient as practicable within the constraints of continuing to provide a quality service.

(VIII) QUALITY CONTROL (Continued)

(1) Productivity

Texas Legal Services Center has established an expectation that each general hotline attorney shall maintain a minimum monthly average of 1.75 cases per hour for end user clients, calculated as the average of the previous two calendar months. This expectation applies beginning with the attorney's seventh month of employment. In other words, the first six months of employment, during which the attorney is learning the system and gaining experience, are not counted.

(2) Quality of Work Product

Both technical and substantive quality is important. Clearly we want to be providing accurate and complete legal advice and information to our clients. We want our referrals to be useful. We want our clients to be empowered to solve their problems if at all possible. Within the Hotline, time efficiency depends on accurate computer entries and careful adherence to operating procedures. Proper Prime computer field entries, complete case notes, proper coding of problem codes, close codes, etc., and proper segregation of cases, are all essential to the smooth operation of the Hotline and the accuracy of our reports to funding sources.

(g) Complaint Procedures

If a client has a complaint about a Hotline service that can not be handled by a Hotline lawyer, it must be referred to the director of hotline programs. Hotline lawyers should do this immediately and not wait for the office attorneys to review the case record. Those complaints that are handled by a Hotline lawyer must be recorded in the computer. This even includes complaints about our eligibility criteria or limits of service. This information is valuable feed back for modifying our project's design.

Any complaints that pose a legal liability of the project must also be referred to the director of hotline programs.

If the client is not satisfied with the director of hotline program's decision, the client should be referred to the Client Grievance Procedure of the Texas Legal Services Center.

A separate policy regarding complaints about Hotline Referral Panel attorneys is set out in the next paragraph.

(VIII) QUALITY CONTROL (Continued)

(h) Policy Regarding Complaints About Panel Attorneys

Complaints about referral attorneys should be referred to the director of hotline programs. If the director of hotline programs is not available and the complaint requires attention before the director of hotline programs will be available, the following procedure should be followed. Complaints are responded to by such of the following as are appropriate to each complaint, in the order appropriate to each complaint, singly or in combination:

- (1) Discussion with the client of the client's concern.**
- (2) Advice to the client on how to resolve the concern.**
- (3) Request that the client forward copies of pertinent documents for review**
- (4) Contact with the referral attorney by telephone or in writing or in person.**
- (5) Request that the referral attorney forward copies of pertinent documents for review.**
- (6) Review of information from or at third party sources, including but not limited to court records.**
- (7) A resolution in writing of the matter, as a result of either the decision of the director of hotline programs or a "mediation" type agreement between the client and the referral attorney, which may result from client-referral attorney- director of hotline programs tripartite discussion, or which may result from caucus-type "mediation" by phone.**
- (8) Referral of the client to the State Bar of Texas Client Assistance program.**
- (9) Referral of the client to the State Bar of Texas grievance mechanism.**
- (10) Reporting by the Managing Attorney to the State Bar of Texas, pursuant to Rule 8.03 of the Texas Disciplinary Rules of Professional Conduct.**

Appendix 1

Prime Codes

| | |
|-------------|---|
| Page | |
| 45 | Table of Contents |
| 46 | Office Codes & Funding Codes |
| 47 | Language Codes |
| 47 | Client Type Codes |
| 47 | “Know About” Codes |
| 48 | Problem Codes |
| 50 | National Index Codes |
| 70 | Main Benefit Codes |
| 72 | Close Codes |

Office Codes & Funding Codes

| Client Eligibility | Funding | | Office | |
|--|---------|---------------|--------|--------------------|
| => 60 | 1 | BCLS/ DADS | 1 | General Hotline |
| < 60 & Medicare eligible | 9 | DADS/ CMS | | |
| AAA ombudsmen & benefits counselors | 2 | DADS | 2 | HICAP |
| pension counseling (PICAPS)* | 3 | AoA | 3 | Pension |
| Facility Victim Program (FVP)** | 4 | OVAG | 4 | OVAG |
| crime victims: => 60 or disabled (CVCLS)*** | 5 | CVCLS | 5 | CVCLS |
| Health Law <= 125% FPIL | 6 | BCLS | 6 | Health Law |
| Katrina or Rita victims or evacuees**** | 7 | AARP | 7 | Disaster |
| TLSC LRS | X | self | X | TLSC LRS |
| | | | 8 | Utility |
| | | | 9 | Support |
| | | | 10 | Consumer |
| | 99 | | 99 | Other |

* PICAPS - Pension Information, Counseling & Assistance Program of the Southwest serves pension & retirement plan employees, beneficiaries and participants, regardless of age or income, who: (1) reside in Texas, Oklahoma, New Mexico or Louisiana (disaster & referral); or (2) worked or benefit from an employee who worked in one of those states and reside elsewhere; or (3) reside elsewhere and whose plan sponsor, plan administrator, or plan trustees are within one of those states.

** FVP - Facility Victim Program serves facility residents or service recipients who are victims of violent crime, personal injury or abuse or neglect, and sometimes also exploitation or fraud, by the facility. Types: (1) nursing homes; (2) assisted living facilities; (3) intermediate care facilities for persons with mental retardation; (4) facilities that provide mental health services; (5) adult day care facilities; (6) home or community support services agencies; (7) adult foster care providers; (8) local mental health or mental retardation authorities; and (9) providers of home health, hospice or personal assistance, who serve only persons enrolled in a program funded by the State of Texas.

*** CVCLS - Crime Victims Civil Legal Services Program serves victims of violent crime and their family members and claimants, who are (1) indigent (187.5% FPIL); and (2) age 60 or older, or under age 60 and disabled. Callers under age 60 not living in a facility with sexual assault or domestic violence cases are served only if they are not able to access free legal services elsewhere.

**** Disaster Office funding sources and corresponding eligibility requirements are as follows: (1) AARP - no means test, => 50 years of age; (2) Texas Bar Foundation - no means test or age limit; (3) DADS - no means test, => 60 years of age; and (4) Power of Hope Foundation - <= 125% FPIL, no age limit.

Language Codes

The language codes are only to be used if the caller speaks a language other than English and does not speak English. They are arranged in alphabetical order. More than 99% of the time this field is used the caller speaks Spanish. Thus, the drop down table is not reproduced here.

Client Type Codes

| subClientType | |
|---------------|----------------------|
| CLType | CLTypeName |
| COM | See Comments! |
| DECD | CI Has Since Died |
| DEN | All Services Denied |
| FAL | May Make False Stmt |
| FRQ | Frequent Caller |
| HOS | Hostile/unpleasant |
| HRG | Hearing Impaired |
| MTL | Mental Impairment |
| NUI | Nuisance Caller |
| REF | Wastes Ref Atty Time |
| RES | Resistant To Advice |
| STR | Strange Person |
| TALK | Long-winded |

“Know About” Codes

| subKNOW | |
|---------|------------------|
| KNOW | KNOWNAME |
| A | Advertisement |
| B | Private Bar |
| C | Court |
| F | Friend |
| L | Other LS Program |
| O | Other |
| P | Prior Use |
| S | Social Agency |
| T | Telephone Book |
| U | Unknown |
| W | Web/Internet |

Problem Codes

| subPCODE | |
|----------|---------------------------|
| PCODE | PNAME |
| 0 | Not Filled out |
| 1 | Bankruptcy/Debtor Relief |
| 2 | Collect/Repo/Def/Garnsh |
| 3 | Contracts / Warranties |
| 4 | Credit Access |
| 5 | Energy not Public Utils. |
| 6 | Loans/Installment Purch. |
| 7 | Public Utilities |
| 8 | Unfair Sales Practices |
| 9 | Other Consumer / Finance. |
| 11 | Education |
| 21 | Job Discrimination |
| 22 | Wage Claims |
| 29 | Other Employment & Ceta |
| 30 | Adoption |
| 31 | Custody / Visitation |
| 32 | Divorce / Sep. / Annul. |
| 33 | Guardianship / Conserv. |
| 34 | Name Change |
| 35 | Parental Rights Termin. |
| 36 | Paternity |
| 37 | Domestic Abuse |
| 38 | Support |
| 39 | Other Family |
| 41 | Delinquent |
| 42 | Neglected/Abused/Depend. |
| 49 | Other Juvenile |
| 51 | Medicaid |
| 52 | Medicare |
| 59 | Other Health |
| 61 | Fed. Subsidized Housing |
| 62 | Homeownership/Real Prop. |
| 63 | Landlord/Tenant not Pub.H |
| 64 | Other Public Housing |
| 69 | Other Housing |
| 71 | AFDC / Other Welfare |
| 72 | Black Lung |
| 73 | Food Stamps / Commodities |
| 74 | Social Security |
| 75 | SSI |

| subPCODE | |
|-----------------|------------------------------------|
| PCODE | PNAME |
| 76 | Unemployment Compensation |
| 77 | Veterans Benefits |
| 78 | Worker's Compensation |
| 79 | Other Income Maintenance |
| 81 | Immigration / Natural. |
| 82 | Mental Health |
| 83 | Prisoner's Rights |
| 84 | Physically Disabled Rghts |
| 89 | Other Individual Rights |
| 91 | Incorporation / Diss. |
| 92 | Indian / Tribal Law |
| 93 | Licenses (Auto and Other) |
| 94 | Torts |
| 95 | Adv. Directives, Wills and Estates |
| 97 | Other Probs.(non-legal) |
| 98 | Criminal Referrals |
| 99 | Other Miscellaneous |

