

# Legal Hotline Connection

## May 2015

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The newsletter is produced by Elder Law of Michigan's Center for Elder Rights Advocacy. It is a partner in the National Legal Resource Center. For more information about CERA, visit [www.legalhotlines.org](http://www.legalhotlines.org). For more about the NLRC and to access its many resources, visit [www.nlrc.acl.gov](http://www.nlrc.acl.gov).

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**NLRC** Providing Legal Support to the  
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This document was supported, in part, by a grant from the US Department of Health and Human Services, Administration on Aging (AoA). Grantees undertaking projects under government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official AoA policy.

# 2014 Senior Legal Helplines Annual Report Now Available

By Christopher Jackson, Project Administrator, CERA

CERA is proud to release the 2014 Senior Legal Helplines Annual Report. This year's report includes data reported from twenty-two of the thirty Senior Legal Helplines (SLH), which represents an increase of participation from 2013. Seventeen of these helplines were able to report additional data such as client demographic breakdowns, costs of operation, staffing levels, case problem codes, levels of service, and case referral destinations. The



SLH participation was impressive, as reporting the data to CERA can be a time consuming endeavor, and would indicate an affirmation of the value the helplines find in having the information in this report.

Some of highlights of the report include:

- The twenty-two reporting helplines served 44,001 unduplicated clients and handled 53,589 cases;
- Average cost per case in 2014 was \$75.59, down from \$82 in 2013;
- In 2014, a Full Time Equivalent handled an average 1,156 cases, up from 1,055 cases in 2013;
- 31% of clients identified as part of a minority, up slightly from 29% in 2013;
- 76% of 2014 helpline clients had incomes below 200% of Federal Poverty Level, yet only 30% of the 60+ population have incomes this low.
- Top six helpline case types in 2014:
  - Wills and estates: 14%
  - Collection: 8%
  - Medicaid: 8%
  - Private Landlord/Tenant: 8%
  - Advance Directives: 7%
  - Home Ownership: 6%

- 83% of cases were closed with Counsel and Advice, 8% with Limited Action, and 4% with Extended Services;
- Top four funding sources were:
  - State and local funding sources – 34%
  - OAA Title IV Model Approaches – 15%
  - Access to Justice/State Bar Funds/IOLTA – 14%
  - OAA Title IIIB – 7%

These findings, along with an in-depth analysis of the data and many other findings, can be [found in the report at legalhotlines.org](http://legalhotlines.org).

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## A Career in Legal Hotlines

By Shoshanna Ehrlich, Former CERA Program Specialist

At the end of May, I will retire from my twenty-five year career in legal hotlines. My journey parallels the hotline story – from the creation of the demonstration statewide senior legal hotlines in six states to the expansion into 28 states, plus DC and PR. My experience is different from most hotline managers, though. It spans both the management of a statewide senior legal hotline housed at an LSC program to a national overview of all the senior hotlines operating in the nation. It has been my privilege to know and learn from the managers in each of the senior hotlines across the United States, to see how the work has developed, succeeded or failed across the nation, to have a picture in my mind of how the model works from a national perspective.



Shoshanna Ehrlich and Keith Morris, CERA

During my time with AARP Foundation Legal Hotline Technical Assistance Project (1996-2008) and Elder Law of Michigan's Center for Elder Rights Advocacy Legal Hotlines Technical

Assistance Project (2009-2015), I have traveled to 26 states to learn about and hopefully provide some insights on the way they operate their statewide legal hotlines. I am sure I never would have traveled to most of these cities if didn't have a role in the legal hotlines technical assistance project. The Project has sent me on site visits to senior hotlines in Pittsburgh and Philadelphia; Washington DC; Austin; Tampa; Lansing; Cincinnati; Willimantic, CT; Boston; Honolulu (life is tough); Albuquerque; Sacramento; Morgantown, WV; Seattle; Des Moines; Atlanta; Lexington, KY; Chattanooga; Manchester, NH; Bloomington, IN; Baltimore; Boise (the wine was surprisingly good); Columbia, SC; Minot, ND; Las Vegas; New York City; Omaha, Burlington, VT; and Wilmington, DE.

