Senior Legal Hotline
515 12th Street ❖ Sacramento, CA 95814
Telephone: (916) 551-2145 ❖ Fax: (916) 551-2197
www.seniorlegalhotline.org

JOB DESCRIPTION

Position: * Senior Legal Hotline volunteer attorney/paralegal/law student

Reports to: * David Mandel, supervising attorney, and other hotline staff

Time frame:
* Starting minimum to get up to speed: once a week for 3-4 hours. More is encouraged.
* Intent to stick with it for a significant time period is requested. Alternatively, a significantly larger number of hours per week for a semester or summer internship is welcomed.
* Almost any time during the work day is fine. We prefer to know a day or two in advance in order to schedule appointments with clients. Last-minute work can almost always be found, however.
* Evening sessions are now being held every Thursday until 8.

Responsibilities:
* Provide brief, quality legal advice by telephone to senior citizens over 60.
* When appropriate, provide additional brief service such as document review, research, letters or calls to third parties, negotiation.
* Help clients find more extensive representation when necessary, and/or refer them to other legal and social services.
* Enter intake data and case notes in our computer; mail survey packets to clients, with additional forms and/or education materials as necessary.

Optional Additional Responsibilities:
* Provide training and consultation to other advocates in area(s) of expertise.
* Assist in supervision of paralegals and students
* Develop community education materials.
* Provide client service, conduct workshops, give presentations at senior centers/other outside locations.

Benefits:
* State Bar dues waived for eligible volunteer attorneys in the Emeritus program.
* Malpractice insurance coverage through the Voluntary Legal Services Program
* Opportunities to attend trainings/workshops free or at reduced rates; MCLE credits are usually available
* Friendly, committed, interesting co-workers, grateful clients
* Opportunity to provide a vital service to the community

March 2005

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From the pro bono desk of Paul C. Valentine
February 2003

Dear Counsel:

Fiscal cuts are pervasive: Federal government, state government, county government, city government ... and private foundations. Even though the demand for our assistance has never been higher, funding for the Senior Legal Hotline has been halved for 2003. Regrettably we have had to implement reductions in paid staff just to keep the doors open.

Last year, the hotline received 7,124 requests from seniors throughout Northern California seeking legal advice and assistance. Calls in the first months of 2003 are running at the same pace. Because we have had to reduce paid staff, our need for volunteers has never been greater.

This letter is an urgent request for you to consider devoting a few hours a week to respond to these needs by taking on a rewarding new career: becoming a volunteer for the Senior Legal Hotline.

As an inactive attorney (whether due to retirement or a career change), this is a way for you to keep your ties with the legal profession while providing a tremendous service to people in need. And if you wish, you may actually be eligible to maintain active status without having to pay State Bar dues.

The hotline is managed in conjunction with Legal Services of Northern California, which provides backup, training and malpractice insurance for the volunteers who staff the hotline.

Seniors throughout Northern California learn of the hotline from advertisements in phone books, bulletin boards in senior centers, referrals from governmental agencies and their friends. Many of the seniors who call are on welfare, but some are not, falling in the wide gap between extreme poverty and having sufficient financial resources to hire their own attorney.

Typically a senior will call the hotline and briefly state why she called. A receptionist then schedules a time for a return call from a volunteer attorney or paralegal. The hotline also staffs a true "hotline" for those calls that demand immediate response. We volunteers are active or retired attorneys and paralegals who agree to contribute a few hours of our time to return the scheduled calls. We come in at our convenience during regular working hours

Please turn the page

or on Thursday evenings, when the office stays open for those volunteers and clients alike with day jobs.

Seniors call for assistance with a wide range of problems and concerns, including financial and credit difficulties, bankruptcy, landlord-tenant and other housing issues, consumer issues, SSI, Social Security, Medicare, Medi-Cal, estate planning, health care, family law, grandparent rights, immigration, age discrimination and elder abuse.

Some of us had virtually no experience in many of these matters. But we quickly found that our skills of listening, questioning and trying to understand the problem, coupled with ready assistance from hotline staff, other volunteer attorneys and state-of-the-art research resources always enable us to lend assistance to the caller. We are not able to solve all the problems that come in, but we are always able to suggest the next step the caller should take to resolve their problem. Sometimes, that recommendation is to retain an attorney.

Please consider becoming a volunteer for the hotline. You will find that your work is deeply rewarding. There also are several tangible benefits:

- Qualifying for low or no-cost MCLE courses;
- Gaining understanding of the baffling complexity of problems that confront seniors today (and, not incidentally, becoming able to respond to those same questions you get from your own elder friends and parents!);
- Being able to work on your own terms without entanglements. You can set your own hours, come in, talk with caller seniors and then go home. You are not expected to take any cases with you for work when you are not there.

We hope that you will decide to join us. A good way to begin would be to attend the training session on March 27 described in the attached flier.

We look forward to meeting you.

Sincerely,

Paul C. Valentine
Retired Attorney
Senior Legal Hotline Volunteer

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REQUEST FOR VOLUNTEERS – ATTORNEYS

The Senior Legal Hotline is seeking volunteer attorneys (active or inactive) to advise and assist seniors. We are a small, friendly office of two attorneys, three paralegals, clerical/intake staff and various volunteers and student interns. We provide free legal advice and brief services by phone to people over 60 on all subjects and areas of law.