National Index Codes

| subNATINDEX | | |
|-------------|---|-------|
| NatIndex | NatIndexTxt | PCODE |
| 0 | Not Entered | 0 |
| 1010100 | Automatic Stay | 1 |
| 1010200 | Discharge | 1 |
| 1010300 | Exemptions | 1 |
| 1010400 | Chapter 7 | 1 |
| 1010500 | Chapter 11 | 1 |
| 1010600 | Chapter 12 | 1 |
| 1010700 | Chapter 13 | 1 |
| 1020100 | Collection/Repossession | 2 |
| 1020199 | Other Collection/Repossession | 2 |
| 1020200 | Abuse | 2 |
| 1020300 | Deficiency | 2 |
| 1020400 | Garnishment | 2 |
| 1020401 | Wage Assignment | 2 |
| 1020402 | Exemptions | 2 |
| 1020403 | Non-wage Garnishment | 2 |
| 1020499 | Other Garnishment | 2 |
| 1020500 | Liens | 2 |
| 1020600 | Repossession | 2 |
| 1020700 | Debt Management Counseling | 2 |
| 1020800 | Collection Proof Debtor | 2 |
| 1030100 | Contracts/Warranties | 3 |
| 1030200 | Warranties | 3 |
| 1030201 | As Is Warranties | 3 |
| 1030202 | Automobiles | 3 |
| 1030299 | Other Warranties | 3 |
| 1030300 | Contracts | 3 |
| 1030301 | Automobile Repairs | 3 |
| 1030302 | Consumer Contract | 3 |
| 1030303 | Consumer Fraud and Misrepresentation | 3 |
| 1030304 | Installment Contract | 3 |
| 1030305 | Shoddy Contractor | 3 |
| 1030399 | Other Contracts | 3 |
| 1030400 | Door To Door Solicitation/Home Solicitation Sales | 3 |
| 1030800 | Insurance | 3 |
| 1030801 | Life Insurance | 3 |
| 1030802 | Disability Insurance | 3 |
| 1030803 | Health Insurance | 3 |
| 1030804 | Automobile Insurance | 3 |
| 1030805 | Insurance Scams | 3 |

| subNATINDEX | | |
|--------------------|--------------------------------------|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1030899 | Other Insurance | 3 |
| 1040100 | Credit Access | 4 |
| 1040200 | Credit Practices/Credit Reports | 4 |
| 1050100 | Energy (Non-Public Utility) | 5 |
| 1060100 | Loans | 6 |
| 1060199 | Other Loans | 6 |
| 1060200 | Pay Day Loans | 6 |
| 1060300 | Predatory Lending | 6 |
| 1060400 | Student Loans | 6 |
| 1060401 | Student Loan Fraud | 6 |
| 1060402 | Student Loan Default | 6 |
| 1060499 | Other Student Loans | 6 |
| 1060500 | Truth in Lending | 6 |
| 1060501 | Disclosure | 6 |
| 1060502 | Finance Charges | 6 |
| 1060503 | Rescission | 6 |
| 1060599 | Other Truth In Lending | 6 |
| 1060600 | Usury | 6 |
| 1060700 | Loans/Installment Purchases/Rentals | 6 |
| 1060800 | Financing | 6 |
| 1070099 | Other Public Utilities-Energy | 7 |
| 1070100 | Billing Practices | 7 |
| 1070101 | Deferred Payment | 7 |
| 1070102 | Payment Plans | 7 |
| 1070199 | Other Billing Practices | 7 |
| 1070200 | Demand for Deposit | 7 |
| 1070300 | Electric | 7 |
| 1070400 | Energy Assistance | 7 |
| 1070500 | Gas | 7 |
| 1070600 | Lifeline Services | 7 |
| 1070700 | Reconnections | 7 |
| 1070800 | Termination of Utility Service | 7 |
| 1070900 | Telephone | 7 |
| 1071000 | Utility Rates | 7 |
| 1071100 | Weatherization | 7 |
| 1080100 | Unfair and Deceptive Trade Practices | 8 |
| 1090099 | Other Consumer | 9 |
| 1090100 | Automobiles | 9 |
| 1090199 | Other Automobiles | 9 |
| 1090200 | Small Claims Action | 9 |
| 1090300 | Financial Literacy | 9 |
| 1110099 | Other Education | 11 |

| subNATINDEX | | |
|--------------------|---|--------------|
| NatIdx | NatIdxTxt | PCODE |
| 1110100 | Bilingual | 11 |
| 1110200 | Desegregation | 11 |
| 1110300 | Discipline | 11 |
| 1110301 | Expulsion | 11 |
| 1110302 | Suspension | 11 |
| 1110399 | Other Discipline | 11 |
| 1110400 | Discrimination (IDEA) | 11 |
| 1110500 | Exclusion from Activities | 11 |
| 1110600 | Fees | 11 |
| 1110700 | Head Start Program | 11 |
| 1110800 | Privacy | 11 |
| 1110900 | Private Education/Vouchers | 11 |
| 1111000 | Quality Education | 11 |
| 1111100 | Records | 11 |
| 1111200 | Residency Requirements | 11 |
| 1111300 | Special Education/Learning Disabilities | 11 |
| 1111400 | Testing | 11 |
| 1111500 | Title I | 11 |
| 1111600 | Title IX | 11 |
| 1111700 | Vocational Education | 11 |
| 1210100 | Affirmative Action | 21 |
| 1210500 | Discrimination | 21 |
| 1210501 | Ethnicity | 21 |
| 1210502 | Race | 21 |
| 1210503 | Gender | 21 |
| 1210504 | Religion | 21 |
| 1210505 | Age | 21 |
| 1210506 | Sexual Orientation | 21 |
| 1210507 | Marital Status | 21 |
| 1210520 | Disparate Impact | 21 |
| 1210521 | Bona Fide Occupational Qualification | 21 |
| 1210599 | Other Employment Discrimination | 21 |
| 1210600 | Discrimination Remedies | 21 |
| 1210601 | Back Pay | 21 |
| 1210602 | Compensatory Damages | 21 |
| 1210603 | Punitive Damages | 21 |
| 1210699 | Other Remedies | 21 |
| 1210700 | Employment Relationships | 21 |
| 1220100 | Wage Claims | 22 |
| 1290099 | Other Employment | 29 |
| 1290100 | Agricultural Worker Protection Act (AWPA) | 29 |
| 1290200 | Criminal Records | 29 |

| subNATINDX | | |
|-------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1290300 | ERISA | 29 |
| 1290400 | Fair Labor Standards Act | 29 |
| 1290500 | Family and Medical Leave Act | 29 |
| 1290600 | Labor Subcontracting | 29 |
| 1290700 | Minimum Wage | 29 |
| 1290800 | Occupational Safety and Health | 29 |
| 1290900 | Pensions | 29 |
| 1290901 | Eligibility | 29 |
| 1290902 | Fiduciary Duty | 29 |
| 1290903 | Vesting | 29 |
| 1290904 | Railroad Retirement | 29 |
| 1290999 | Other Pensions | 29 |
| 1291000 | Records | 29 |
| 1291100 | Temporary Foreign Worker Programs | 29 |
| 1291200 | Income Taxes | 29 |
| 1291300 | Earned Income Tax Credit | 29 |
| 1291400 | Workers Compensation | 29 |
| 1291500 | Termination | 29 |
| 1291600 | Labor Unions | 29 |
| 1295099 | Other Workforce Development | 29 |
| 1300100 | Adoption | 30 |
| 1300101 | Contested | 30 |
| 1300102 | Uncontested | 30 |
| 1300199 | Other Adoption | 30 |
| 1310100 | Custody | 31 |
| 1310101 | Abduction | 31 |
| 1310102 | Emergency | 31 |
| 1310103 | Temporary | 31 |
| 1310104 | Modification | 31 |
| 1310105 | Enforcement of Order | 31 |
| 1310106 | Jurisdiction (UCCJEA) | 31 |
| 1310199 | Other Custody | 31 |
| 1310200 | Visitation | 31 |
| 1310201 | Enforcement | 31 |
| 1310202 | Modification | 31 |
| 1310203 | Order | 31 |
| 1310204 | Third party | 31 |
| 1310299 | Other Visitation | 31 |
| 1310300 | Grandparent Custody/Visitation/Adoption Issues | 31 |
| 1320099 | Other Divorce/Separation/Annulment | 32 |
| 1320100 | Community Property | 32 |
| 1320200 | Divorce/Separation/Annulment | 32 |

| subNATINDEX | | |
|--------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1320300 | Alimony/Spousal Support/Separate Maintenance | 32 |
| 1320400 | Annulment | 32 |
| 1320500 | Divorce | 32 |
| 1320501 | Uncontested | 32 |
| 1320502 | Contested | 32 |
| 1320503 | Post Decree | 32 |
| 1320599 | Other Divorce | 32 |
| 1320600 | Legal Separation | 32 |
| 1330099 | Other Guardianship | 33 |
| 1330100 | Accountings | 33 |
| 1330200 | Adult Disabled | 33 |
| 1330201 | No Estate/Uncontested | 33 |
| 1330202 | No Estate/Contested | 33 |
| 1330203 | Estate/Uncontested | 33 |
| 1330204 | Estate/Contested | 33 |
| 1330300 | Minor | 33 |
| 1330301 | No Estate/Temporary | 33 |
| 1330302 | No Estate/Contested | 33 |
| 1330303 | No Estate/Uncontested | 33 |
| 1330304 | No Estate/Standby | 33 |
| 1330306 | Estate/Contested | 33 |
| 1330307 | Estate/Uncontested | 33 |
| 1330400 | Joint property issues | 33 |
| 1330500 | Money management/money managers/financial exploitation | 33 |
| 1330600 | Adult Abuse/Neglect | 33 |
| 1330700 | Powers of attorney/advance directives/living wills | 33 |
| 1330800 | Removal of guardians/conservators | 33 |
| 1330900 | Trusts | 33 |
| 1331000 | Conservatorship | 33 |
| 1340100 | Name Change | 34 |
| 1350100 | Termination of Parental Rights | 35 |
| 1350200 | Reunification Services | 35 |
| 1360100 | Paternity | 36 |
| 1360101 | Blood Tests | 36 |
| 1360102 | Acknowledgement | 36 |
| 1360199 | Other Paternity | 36 |
| 1370100 | Domestic Violence | 37 |
| 1370101 | Orders of Protection | 37 |
| 1370102 | Full Faith and Credit | 37 |
| 1370103 | VAWA Issues | 37 |
| 1370199 | Other Domestic Violence | 37 |
| 1380100 | Child Support | 38 |