### **A Brief History of Senior Statewide Legal Hotlines**

Wayne Moore pioneered the senior legal hotline model while he served as Director of the AARP Foundation Legal Advocacy Group. The concept was simple but revolutionary: a senior could call one number from anywhere in the state and receive legal advice on a wide variety of civil legal topics. Wayne received an award from the ABA in 1998 and the first NLADA "Innovations in Equal Justice Award" in 1999 for his work in creating a series of statewide elderly hotlines and enhancing delivery of pro se services. As of 2015, 28 states, plus DC and PR have operating statewide senior legal hotlines.

In 1985, AARP Foundation started the first statewide senior legal hotline – the Legal Hotline for Older Americans- in Pittsburgh. It tested the standalone model and provided only legal advice, occasional brief services, and referrals to legal aid/IIIB programs and to a low fee private attorney referral panel it set up. In 1987, AARP Legal Counsel for the Elderly started a legal hotline intake system for its Washington, D.C. law office. The hotline served as the screening, intake, advice and referral unit for the full service program, transferring eligible clients needing additional services to the program's staff attorneys. This was the model that LSC embraced and promoted as a centralized telephone intake, advice and referral system. LSC issued standards for centralized telephone intake for its programs in 2002.



including appropriations from their states' budgets and IOLTA. Finding stable funding remains the most significant hurdle to survival and expansion of the senior legal hotlines.

## **In the Beginning**

I joined the Legal Hotline for Older Floridians in the Fall of 1989 when AARP Foundation began provided funding to Legal Services of Greater Miami (LSGMI) to set up the Legal Hotline for Older Floridians. I saw an ad in the Florida Bar News for a part time attorney to provide legal advice on the phone. I was intrigued. I was working full time as one of two county Child Support Enforcement Attorneys. I had worked full time for several years before and after going to law school while raising two little girls. I had an 18 month old baby boy at home and spent my time at Child Support Enforcement pining away for him. Also, I was present at two incidents of violence with delinquent dads in those days before security officers and metal detectors and was a bit scared of going to work. The opportunity to work part time seemed like a Godsend and was so rare for attorneys. Even though it was a long commute from Ft. Lauderdale to Miami, I was thrilled to move to part time and have more time to spend with the baby and my now teenage daughters. I spent six wonderful years at Legal Services as Supervising Attorney of the Elder Law Unit and Project Director of the Legal Hotline for Older Floridians.

We learned lots of lessons in hotline operation when we started taking calls – many of which hotlines continue to deal with continuously – balancing demand for services with available staffing, avoiding long wait and call back times, finding appropriate referrals for clients that needed them, frequent flyers, protocols for handling angry or mentally ill clients. The work flow didn't go exactly as planned. We had two 800 lines that clients could call in on. The plan was that an attorney would pick up and answer the calls live. However, as soon as two clients called simultaneously, the third caller got a busy signal and no one else could get through. So we had to move callers off the incoming lines to talk with the attorneys. A receptionist got the caller's age and phone number and the attorney called back. This worked pretty well if the call back followed quickly but this didn't last long. AARP published the number of the Florida Hotline in the AARP Bulletin. Once that happened we were swamped with calls – we got 200

on one day! The receptionist kept taking messages. At one point, we had a call back lag time of one month. It finally occurred to us that we had to close intake when the wait time got too long. There was as yet no real field experience with such high volume and it was in this time period, with the startup hotlines in PA, DC, FL, OH, MI, and TX, that these lessons were learned.

Luckily for me, AoA had been funding, through Title IV, the Legal Hotline Technical Assistance Project. Monica Kolasa, the manager of the original PA hotline, and Jan May at AARP Legal Counsel for the Elderly were leaders in providing the technical support. The hotline managers had monthly telephone meetings where we shared our experiences, talked through ideas for handling volume, creating materials, or whatever we were dealing with that month. The Technical Assistance Project produced How to Manuals, Frequently Asked Questions manuals, sample Referral Panel Attorney contracts, evaluation standards – all this before the internet.

The hotline model was also revolutionary in that it was paperless. AARP had commissioned the creation of special software that all the AARP funded hotlines used. It was really good for its time. Each hotline attorney had a computer and could run conflicts checks, enter client demographic data, casenotes and problem codes. Best of all, it ran good reports so we could easily know how many cases and clients we served, whether we were serving target populations, what the problem codes were, what level of service was provided. The Technical Assistance Project collected all this data from the hotlines and I believe having this data to demonstrate what the hotlines were accomplishing was instrumental in getting AoA/ACL to support and expand the model.

Word processing was still fairly primitive in the software, though. This was at a time when offices were transitioning from Wang word processors. The administrative assistants at LSGMI had PCs that ran DOS, but Windows didn't exist yet. Other staff members did not have computers, only paper files. During my time at LSGMI, the staff attorneys got computers. Some applauded, some resisted, most acquiesced. It was a huge change. We got intra-office email which cut down on strolls through the building. Frequently used client letters could be saved and easily adapted. There was still no internet though. The hotline room had Florida

Statutes books, but if the client needed any more in depth research the hotline attorney would have to go to the LSGMI law library, which was purposely placed close to the hotline offices.



### **The Hotline Revolution/Evolution**

The concept of providing legal advice on the phone to clients who didn't have to travel and could get swift access to legal services was revolutionary but no one could have foreseen how the model would explode as a result of technology that was unimaginable in 1985. I don't like to use the overexposed word "synergy" but that is the perfect word for what happened with hotlines and the internet. The extent and value of services was exponentially increased. It has been an amazing journey from the first use of legal case management software in 1989. Starting in 1996, as editor of the Legal Hotline Quarterly, I began including a regular column entitled "Websites of Interest". Back then there were no browsers or search engines; if you didn't know the URL you couldn't get to the site. In 2003, the column wasn't needed anymore. The Legal Hotline Technical Assistance Project first put up its website, [www.legalhotlines.org](http://www.legalhotlines.org) at the start of the new millennium. It was a dorky red and black template but we were one of the first legal support centers to have its own website; [www.legalhotlines.org](http://www.legalhotlines.org) is in excellent hands with CERA.

Another technology revolution that we didn't originally plan for was the almost universal use of cell phones. This has greatly impacted call connection processes at hotlines and resulted in adjustments to queuing, information sharing, website applications, and more. But the great thing about hotlines I have learned over the years is that they are flexible and eager to take advantage of new applications to offer better services and are quick to adjust when technology throws them a curve.

### **The Legal Hotline Technical Assistance Project**

When we learned at LSGMI that AARP would no longer provide funding for the statewide hotline, I knew it would not continue operation long term. In 1996, I decided to resign and look for more traditional legal work closer to home. Fate intervened when I called Wayne Moore to tell him my plans. He asked me to join the Legal Hotline Technical Assistance Project. I could telecommute from home to the AARP Foundation headquarters in D.C.

I spent more than 10 years managing the Technical Assistance Project for AARP Foundation. The resources of AARP, particularly Legal Counsel for the Elderly and the research and media production departments, helped the Technical Support Project and hotlines a great deal. The research department implemented various legal hotline outcomes studies and senior legal needs studies. The media department produced a video on legal hotline operation, filming attorneys and actor-clients at the LCE hotline in DC. The Foundation funded a National Association of Senior Legal Hotlines project to provide advice on Medicare Part D inquiries when Medicare first enacted that program. LCE produced workshops for national conferences, provided content for procedural and policy manuals, and provided experience for the daily management of a legal hotline. My work at the Foundation hit a high point when I was able to persuade Ellie Lanier, the former manager of the Georgia Senior Legal Hotline, to work with me on the Technical Assistance Project. We enjoyed several great years of collaboration until the end of 2008 when AARP Foundation decided to change its focus and stop applying for AoA/ACL funded projects like the Legal Hotlines Technical Assistance Project and the National Legal Training Project. Ellie was a law professor at the University of Georgia Law School, so the end of the AARP employment was fine with her. I, however, plenty old enough to be an

AoA/ACL client, was faced with looking for a job after almost 20 years in legal hotlines in the depths of the Great Recession. This time fate sent me a knight in shining armour in the form of Keith Morris.