| subNATINDX | | |
|-------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1380199 | Other Child Support | 38 |
| 1380200 | Petition | 38 |
| 1380300 | Enforcement | 38 |
| 1380301 | Private | 38 |
| 1380302 | URESA | 38 |
| 1380303 | 4-D | 38 |
| 1380304 | Tax Intercept | 38 |
| 1380399 | Other Enforcement | 38 |
| 1380400 | Guidelines | 38 |
| 1380500 | Modification | 38 |
| 1390099 | Other Family | 39 |
| 1390100 | Birth Certificate | 39 |
| 1390200 | Teen Parents | 39 |
| 1390300 | Child Care | 39 |
| 1410100 | Adjudication/Delinquent | 41 |
| 1410300 | Juvenile Courts | 41 |
| 1420100 | Child Abuse/Neglect | 42 |
| 1420200 | Dependant | 42 |
| 1490099 | Other Juveniles | 49 |
| 1490100 | Emancipation | 49 |
| 1490200 | Foster Care | 49 |
| 1490300 | Juvenile Institutions | 49 |
| 1490400 | Parental Rights & Obligations | 49 |
| 1490500 | Records | 49 |
| 1490501 | Access | 49 |
| 1490502 | Confidentiality | 49 |
| 1490503 | Expungement | 49 |
| 1490504 | Other Records | 49 |
| 1510099 | Other Medicaid | 51 |
| 1510100 | Medicaid | 51 |
| 1510200 | Assets/Asset Limits | 51 |
| 1510300 | Applications | 51 |
| 1510400 | Coverage | 51 |
| 1510500 | Dental Services | 51 |
| 1510600 | Durable Medical Equipment | 51 |
| 1510700 | Optical Services | 51 |
| 1510800 | Early and Periodic Screening, Diagnosis, and Treatment Program | 51 |
| 1510900 | Eligibility | 51 |
| 1511000 | Available Income | 51 |
| 1511100 | Terminations | 51 |
| 1511200 | Transfer Penalties | 51 |
| 1511300 | Underpayment | 51 |

| subNATINDX | | |
|-------------------|---|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1511400 | Immigrant Eligibility | 51 |
| 1511500 | Overpayment/Recoupment | 51 |
| 1520099 | Other Medicare | 52 |
| 1520100 | Medicare | 52 |
| 1520200 | Applications | 52 |
| 1520300 | Coverage | 52 |
| 1520400 | Eligibility | 52 |
| 1520500 | Extended Care Services | 52 |
| 1520600 | Hospital Services | 52 |
| 1520700 | Income | 52 |
| 1520800 | Part A | 52 |
| 1520900 | Part B | 52 |
| 1521000 | Skilled Nursing Care | 52 |
| 1521100 | Terminations | 52 |
| 1521200 | Underpayment | 52 |
| 1521300 | Overpayment/Recoupment | 52 |
| 1590099 | Other Health | 59 |
| 1590100 | Abortion | 59 |
| 1590200 | AIDS/HIV | 59 |
| 1590300 | Alcoholism/Substance Abuse | 59 |
| 1590400 | Birth Control/Sterilization | 59 |
| 1590600 | Children's Health Insurance Programs | 59 |
| 1590700 | Cultural and Linguistic Access to Health Care | 59 |
| 1590800 | Duty to Serve Low-Income Population | 59 |
| 1590900 | Discrimination/Refusal to Treat | 59 |
| 1591000 | Hill-Burton Act | 59 |
| 1591001 | Community Service Obligation | 59 |
| 1591002 | Uncompensated Care | 59 |
| 1591099 | Other Hill-Burton | 59 |
| 1591100 | Home and Community Based Care | 59 |
| 1591200 | Immigrant Health | 59 |
| 1591300 | Immunization | 59 |
| 1591400 | COBRA | 59 |
| 1591500 | Lead Paint/Poisoning | 59 |
| 1591600 | Life-Sustaining Treatment | 59 |
| 1591700 | Managed Care | 59 |
| 1591800 | Minority Health | 59 |
| 1591900 | Nursing Homes | 59 |
| 1591901 | Board and Care/Assisted living facilities | 59 |
| 1591902 | Discharge/Transfer | 59 |
| 1591903 | Licensing | 59 |
| 1591904 | Quality of Care | 59 |

| subNATINDX | | |
|-------------------|---|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1591905 | Qui Tam | 59 |
| 1591999 | Other Nursing Homes | 59 |
| 1592000 | Ombudsprograms/Consumer Assistance | 59 |
| 1592100 | Quality of Care | 59 |
| 1592200 | State-funded Medical Assistance Programs | 59 |
| 1592300 | Health Care | 59 |
| 1592400 | Medical Privacy | 59 |
| 1610096 | Other HUD Subsidized Housing | 61 |
| 1610097 | Other Section 8 | 61 |
| 1610098 | Other Public Housing | 61 |
| 1610099 | Other Federal Housing Programs | 61 |
| 1610100 | Federal Housing Programs | 61 |
| 1610200 | Admissions | 61 |
| 1610201 | Eligibility | 61 |
| 1610202 | Immigrant Eligibility | 61 |
| 1610203 | Preferences | 61 |
| 1610204 | Residency Requirements | 61 |
| 1610205 | Selective Admissions Criteria | 61 |
| 1610299 | Other Admissions | 61 |
| 1610300 | Demolition | 61 |
| 1610400 | Evictions | 61 |
| 1610500 | Grievance Procedures | 61 |
| 1610600 | Hope VI Program | 61 |
| 1610700 | Individual Tenant Rents | 61 |
| 1610701 | Definition of Rent | 61 |
| 1610702 | Utility Allowances | 61 |
| 1610703 | Ceiling Rents | 61 |
| 1610704 | Definition of Annual Income | 61 |
| 1610705 | Income Disregards | 61 |
| 1610799 | Other Rent | 61 |
| 1610800 | Leases | 61 |
| 1610900 | Maintenance | 61 |
| 1611000 | Management/Public Housing Authorities | 61 |
| 1611100 | Project-Wide Rent Increases | 61 |
| 1611200 | Relocation | 61 |
| 1611300 | Security | 61 |
| 1611400 | Security Charges | 61 |
| 1611500 | Site Selection | 61 |
| 1611600 | Tenant Participation/Tenant Organizations | 61 |
| 1611700 | Utility Charges | 61 |
| 1611800 | Section 3 | 61 |
| 1612000 | Preservation | 61 |

| subNATINDX | | |
|-------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1612001 | Section 8 Opt Out/Prepayment | 61 |
| 1612002 | Troubled | 61 |
| 1612099 | Other | 61 |
| 1620100 | Homeownership | 62 |
| 1620199 | Other Homeownership | 62 |
| 1620200 | Closings | 62 |
| 1620300 | Contract Deeds | 62 |
| 1620400 | Deeds | 62 |
| 1620500 | Property Taxes | 62 |
| 1620600 | Home Equity Conversion/Reverse Mortgage | 62 |
| 1620700 | HUD-Insured Mortgages | 62 |
| 1620800 | Liens | 62 |
| 1620900 | Mobile Home Issue | 62 |
| 1621000 | Partition | 62 |
| 1621100 | Title | 62 |
| 1621200 | Foreclosure | 62 |
| 1621300 | Low Income Housing Tax Credit | 62 |
| 1621400 | Tax Abatements | 62 |
| 1621500 | Redlining | 62 |
| 1621600 | Affordable Housing Development | 62 |
| 1630099 | Other Landlord/Tenant | 63 |
| 1630100 | Landlord/Tenant (Non-Federal Housing Programs) | 63 |
| 1630200 | Code Compliance | 63 |
| 1630300 | Evictions | 63 |
| 1630301 | Plaintiff | 63 |
| 1630302 | Defendant | 63 |
| 1630303 | Constructive Eviction | 63 |
| 1630304 | Procedural Defenses | 63 |
| 1630305 | Retaliatory Eviction | 63 |
| 1630399 | Other Eviction | 63 |
| 1630400 | Excess Charges/Late Charges | 63 |
| 1630500 | Leases | 63 |
| 1630600 | Lockouts | 63 |
| 1630700 | Quiet Enjoyment | 63 |
| 1630800 | Rent/Rent Control | 63 |
| 1630900 | Security and Damage Deposits | 63 |
| 1631000 | Seizure of Property/Property Detention | 63 |
| 1631100 | Tenant Participation/Tenant Organizations | 63 |
| 1631200 | Warranty of Habitability | 63 |
| 1690099 | Other Housing | 69 |
| 1690100 | Discrimination | 69 |
| 1690199 | Other Discrimination | 69 |