At the time, Keith was Operations Manager at Elder Law of Michigan and became Executive Director after Kate White moved to another organization. Elder Law of Michigan, one of the original, high volume, and most innovative and collaborative of the senior legal hotlines, stepped in to apply for the AoA/ACL Legal Hotlines Technical Assistance funding. ELM created the Center for Elder Law Advocacy



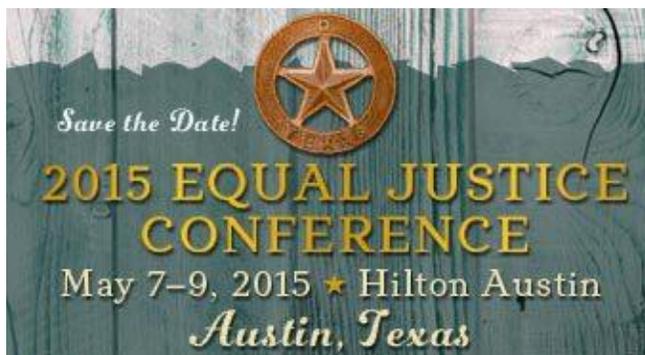
(CERA) and asked me to come with them, this time telecommuting to Lansing instead of DC. I happily accepted and was very pleased that Keith Morris would take over leadership of the Technical Assistance Project. Working with Keith has been an absolute pleasure. He is brilliant, energetic, and very understanding. He is always on the cutting edge, excited to try a new procedure or technology. It has been a wonderful ride and it is a blessing to know the Project is in such capable hands.

Before saying good-bye, I want to share with you something that always reminds me to be thankful for our work. As I was leaving my shift at the Florida hotline one day, the security guard – a careworn older man with a tragic history – said to me “You are very lucky.” “What do you mean?” I asked. And he said “You get to help people every day.” That simple statement has stayed with me throughout the years. Helping people is our corporate bonus. The hotline attorneys on the frontline are my heroes. Hopefully, I have helped some of you help people and that makes me feel very lucky, too. I would love to stay in contact and talk with you: shoshie47@gmail.com.

## Things I Learned at My First Equal Justice Conference

By Michael Walters, Legal Hotline Managing Attorney, Pro Seniors, Inc., and Project Specialist, CERA

As part of the CERA team, I was able to attend the Equal Justice Conference for the first time. At the conference, I was able to participate in presentations and attend many other panels. Below are some of the many things that I learned at the Conference this year.



1. Evidence-based legal service is the theme for the foreseeable future. If you are seeking funding for a project, you need to be able to supply data to prospective funders to support your belief about what your project may accomplish. If you are reporting on an existing project, you need to supply hard data to support your contentions about what the project has accomplished so far.
2. Technology is changing everything about how legal services are delivered. Legal services can be delivered more economically to a larger universe of clients than ever before. But often, the technology is available before we have thought through how technology may impact issues such as conflicts of interest. We need to think about the rules of professional responsibility when we consider using new technology to deliver legal services.
3. Medical-legal partnerships are a fertile source of funding for legal service providers. Once medical providers learn that solving the legal problems of their patients actually reduces the need for medical treatment, medical providers will compete for your services.
4. Retired attorneys and law students are an untapped pool of eager volunteers for legal service providers.

5. Austin has a robust, progressive system of community courts. Community courts relieve pressure from the dockets of criminal courts. Special courts for specific populations can keep certain minor offenses out of the court system, provide a pool of community service volunteers, and can save the traditional court system an immense amount of money and time.
6. The Consumer Financial Protection Bureau is the most useful Federal government agency to come along in many years. Many of the tools provided by the CFPB can help your clients to prevent legal problems *before* they happen.
7. There is an interesting development in the legal services community regarding a civil right to counsel in civil cases involving basic human needs. Some municipalities have already adopted ordinances providing appointed counsel in cases such as eviction.
8. Tennessee has developed an innovative pro bono project for volunteer attorneys who provide legal advice to clients with legal questions through email.
9. Legal service organizations are taking proactive measures to reach underserved populations, such as rural clients and the LGBT community.
10. Austin is a really cool city. The Austin Host Committee was a hospitable, well-organized group. Marcia Ball is a great blues singer.

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## 2015 National Aging and Law Conference

The National Aging and Law Conference is October 29-30, 2015. Registration is now open and can be found [here](#).

The 2015 National Aging and Law Conference (NALC) will bring together substantive law, policy, and legal service development and delivery practitioners from across the country. The

program will include sessions on Medicare, Medicaid, guardianship, elder abuse, legal ethics, legal service program development and delivery, consumer law, income security, and other issues.