| subNATINDX | | |
|-------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1690200 | Federal Fair Housing Act | 69 |
| 1690201 | Race | 69 |
| 1690202 | National Origin | 69 |
| 1690203 | Familial Status | 69 |
| 1690204 | Religion | 69 |
| 1690205 | Gender | 69 |
| 1690299 | Other Federal Fair Housing Act | 69 |
| 1690300 | State Fair Housing Laws | 69 |
| 1690400 | Local Fair Housing Protections | 69 |
| 1690500 | Brooke Amendment | 69 |
| 1690600 | Emergency Assistance | 69 |
| 1690700 | Homelessness | 69 |
| 1690800 | Single Room Occupancy Housing | 69 |
| 1690900 | FMHA Housing Programs | 69 |
| 1691000 | Receiverships | 69 |
| 1691100 | Utility Receiverships | 69 |
| 1691200 | Zoning | 69 |
| 1691300 | Housing | 69 |
| 1691400 | Source of Income Discrimination | 69 |
| 1710098 | Other Food Programs | 71 |
| 1710099 | Other Welfare | 71 |
| 1710100 | School Breakfast and Lunch Programs | 71 |
| 1710200 | Supplemental Food Program for Women, Infants, and Children (WIC) | 71 |
| 1710300 | Applications | 71 |
| 1710400 | Assets/Resources | 71 |
| 1710500 | Benefit Levels | 71 |
| 1710600 | Child Care | 71 |
| 1710700 | Child Exclusion/Family Cap | 71 |
| 1710800 | Child Only Cases | 71 |
| 1711000 | Diversion Programs | 71 |
| 1711100 | Due Process | 71 |
| 1711200 | Eligibility | 71 |
| 1711201 | Immigrant Eligibility | 71 |
| 1711300 | Electronic Benefits Transfer | 71 |
| 1711400 | Emergency Assistance | 71 |
| 1711500 | Essential Persons/Family Budget Unit | 71 |
| 1711600 | Fraud | 71 |
| 1711700 | General Assistance | 71 |
| 1711800 | Income | 71 |
| 1711801 | Available Income | 71 |
| 1711802 | Income Disregards | 71 |
| 1711899 | Other Income | 71 |

| subNATINDX | | |
|-------------------|---|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1711900 | Job Search | 71 |
| 1712000 | Lump Sum Payments | 71 |
| 1712100 | Overpayments/Recoupment | 71 |
| 1712200 | Residency Requirements | 71 |
| 1712300 | Sanctions | 71 |
| 1712400 | Shelter Allowance | 71 |
| 1712500 | Standard of Need | 71 |
| 1712600 | Supportive Services | 71 |
| 1712800 | Termination of Benefits | 71 |
| 1712900 | Time Limits | 71 |
| 1713000 | Underpayment | 71 |
| 1713100 | Worker Protections | 71 |
| 1713200 | Work Requirements | 71 |
| 1713201 | Assessments/Individual Responsibility Plans | 71 |
| 1713202 | And Domestic Violence | 71 |
| 1713203 | Education | 71 |
| 1713204 | Training | 71 |
| 1713205 | Vocational Training | 71 |
| 1713206 | Workfare | 71 |
| 1713299 | Other Work Requirements | 71 |
| 1720100 | Black Lung Benefits | 72 |
| 1730099 | Other Food Stamps | 73 |
| 1730100 | Food Stamps | 73 |
| 1730200 | Applications | 73 |
| 1730300 | Assets | 73 |
| 1730400 | Eligibility | 73 |
| 1730500 | Emergency Assistance | 73 |
| 1730600 | Expedited Issuance | 73 |
| 1730700 | Fraud | 73 |
| 1730800 | Household Definition | 73 |
| 1730900 | Overpayments/Recoupment | 73 |
| 1731000 | Reduction/Termination of Benefits | 73 |
| 1731100 | Underpayment | 73 |
| 1731200 | Immigrant Eligibility | 73 |
| 1740099 | Other Social Security | 74 |
| 1740100 | Social Security | 74 |
| 1740200 | Beneficiaries | 74 |
| 1740300 | Children's Insurance | 74 |
| 1740400 | Eligibility | 74 |
| 1740500 | Hearings | 74 |
| 1740501 | Hearing stage | 74 |
| 1740502 | Reconsideration | 74 |

| subNATINDEX | | |
|--------------------|---|--------------|
| NatIdx | NatIdxTxt | PCODE |
| 1740503 | Appeals Council | 74 |
| 1740504 | Court | 74 |
| 1740505 | Vocational Experts | 74 |
| 1740600 | Evidence | 74 |
| 1740700 | Immigrant Eligibility | 74 |
| 1740800 | Overpayments/Recoupment | 74 |
| 1740900 | Retirement Benefits | 74 |
| 1741000 | Sanctions for False and Misleading Statements | 74 |
| 1741100 | Survivor Benefits | 74 |
| 1741200 | Widow/Spouse Benefits | 74 |
| 1741300 | Social Security Disability Benefits | 74 |
| 1741301 | Alcoholism/Substance Abuse | 74 |
| 1741302 | Subjective Pain | 74 |
| 1741303 | Severity of Impairment | 74 |
| 1741304 | Medical-Vocational Guidelines | 74 |
| 1741305 | Disabilities (Physical/Mental) | 74 |
| 1741306 | Overpayments/Recoupment | 74 |
| 1741307 | Representative Payees | 74 |
| 1741308 | Sanctions for False and Misleading Statements | 74 |
| 1741309 | Substantial Gainful Activity/Trial Work | 74 |
| 1741310 | Terminations | 74 |
| 1741399 | Other Social Security Disability Benefits | 74 |
| 1750099 | Other SSI | 75 |
| 1750100 | Supplemental Security Income | 75 |
| 1750200 | Adult SSI | 75 |
| 1750201 | Appeal | 75 |
| 1750202 | Eligibility | 75 |
| 1750203 | Termination | 75 |
| 1750299 | Other Adult | 75 |
| 1750300 | Minor SSI | 75 |
| 1750301 | Appeal | 75 |
| 1750302 | Eligibility | 75 |
| 1750303 | Termination | 75 |
| 1750399 | Other Minor | 75 |
| 1750400 | Alcoholism/Substance Abuse | 75 |
| 1750500 | Assets | 75 |
| 1750600 | Beneficiaries | 75 |
| 1750700 | Contract for Continued Benefits | 75 |
| 1750800 | Income Requirements | 75 |
| 1750900 | Immigrant Eligibility | 75 |
| 1751000 | Medical-Vocational Guidelines | 75 |
| 1751100 | Representative Payees | 75 |

| subNATINDX | | |
|-------------------|---|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1751200 | Severity of Impairment | 75 |
| 1751500 | Subjective Pain | 75 |
| 1751600 | Terminations | 75 |
| 1751700 | Transfer Penalties | 75 |
| 1751900 | Disabilities (Physical/Mental) | 75 |
| 1760099 | Other Unemployment Compensation | 76 |
| 1760100 | Applications | 76 |
| 1760200 | Benefits | 76 |
| 1760300 | Disqualification | 76 |
| 1760400 | Eligibility | 76 |
| 1760500 | Hearings | 76 |
| 1760600 | Overpayments/Recoupment | 76 |
| 1760700 | Termination | 76 |
| 1770099 | Other Veterans/Military | 77 |
| 1770100 | Agent Orange | 77 |
| 1770200 | Discharge | 77 |
| 1770300 | Veterans' Benefits | 77 |
| 1780700 | SSI Eligibility | 78 |
| 1810100 | Status/Classification | 81 |
| 1810200 | Border Searches | 81 |
| 1810300 | Deferred Action | 81 |
| 1810400 | Detention | 81 |
| 1810500 | Deportation/Removal | 81 |
| 1810501 | Consequence of Criminal Conviction | 81 |
| 1810502 | HIV Waiver of Inadmissibility/Deportation/Removal | 81 |
| 1810503 | Waiver of Inadmissibility/Deportation/Removal | 81 |
| 1810599 | Other Deportation/Removal | 81 |
| 1810600 | Discrimination | 81 |
| 1810700 | Legalization | 81 |
| 1810800 | Naturalization | 81 |
| 1810900 | Political asylum | 81 |
| 1811000 | Refugees | 81 |
| 1811100 | Undocumented Workers | 81 |
| 1811200 | VISA processing | 81 |
| 1811201 | Employment Petitions | 81 |
| 1811202 | Family Petitions | 81 |
| 1811299 | Other VISA Processing | 81 |
| 1811400 | Other Immigration | 81 |
| 1820099 | Other Mental Health | 82 |
| 1820100 | Commitment Procedures | 82 |
| 1820101 | Voluntary Commitment | 82 |
| 1820102 | Involuntary Commitment | 82 |

| subNATINDEX | | |
|--------------------|---|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1820199 | Other Commitment | 82 |
| 1820200 | Community Programs | 82 |
| 1820300 | Least Restrictive Alternative Standard | 82 |
| 1820400 | Mental Institutions | 82 |
| 1820500 | Right to Refuse Treatment | 82 |
| 1820600 | Right to Treatment | 82 |
| 1830099 | Other Prisons | 83 |
| 1830100 | Communication with the Outside World | 83 |
| 1830101 | Access to Courts | 83 |
| 1830102 | Access to Legal Assistance | 83 |
| 1830103 | Access to Law Libraries | 83 |
| 1830104 | Access to Media | 83 |
| 1830105 | Social Visits | 83 |
| 1830199 | Other Access/Communication | 83 |
| 1830200 | Conditions of Confinement | 83 |
| 1830201 | Civil Rights | 83 |
| 1830202 | Cruel and Unusual Punishment | 83 |
| 1830203 | Overcrowding | 83 |
| 1830204 | Special Problems of Female Prisoners | 83 |
| 1830205 | Solitary Confinement | 83 |
| 1830206 | Torts | 83 |
| 1830207 | Visitation Rights | 83 |
| 1830299 | Other Conditions of Confinement | 83 |
| 1830300 | Security and Control of Prisoners | 83 |
| 1830301 | Disciplinary Procedures | 83 |
| 1830302 | Lockdowns | 83 |
| 1830399 | Other Security and Control of Prisoners | 83 |
| 1830400 | Employment | 83 |
| 1830500 | Health Care | 83 |
| 1830600 | Pardons | 83 |
| 1830700 | Parole | 83 |
| 1830800 | Records | 83 |
| 1830900 | Rehabilitative Programs | 83 |
| 1831000 | Religious Practices | 83 |
| 1831100 | Work Programs/Work Release | 83 |
| 1840099 | Other Disability | 84 |
| 1840100 | Americans with Disabilities Act | 84 |
| 1840101 | Access | 84 |
| 1840102 | Architectural Barriers | 84 |
| 1840103 | Reasonable Accommodation | 84 |
| 1840199 | Other ADA | 84 |
| 1840200 | Rehabilitation Act | 84 |

| subNATINDX | | |
|-------------------|------------------------------------|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1840300 | Other Discrimination | 84 |
| 1840400 | Assistive Technology | 84 |
| 1840500 | Medical Benefits | 84 |
| 1890099 | Other Civil Rights | 89 |
| 1890100 | Due Process | 89 |
| 1890101 | Deprivation of Liberty | 89 |
| 1890102 | Deprivation of Property | 89 |
| 1890103 | Notice and Opportunity To Be Heard | 89 |
| 1890104 | Remedies | 89 |
| 1890199 | Other Due Process | 89 |
| 1890200 | Equal Protection | 89 |
| 1890300 | Right To Travel | 89 |
| 1890400 | First Amendment Protections | 89 |
| 1890401 | Association | 89 |
| 1890402 | Religion | 89 |
| 1890403 | Speech | 89 |
| 1890499 | Other First Amendment | 89 |
| 1890500 | Privacy | 89 |
| 1890600 | Search and Seizure | 89 |
| 1920099 | Other Native Americans | 92 |
| 1920100 | Indian Child Welfare Act | 92 |
| 1920200 | Indian Country | 92 |
| 1920300 | Health Care | 92 |
| 1920400 | Hunting and Fishing Rights | 92 |
| 1920500 | Jurisdiction | 92 |
| 1920600 | Sovereignty | 92 |
| 1920700 | Treaties | 92 |
| 1920800 | Tribal Government | 92 |
| 1920900 | Reservations | 92 |
| 1930099 | Other License | 93 |
| 1930100 | Auto | 93 |
| 1930200 | Occupational | 93 |
| 1940099 | Other Torts | 94 |
| 1940100 | Plaintiff | 94 |
| 1940200 | Defendant | 94 |
| 1950099 | Other Wills/Estates | 95 |
| 1950100 | Codicils | 95 |
| 1950200 | Contested | 95 |
| 1950300 | Drafting | 95 |
| 1950400 | Intestacy | 95 |
| 1950500 | Small Estates | 95 |
| 1950600 | Trusts | 95 |

| subNATINDX | | |
|-------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 1950700 | Uncontested | 95 |
| 1990199 | Other Taxation | 99 |
| 1991000 | Sales Taxes | 99 |
| 2010099 | Other Attorneys/Legal Services | 999 |
| 2010100 | Attorney/Client Privilege | 999 |
| 2010200 | Attorney Fees | 999 |
| 2010201 | Lodestar | 999 |
| 2010202 | Hourly Rates | 999 |
| 2010203 | Consent Decree/Settlements | 999 |
| 2010204 | Costs Allowed | 999 |
| 2010205 | Substantially Justified Position | 999 |
| 2010206 | Prevailing Party | 999 |
| 2010299 | Other Attorney Fees | 999 |
| 2010300 | Conflicts of Interest | 999 |
| 2010400 | Equal Access to Justice Act | 999 |
| 2010500 | Interest on Lawyers Trust Accounts (IOLTA) | 999 |
| 2010600 | Legal Services Funding | 999 |
| 2010700 | Legal Services Restrictions | 999 |
| 2010800 | Paralegals | 999 |
| 2010900 | Pro Bono | 999 |
| 2011000 | Pro Se | 999 |
| 2011100 | Section 1983 Suits | 999 |
| 2011200 | Section 1988 Suits | 999 |
| 2011300 | Legal Services Web Sites | 999 |
| 2011301 | State or Local Programs | 999 |
| 2011302 | National Support Centers | 999 |
| 2011303 | Bar Associations | 999 |
| 2011304 | Job Listings | 999 |
| 2011399 | Other | 999 |
| 2011400 | Ethical Issues | 999 |
| 2011500 | International Legal Aid | 999 |
| 2011600 | Public Awareness | 999 |
| 2011700 | State Planning | 999 |
| 2011800 | Government Relations | 999 |
| 2011900 | Community Resources | 999 |
| 2020099 | Other Civil Procedure/Administrative Law | 999 |
| 2020100 | Abstention | 999 |
| 2020200 | Arbitrary and Capricious | 999 |
| 2020300 | Bias | 999 |
| 2020400 | Discretion | 999 |
| 2020500 | Appeals | 999 |
| 2020600 | Class Action | 999 |

| subNATINDEX | | |
|--------------------|-----------------------------|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 2020601 | Class Definition | 999 |
| 2020602 | Certification | 999 |
| 2020699 | Other Class Action | 999 |
| 2020700 | Consent Decrees/Settlements | 999 |
| 2020800 | Court Costs | 999 |
| 2020900 | Delay in Processing | 999 |
| 2021000 | Discovery | 999 |
| 2021001 | Depositions | 999 |
| 2021002 | Experts | 999 |
| 2021003 | Interrogatories | 999 |
| 2021004 | Production of Documents | 999 |
| 2021005 | Privileges | 999 |
| 2021006 | Sanctions | 999 |
| 2021099 | Other Discovery | 999 |
| 2021100 | Estoppel | 999 |
| 2021400 | Immunity | 999 |
| 2021401 | Qualified Immunity | 999 |
| 2021402 | Sovereign Immunity | 999 |
| 2021499 | Other Immunity | 999 |
| 2021500 | In Forma Pauperis | 999 |
| 2021600 | Juries | 999 |
| 2021700 | Judgment | 999 |
| 2021701 | Default Judgment | 999 |
| 2021702 | Declaratory Judgments | 999 |
| 2021703 | Enforcement of Judgments | 999 |
| 2021704 | Full Faith and Credit | 999 |
| 2021799 | Other Judgment | 999 |
| 2021800 | Jurisdiction | 999 |
| 2021801 | Case and Controversy | 999 |
| 2021802 | Diversity of Citizenship | 999 |
| 2021803 | Exhaustion of Remedies | 999 |
| 2021804 | Federal Question | 999 |
| 2021805 | Personal Jurisdiction | 999 |
| 2021806 | Pendent Jurisdiction | 999 |
| 2021899 | Other Jurisdiction | 999 |
| 2021900 | Mootness | 999 |
| 2022000 | Nonacquiescence | 999 |
| 2022100 | Private Right of Action | 999 |
| 2022200 | Pro Se | 999 |
| 2022300 | Remedies | 999 |
| 2022301 | Injunctive Relief | 999 |
| 2022302 | Preliminary Injunctions | 999 |

| subNATINDEX | | |
|--------------------|--------------------------------------|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 2022303 | Damages | 999 |
| 2022399 | Other Remedies | 999 |
| 2022400 | Res Judicata | 999 |
| 2022500 | Removal | 999 |
| 2022600 | Ripeness | 999 |
| 2022700 | Rulemaking Procedure | 999 |
| 2022701 | Notice | 999 |
| 2022702 | Proposed Rule Change | 999 |
| 2022799 | Other Rulemaking Procedure | 999 |
| 2022800 | Service of Process | 999 |
| 2022900 | Standards of Review | 999 |
| 2023000 | Standing | 999 |
| 2023100 | Statutes of Limitation | 999 |
| 2023101 | Computation of Time | 999 |
| 2023102 | Waiver | 999 |
| 2023199 | Other Statutes of Limitation | 999 |
| 2023200 | Transcripts | 999 |
| 2023300 | Venue and Transfer | 999 |
| 2023400 | Waiver | 999 |
| 2040099 | Other Criminal | 999 |
| 2040100 | Crime Victim Compensation | 999 |
| 2040200 | Criminal Defense | 999 |
| 2040300 | Appellate Practice | 999 |
| 2040400 | Confessions and Custodial Statements | 999 |
| 2040500 | Confrontation Clause | 999 |
| 2040600 | Defenses | 999 |
| 2040601 | Self Defense | 999 |
| 2040602 | Capacity/Sanity | 999 |
| 2040699 | Other Defenses | 999 |
| 2040700 | Due Process | 999 |
| 2040800 | Habeas Corpus | 999 |
| 2040900 | Ineffective Assistance of Counsel | 999 |
| 2041000 | Motions for New Trial | 999 |
| 2041100 | Police Encounters | 999 |
| 2041200 | Records/Record Expungement | 999 |
| 2041300 | Right to Counsel | 999 |
| 2041400 | Right to Jury Trial | 999 |
| 2041500 | Substantive Crimes | 999 |
| 2041501 | Against Property | 999 |
| 2041502 | Against the Person | 999 |
| 2041503 | Other Substantive Crimes | 999 |
| 2041600 | Trial Practice | 999 |

| subNATINDX | | |
|-------------------|--|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 2041700 | Victim's Rights | 999 |
| 2050099 | Other Economic Development | 999 |
| 2050200 | Child Care | 999 |
| 2050300 | Community Development Block Grants | 999 |
| 2050400 | Community Reinvestment Act | 999 |
| 2050500 | Community Organizations | 999 |
| 2050700 | Job Creation/Business Development | 999 |
| 2050800 | Nonprofit Incorporation/Dissolution | 999 |
| 2050900 | Other Incorporation/Dissolution | 999 |
| 2060099 | Other Elections | 999 |
| 2060100 | Districting | 999 |
| 2060200 | Voting Rights Act | 999 |
| 2060300 | Voting Systems | 999 |
| 2070099 | Other Environmental Justice | 999 |
| 2070100 | Air Pollution | 999 |
| 2070200 | Hazardous Waste | 999 |
| 2070400 | Pesticides | 999 |
| 2070500 | Water Pollution | 999 |
| 2080099 | Other Evidence | 999 |
| 2080100 | Administrative Hearing Evidence | 999 |
| 2080200 | Authentication and Identification | 999 |
| 2080300 | Documentary Evidence | 999 |
| 2080400 | Hearsay and Exceptions | 999 |
| 2080500 | Impeachment | 999 |
| 2080600 | Judicial Notice | 999 |
| 2080700 | Opinions and Expert Testimony | 999 |
| 2080800 | Privileges | 999 |
| 2080900 | Relevancy and Materiality | 999 |
| 2090099 | Other Government and Governmental Services | 999 |
| 2090100 | Freedom of Information | 999 |
| 2090200 | Municipal Ordinances | 999 |
| 2100099 | Other Migrants | 999 |
| 2100100 | State Law Contract Claims | 999 |
| 2110099 | Other Rural Issues | 999 |
| 2110100 | Farm Loan Programs | 999 |
| 2110200 | Preservation of Farms | 999 |
| 2110300 | Race Discrimination in Agriculture | 999 |
| 2110400 | Sustainable Agriculture | 999 |
| 2110500 | Farm Disaster Assistance | 999 |
| 2110600 | Poultry Growers' Rights | 999 |
| 2110700 | Factory Hog Farms | 999 |
| 2110800 | Credit Issues for Farmers | 999 |

| subNATINDX | | |
|-------------------|--------------------------|--------------|
| NatIndx | NatIndxTxt | PCODE |
| 2120099 | Other Senior Citizens | 999 |
| 2120100 | Discrimination | 999 |
| 2120200 | Funeral/burial issues | 999 |
| 2160099 | Other | 999 |
| 2160200 | Courts & Case Law | 999 |
| 2160201 | Federal Appellate Courts | 999 |
| 2160202 | Federal District Courts | 999 |
| 2160203 | State Appellate Courts | 999 |
| 2160204 | State Trial Courts | 999 |
| 2160299 | Other | 999 |
| 2160300 | Statutes and Regulations | 999 |
| 2160301 | Federal | 999 |
| 2160302 | State | 999 |
| 2160303 | Local | 999 |
| 2160399 | Other | 999 |

Main Benefit Codes

| subMAINBENEFIT | | |
|----------------|-------|---|
| MAINBENEFIT | PCODE | MAINBENEFITNAME |
| 0 | 0 | No Main Benefit for Client |
| 101 | 1 | Obtained federal bankruptcy protection |
| 201 | 2 | Stopped debt collection harassment |
| 301 | 3 | Overcame illegal sales contracts and/or warranties |
| 401 | 4 | Overcame discrimination in obtaining credit |
| 501 | 5 | Prevented or overcame utility termination |
| 601 | 6 | Loans/Installment Purch. |
| 701 | 7 | Prevented or overcame utility termination |
| 801 | 8 | Unfair Sales Practices |
| 901 | 9 | Obtained advice, brief services or referral on Consumer matter |
| 1101 | 11 | Overcame suspension or expulsion |
| 1102 | 11 | Obtained right to special education |
| 1103 | 11 | Obtained advice, brief services or referral on an Ed. matter |
| 2101 | 21 | Overcame job discrimination |
| 2201 | 22 | Obtained wages due |
| 2901 | 29 | Prevented wrongful discharge |
| 2902 | 29 | Prevented illegal taking of employment benefit, e.g., pensions |
| 2903 | 29 | Obtained advice, brief services or referral on Emp. matter |
| 3001 | 30 | Successful Adoption |
| 3101 | 31 | Obtained or maintained custody of children |
| 3102 | 31 | Obtained or preserved right to visitation |
| 3201 | 32 | Obtained a divorce, legal sep., or annulment |
| 3301 | 33 | Guardianship / Conserv.Obtained guardianship for disabled adult |
| 3302 | 33 | Obtained guardianship for adoption for dependant child |
| 3401 | 34 | Name Change |
| 3501 | 35 | Prevented termination of parental rights |
| 3601 | 36 | Established paternity for a child |
| 3701 | 37 | Obtained protective order for victim of domestic violence |
| 3801 | 38 | Obtained, preserved or increased child support |
| 3901 | 39 | Obtained advice, brief services or referral on a Family matter |
| 4101 | 41 | Delinquent |
| 4201 | 42 | Obtained benefits of emancipation |
| 4202 | 42 | Obtained child protective order |
| 4203 | 42 | Obtained advice, brief services or referral on Juvenile matter |
| 4901 | 49 | Other Juvenile |
| 5101 | 51 | Gained access to Medicare or Medicaid provider |
| 5201 | 52 | Obtained/preserved/increased Medicare or Medicaid benefits/rights |
| 5901 | 59 | Obtained benefits of EPSDT program |
| 5902 | 59 | Prevented premature hospital discharge |
| 5903 | 59 | Prevented nursing home abuse or assured nursing home quality care |

| subMAINBENEFIT | | |
|-----------------------|--------------|--|
| MAINBENEFIT | PCODE | MAINBENEFITNAME |
| 5904 | 59 | Overcame denial of admission to emergency room |
| 5905 | 59 | Stopped harmful medical treatment |
| 5906 | 59 | Obtained health or disability insurance |
| 5907 | 59 | Obtained advice, brief services or referral on a Health matter |
| 6101 | 61 | Obtained access to housing |
| 6201 | 62 | Avoided foreclosure or other loss of home |
| 6301 | 63 | Prevented eviction |
| 6302 | 63 | Overcame illegal charges by landlord |
| 6303 | 63 | Overcame denial of tenant's rights under lease |
| 6304 | 63 | Enforced tenant's rights to decent, habitable housing |
| 6305 | 63 | Obtained repairs to dwelling |
| 6401 | 64 | Prevented denial of public housing tenant's rights |
| 6901 | 69 | Prevented illegal discrimination in obtaining housing |
| 6902 | 69 | Obtained advice, brief services or referral on a Housing matter |
| 7101 | 71 | Obtained/preserved/increased AFDC/other welfare benefit/right |
| 7201 | 72 | Black Lung |
| 7301 | 73 | Obtained/preserved/increased food stamps eligibility/right |
| 7401 | 74 | Social Security |
| 7501 | 75 | Obtained/preserved/increased SSI/SSD benefit/right |
| 7601 | 76 | Obtained/preserved/increased Unemployment comp. benefit/right |
| 7701 | 77 | Obtained/preserved/increased Veterans Benefits |
| 7801 | 78 | Obtained/preserved/increased Worker's Compensation |
| 7901 | 79 | Obtained advice, brief services or referral on an Income M. matter |
| 8101 | 81 | Immigrant avoided deportation |
| 8102 | 81 | Undocumented immigrant obtained legal status |
| 8103 | 81 | Immigrant family unit kept intact |
| 8201 | 82 | Mental Health |
| 8301 | 83 | Prisoner's Rights |
| 8401 | 84 | Obtained/preserved/increased benefits/rights of disabled persons |
| 8402 | 84 | Obtained/preserved/increased benefits/rights of instit. persons |
| 8901 | 89 | Obtained advice, brief services or referral on an Ind. Rights matter |
| 9101 | 91 | Obtained incorporation/tax exempt status |
| 9102 | 91 | Obtained assistance with other structural or governance issues. |
| 9201 | 92 | Indian / Tribal Law |
| 9301 | 93 | Overcame illegal taking of or restriction to a driver's license |
| 9401 | 94 | Defended a Torts action |
| 9501 | 95 | Obtained a will |
| 9502 | 95 | Obtained a living will or health proxy or power of attorney |
| 9901 | 99 | Obtained other benefit |

Close Codes

| subRCLOSED | |
|------------|--|
| RCLOSED | RCLOSEDNA |
| A | Counsel and Advice |
| B | Brief Services (other than Counsel and Advice) |
| C | Referred After Legal Assessment |
| D | Insufficient Merit to Proceed |
| E | Client Withdrew, Did Not Return |
| F | Negotiated Settlement (without Litigation) |
| G | Negotiated Settlement (with Litigation) |
| H | Administrative Agency Decision |
| I | Court Decision |
| J | Change in Eligibility Status |
| K | Other |

Appendix 2 – Reporting System Conversion Tables

Insert the conversion tables of AARP LCE reporting system to LSC CSR Handbook/TEAJF SAR and other reporting systems here.]

Appendix 3 – PICK to Prime CSR Software Conversion Tables

[Insert the conversion tables of PICK screens & fields to Prime screens & fields here.]

Appendix 4 - esi Telephone Decision Tree

[Insert the general hotline telephone system greeting and decision tree here.]

Appendix 5 – LHT In-House MCLE

Elder Law and Ethics for Texas Legal Telephone Hotlines

November 19 and 20, 2001

(3.75) November 19, 2001, Morning.

Public Benefits.

8:00 a.m. – 8:30 a.m. (0.50) **Social Security.** (Roger Curme) Social Security Program including retirement, disability and death benefits for workers, spouses, children, and others, insured status, appeal procedure, waiver of overpayment, early or late retirement, other.

8:30 a.m. – 9:00 a.m. (0.50) **Public Employee Retirement Plans and ERISA.** (Roger Curme) Public retirement and disability insurance systems other than Social Security plus an overview of ERISA plans. Civil service/federal employee, military retirement, VA benefits, railroad retirement, Texas ERS, TRS & C&DRS, municipal retirement plans, union plans, ERISA defined benefit and defined contribution plans, other.

9:00 a.m. – 9:05 a.m. **Break.**

9:05 a.m. – 9:20 a.m. (0.25) **The Role of Texas Area Agencies on Aging under the U.S. Older Americans Act, the Texas Human Resources Code, and the Texas Administrative Code** (and other laws and regulations including the Texas Local Government Code [COGs]) (Bruce Bower).

9:20 a.m. – 10:20 a.m. (1.00) **Medicare & Managed Care.** (Bruce Bower) Medicare Program including eligibility, Medicare part-A & B benefits, managed care, appeal procedure, other.

10:20 a.m. – 10:40 a.m. **Break.**

10:40 a.m. – 11:10 a.m. (0.50) **Medicaid Cost Savings Plans, Medigap Plans, and Free Prescription Drug Programs.** (Marcia Rachofsky) QMB, SLMB, QI-1, QI-2, QDWI, standardized and group supplement plans, other supplement plans, free prescription drugs through pharmaceutical companies, other.

11:10 a.m. – 11:40 a.m. (0.50) **Healthcare Rights of Older Texans and Insurance for Texans with Disabilities.** (Roger Curme) Healthcare rights other than Medicare and Medicaid for older Texans and Texans with disabilities including hospital treatment for emergency medical needs, Texas county indigent healthcare program, Hill-Burton program, VA benefits, Travis County MAP program, insurance for Texans with disabilities, retiree benefits, COBRA, other.

11:40 a.m. – 12:10 p.m. (0.50) **Supplemental Security Income.** (Koyne Smith) SSI Program including eligibility, income, resources, benefits, appeal procedures, administrative appeals of disability cases, SSA & SSI (Medicaid, Medicare, MQMB, food stamps, & subsidized housing) or TANF, other.

12:10 p.m. – 1:15 p.m. **Lunch.**

(3.50) **November 19, 2001, Afternoon.**

Public Benefits, cont.

1:15 p.m. – 1:45 p.m. (0.50) **Regular Medicaid.** (Koyne Smith) (SSI) Medicaid Program including eligibility, benefits, appeal procedure, other.

1:45 p.m. – 2:00 p.m. (0.25) **Food Stamps.** (Roger Curme) Food Stamp Program, including eligibility, income, resources, households, fair hearing and appeal procedure, fraud procedure, advantageous rules for older Texans and Texans with disabilities, Lone Star Card, WIC and other food assistance programs, calculation sheet, other.

2:00 p.m. – 2:15 p.m. (0.25) **TANF.** (Roger Curme) TANF Program, including eligibility, income, resources, households, benefits, good cause and eligibility fair hearing and appeal procedure in general, responsibility agreements and sanctions for noncompliance, advantageous rules for older Texans and Texans with disabilities, other.

2:15 p.m. – 2:20 p.m. **Break.**

2:20 p.m. – 2:35 p.m. (0.25) **Grandparents' TANF Benefits and Benefits for Older Texans who are Caregivers of Children.** (Patricia Miller) TANF benefits for grandparents of a dependent child, supplemental financial assistance, protective payee general, caregiver grants, "child only" grants, Medicaid or CHIP for grandchildren, TDHS eligibility & good cause fair hearing procedure and appeals, foster grandparent program, National Family Caregiver Support Program (low income grandparents caring for a developmentally disabled child, etc.), various miscellaneous grandparent rights, other.

2:35 p.m. – 3:05 p.m. (0.50) **Subsidized Housing, Landlord/Tenant, Residential Foreclosure.** (Roger Curme) The major federal government housing programs, grievance and appeal procedures, public housing authorities, innkeepers, tenant at will, oral month-to-month residential tenancy, TAA standard residential lease, eviction, termination of lease, Chapters 91 [landlord/tenant generally] and 92 [residential tenancies] of Texas Property Code, fair housing, non-payment of rent appeals, real estate financing (cash, standard deed of trust, owner finance, assumption, contract for deed, lease purchase, retail installment contract for improvements, etc.), flood insurance, tenant disaster assistance, residential subdivision rules, Texas non-judicial foreclosure, federally insured mortgages, home equity loans, reverse mortgages, adjacent landowner with overhanging limbs or other encroachments, rental of spaces in manufactured housing parks, manufactured housing certificate of title rules, self storage facilities, other.

3:05 p.m. – 3:25 p.m. Break.

3:25 p.m. – 4:25 p.m. (1.00) **Nursing Home Medicaid, CBA and Alternatives to Nursing Home Medicaid, and Long Term Care Insurance.** (Maria Johnson) Nursing home Medicaid and community based alternatives, income, resources, medical necessity, spousal impoverishment rules (PRA etc.), CBA and other Medicaid community based programs and alternatives to nursing home Medicaid, long term care insurance, other.

4:25 p.m. – 4:30 p.m. **Break.**

4:30 p.m. – 4:45 p.m. (0.25) **Texas Electric Utility Ratepayers Rights and Remedies.** (Carol Biedrzycki) Texas electric utility ratepayers' rights and remedies, complaint procedure, disconnection of service to Texans who are older or disabled, weatherization programs, other.

4:45 p.m. – 5:00 p.m. (0.25) **EIC, Federal Income Tax, Texas Property Tax Code, Other Tax.** (Roger Curme) EIC for individuals and households, credits, deductions, income tax provisions relating to health care expenses, taxation of Social Security benefits, refunds, manual refunds, extensions and installment contracts, adjustments, Texas Property Tax Code (homestead and other exemptions, protests, deferral affidavits, etc.), a few words about estate, inheritance, and gift tax, other.

5:00 p.m. – 5:15 p.m. (0.25) **Workers Compensation and Unemployment Compensation.** (Roger Curme) Texas and federal workers compensation programs and Texas unemployment compensation. Workforce Commission hearing procedure, how the last work ended, disadvantages of the Texas workers compensation program, other.

(3.75) November 20, 2001, Morning.

Non-Taxable Estate Planning and Probate

8:00 a.m. – 8:30 a.m. (0.50) **Guardianship.** (Scott Stebler) Texas Guardianship Code (Probate Code): jurisdiction, venue, notice, attorney fees, applications, court's initiation, qualification, guardian of estate, guardian of person, attorney ad litem, temporary guardianships, limited guardianships, accounting, appeal, removal, court investigators, constitutional county, statutory county, and statutory probate courts, court visitor program, APS guardianship programs, county guardianship programs, mental health commitments, minors, other.

8:30 a.m. – 9:00 a.m. (0.50) **Alternatives to Guardianship.** (Norma Baker) Alternatives to guardianship in Texas, directive to physician, medical power of attorney, out of hospital do not resuscitate order, durable power of attorney, designation of guardian in advance, Texas Health & Safety Code Ch. 313 [Consent to Medical Treatment Act], right to refuse medical treatment, joint bank accounts, representative payee, TANF protective payee, Texas Human Resources Code, Ch. 102 [older Texans] and Texas Money Management Program, advanced directive for mental health, appointment of agent for disposition of remains, other.

9:00 a.m. – 9:05 a.m. **Break.**

9:05 a.m. – 9:35 a.m. (0.50) **Small Estate Planning.** (Maria Johnson) Small estate planning, intestate succession rules, wills (oral, handwritten, attested, requirements, self-proving affidavits, independent administration, other advantages of Texas law, wills from outside Texas, revocation, etc.), trusts (Texas Trust Code, QIT, masterpooled trust, 4d trust for persons under age 65 and disabled, Texas management trust, revocable living trusts, Medicaid qualifying trust, testamentary trusts, charitable trusts, other trusts), joint bank accounts (POD, convenience, right of survivorship, etc.), right of survivorship (community and noncommunity), community property and homestead general probate rules, life estates, nontestamentary transfers, life insurance, annuities, other.

9:35 a.m. – 9:50 a.m. (0.25) **Probate of Wills and Administration of Estates.** (Maria Johnson) Probate of wills, administration of estates, duties of an independent administrator, duties and liabilities of custodian of will, summary proceedings for small estates after personal representative appointed, probate will as muniment of title, dependent administration, affidavit of heirship and statutory form, small estate administration, determination of heirship, application for order of no administration, community administration, homestead claims, will contests, other.

9:50 a.m. – 10:10 a.m. **Break.**

Ethics

10:10 a.m. – 12:10 a.m. (2.00) **Ethics.** (Roger Curme) Texas Rules of Disciplinary Conduct, authorization, conflict, fee-sharing attorney panels, practice of law and general legal information, ABA model rules for telephone hotlines, other.

12:10 a.m. – 1:15 p.m. Lunch.

(4.00) November 20, 2001, Afternoon

ADA, Family, Rights of Debtors and Bankruptcy and Consumer.

1:15 p.m. – 1:45 p.m. (0.50) **ADA.** (Thomas Mann) ADA, Family Medical Leave Act and Age Discrimination in Employment Act, other.

1:45 p.m. – 2:15 p.m. (0.50) **Texas Family Law.** (Patricia Miller) Informal marriage, contracts (non-marital cohabitation agreement, domestic partnership agreement, promise to get married, prenuptial & antenuptial agreements, partition, characterization change of separate and community property, separation contract, credit cards, etc.), community property and homestead general family rules (separate, sole management community, joint community, creditors for contract, tort, necessities, etc.) juvenile justice system, domestic violence, CPS (children),

temporary orders and protective orders, dissolution generally, SAPCR generally (conservatorship, possession, access, child support, modification, etc), Texas Uniform Parentage Act, voluntary and involuntary terminations, adoption, adoption subsidies, parents' rights and duties, grandparent Family Code rights and duties (consent for medical treatment & immunization, etc.), duty to support spouse, division of retirement plans, other.

2:15 p.m. – 2:20 p.m. **Break.**

2:20 p.m. – 2:35 p.m. (0.25) **Abuse, Neglect, or Exploitation of Texans Age 65 and Older and Texans with Disabilities.** (Patricia Miller) Chapter 48 Texas Human Resources Code [investigations and protective services for elderly and disabled (APS)], Texas Penal Code (assault), other.

2:35 p.m. – 3:05 p.m. (0.50) **The Rights of Debtors in Texas and Bankruptcy.** (Leala Mann) Consumer credit counseling, judgment proof, exempt property and income, Chapter 7, Chapter 13, electronic deposit of Social Security check & anti-garnishment letter to bank, other.

3:05 p.m. – 3:20 p.m. (0.25) **Consumer Law.** (Leala Mann) FTC and federal consumer laws and rules, TiL, fair debt collection, fair credit billing, credit reporting, interest rate matters, objections to paid bank drafts, Texas Finance Code, Texas Business & Commerce Code, DTPA, Lemon Law, Texas timeshare, Texas telemarketing law, car repairs, home improvements and residential construction liability, Texas Attorney General, Texas Department of Insurance, how to sue in small claims court, Texas occupational licensing and regulatory authorities, statutes of limitation, trial of right to personal property, other.

3:20 p.m. – 3:40 p.m. Break.

Nursing Homes.

3:40 p.m. – 3:55 p.m. (0.25) **Texas Nursing and Convalescent Homes under Title IV [Facilities], Chapter 242, Texas Health & Safety Code.** (Roger Curme) Nursing homes, regulation of nursing homes (Medicare, Medicaid, Texas Human Resources Code Chapter 102 [older Texans], 40 Texas Administrative Code Ch. 19 [nursing facility requirements for licensure and Medicaid certification], etc.), other facilities under Title IV (assisted living, ESRD, continuing care, etc.), other.

3:55 p.m. – 4:10 p.m. (0.25) **Nursing Home Residents' Rights.** (Roger Curme) Texas Human Resources Code, Chapter 102 [older Texans], transfer and discharge rights (Medicare, Medicaid, private pay), ombudsman services, administrative complaint procedure, reports of abuse or neglect, ADA and TDHS nursing home discharge fair hearings, Olmstead, Texas medical malpractice, exemplary damages (Texas Civil Practice & Remedies Code), other.

4:10 p.m. – 4:15 p.m. **Break.**

4:15 p.m. – 5:45 p.m. (1.50) **Abuse and Neglect in the Nursing Home, Litigation, Real Life Cases.** (video of Kathryn Snapka) TDHS administrative complaints and investigations, plaintiff litigation against nursing homes, case examples, other.

**BASIC LAW, PROCEDURE, AND ETHICS FOR TEXAS TELEPHONE HOTLINES
UNDER THE TEXAS CRIME VICTIMS CIVIL LEGAL SERVICES PROGRAM
SATURDAY, APRIL 6, 2002, TEXAS LAW CENTER, 1414 COLORADO, RM. 203,
AUSTIN, TEXAS 78701**

(10:00 a.m. – 10:45 a.m., 0.75 hrs.) Laura Galaviz. Criminally injurious conduct: offenses against the person (criminal homicide, kidnapping and false imprisonment, sexual offenses, assaultive offenses), offenses against the family, etc.

(10:45 a.m. – 11:15 a.m., 0.50 hrs.) Carolyn Espeseth. Basic Texas criminal procedure: courts; criminal jurisdiction; limitation and venue; arrest, commitment and bail; search warrants; after commitment or bail and before trial; trial; proceedings after verdict; etc.

(11:20 a.m. – 12:05 p.m., 0.75 hrs.) Bruce Bower. Access to health care by crime victims who are disabled or 60 years of age or older.

(1:10 p.m. – 1:40 p.m., 0.50 hrs.) Roger Curme. Basic Crime Victims Compensation Law: Article I, Sec. 31 of the Texas Constitution; Chapter 56, Texas Code of Criminal Procedure – Rights of Crime Victims; Supreme Court of Texas rules and procedures governing the administration of the Crime Victims Civil Legal Services Program; U.S. Crime Victims Compensation Act of 1984 (42 U.S.C. Sec. 10601 et seq.); requirements of Sec. 10602(b); definition of international terrorism under 42 U.S.C. Sec. 2331; etc.

(1:40 p.m. – 2:10 p.m., 0.50 hrs.) Leala Mann. Basics of the Texas Juvenile Justice Code (Texas Family Code Title 3).

(2:10 p.m. – 2:40 p.m., 0.50 hrs.) David Richards. Sex Offender Registration Program (Ch. 62 Texas Code of Criminal Procedure); civil commitment of sexually violent predators (Chapter 841, Texas Health & Safety Code).

(2:50 p.m. – 3:20 p.m., 0.50 hrs.) Terry Secrest. Application process for benefits under the Texas Crime Victims Compensation Program.

(3:20 p.m. – 3:50 p.m., 0.50 hrs.) Trish McAllister. Basics of Protective Orders and Family Violence (Texas Family Code Title 4).

(3:50 p.m. – 4:05 p.m., 0.25 hrs.) Roger Curme. Legal Ethics for Texas Telephone Hotlines assisting crime victims under the Crime Victims Civil Legal Services Program.

**Basic Law of Public Benefits, Crime Victims, and Nursing Homes and Assisted Living
Facilities; and Legal Ethics for Texas Legal Hotlines**

AGENDA

December 15, 2004, Morning: 8:00 a.m. – 11:45 a.m. (3.50 hrs.)

(Roger Curme, 2 hrs: 8:00 a.m. - 10:00 a.m.) Ethics of Texas Legal Hotlines (Legal Hotline for Texans Operations Manual)

(Bruce Bower, 1 hr: 10:15 a.m. – 11:15 a.m.) Texas Medicaid Estate Recovery Program; Nursing Home Medicaid Income First Rule & Annuity Rule; Other Public Benefits.

(Roger Adams – Texas Department of Aging & Disability Services, 0.50 hrs: 11:15 a.m. – 11:45 a.m.) Access and Assistance for Older Texans and Medicare eligible Texans; Texas Department of Aging & Disability Services Program Guidelines relating to the Texas Health Information Counseling and Advocacy Program.

December 15, 2004, Afternoon: 12:45 p.m. – 4:25 p.m. (3.25)

(Roger Curme, 0.75 hrs: 12:45 p.m. - 1:30 p.m.) Crimes: Basic Doctrines, Where to Find the Law

Violent Crimes

Assault/Aggravated Assault - Texas Penal Code Sections 22.01; 22.02

Physical Abuse of Elderly - Texas Penal Code Section 22.04

Sexual Assault in Nursing Homes, Assisted Living (22.011)

Other Violent Crimes

Non-Violent Crimes

ID Theft – Texas Penal Code Section 32.51

Deceptive Business Practices - Texas Penal Code Section 32.42

Misapplication of Fiduciary Property – 32.45

Property Crimes; Crimes against the Family

Other Non-Violent Crimes

Victims' Rights

TX CCrP Art. 56.02; TX Family Code 57.002

Peace Bonds; Protective Orders; Orders of Protection; Prevention, etc.

Crime Victim Compensation

(Roger Curme, 0.50 hrs: 1:30 p.m. – 2:00 p.m.) Abuse, Neglect & Exploitation: Basic Doctrines, Where to Find the Law

Ch. 102 TX H.R. Code (60 or older)

Ch. 48 TX H.R. Code (65 or older, disabled)

Ch. 261 TX Family Code (child)

(Norma Almanza – Texas Department of Insurance, 1.00 hrs: 2:15 p.m. – 3:15 p.m.) Health Information Counseling and Advocacy; Medicare Modernization Act.

(Bruce Bower, 0.50 hrs: 3:25 p.m. – 3:55 p.m.) Texas Nursing Homes: Basic Doctrines, Where to Find the Law

In General (TX H&S Code Ch 242; 40 TAC Ch 19)

Abuse, Neglect & Exploitation

(Bruce Bower, 0.50 hrs: 3:55 p.m. – 4:25 p.m.) Assisted Living Facilities: Basic Doctrines, Where to Find the Law

In General (TX H&S Code Ch 247/40 TAC Ch 92)

Abuse, Neglect & Exploitation