The job involves returning calls to clients who have asked us for assistance, offering legal advice regarding the client's problem, sending written information and in some cases, providing additional services such as document review, calls or letters to adversaries, family members or other parties, and some negotiation. When a client needs more representation than we are able to provide, we help him or her find the best way to obtain it.

Who are our volunteers and what do they do?

Many volunteers at the hotline are either recently retired from practice or new attorneys. For retirees or those who have switched careers, it is an opportunity to keep your legal mind sharp on many subjects while contributing the valuable expertise you may have in some areas. You may even be able to maintain active status with exemption from State Bar dues through the bar's Emeritus Program. For new attorneys, hotline work is an excellent opportunity to gain experience actually working with clients and to obtain substantive knowledge about many highly practical areas of law.

For either group, the job includes eligibility for free and low-cost MCLE training opportunities (exact conditions vary, depending on sponsorship).

Other possible activities include outreach work, both inside and outside the office, the latter at presentations to groups of seniors or to staff at other agencies.

Speakers of foreign languages are especially valuable; we are currently undertaking a project to better serve older immigrants who don't speak English.

Hours and days:

Hours of work are extremely flexible from 8:30 to 5; we just need to know at least a day in advance when advocates are coming in order to make phone appointments for them. We also have evening hours -- to 8 p.m. – every Thursday, snacks provided -- so people with full-time day jobs can volunteer.

Time commitment is negotiable, though to allow for the best training and orientation, a minimum of 12 hours a month for at least six months is preferred. More is preferable, and consistency is especially important while getting started. Actual hours for our currently active volunteers vary widely.

To sign up or for more information, please call (916) 551-2145.

February 2003

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REQUEST FOR VOLUNTEERS -- PARALEGALS, LAW STUDENTS, PARALEGAL STUDENTS AND OTHER ADVOCATES

The Senior Legal Hotline is seeking paralegals, law students, paralegal students and professionals with other law-related knowledge. We are a small, friendly office of four attorneys, two paralegals, clerical/intake staff and various volunteers and student interns. We provide free legal advice and brief services by phone to people over 60.

The job involves taking client calls, collecting demographic information and -- under supervision of an attorney -- offering legal advice regarding the client's problem, sending written information and in some cases, providing additional brief service. It is an excellent opportunity to gain experience actually working with clients and to obtain substantive knowledge about many highly practical areas of law.

Other possibilities include outreach work, both inside and outside the office, the latter at presentations to groups of seniors or to staff at other agencies, and preparing written/audio-visual and on-line client education material.

<u>Skills needed include:</u>

§ ability to speak clearly and succinctly when gathering or giving information over the phone to a wide range of senior clients.
§ ability to work independently and follow through with assignments.
§ ability to remain calm in the face of busy phones and difficult situations or clients.
§ a caring attitude toward seniors of all ability levels.
§ cultural sensitivity to lifestyles, language, and disabling conditions.
§ ability to strictly respect the confidentiality of clients.

Formal paralegal training is not required, though substantive knowledge in one or more areas we commonly address is highly welcomed. A foreign language is especially valuable.

<u>Hours and days:</u>

Hours of work are extremely flexible during regular daytime hours, but we need to know at least a day in advance when advocates are coming in order to make phone appointments for them. Regular office hours are 8:30 to 5, and we have evening hours -- to 8 p.m. – every Thursday, snacks provided -- so people with full-time day jobs can volunteer.

Time commitment is negotiable, though to allow for the best training and orientation, a minimum of 12 hours a month for at least six months is preferred. Actual hours for our currently active volunteers vary widely.

To sign up or for more information, please call (916) 551-2145.

September 2002

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REQUEST FOR VOLUNTEERS -- PUBLIC RELATIONS/OUTREACH

The Senior Legal Hotline is seeking one or more volunteers to help with public relations and outreach to seniors and other community organizations. We are a small, friendly office of four attorneys, two paralegals (hopefully more of each of these soon, funds permitting), clerical/intake staff and various volunteers and student interns. We provide free legal advice and brief services by phone to people over 60.

The job involves seeking out ways to improve our outreach work to individuals and other community organizations, to let people know of our available services. Tasks will include developing outreach plans, calling other agencies, supplying written materials to them and keeping in contact. There may be opportunities to attend occasional meetings with others outside the office or make public appearances to groups of seniors, normally together with a staff attorney or paralegal (transportation costs for outside travel can be reimbursed.).

More and more of this aspect of our work is also computer-connected. Working out reciprocal linking arrangements with other agencies' web sites is an important part of the job, and for someone with the needed skills, improving design, content and functionality of our web site and data bases – both the public section and our internal resource directory -- is a constant need.

Skills needed include:

§ ability to speak clearly and succinctly when gathering or giving information over the phone to a wide range of service providers and senior clients.
§ ability to work independently and follow through with assignments.
§ ability to remain calm in the face of busy phones and difficult situations or clients.
§ a caring attitude toward seniors of all ability levels.
§ cultural sensitivity to lifestyles, language, and disabling conditions.
§ ability to strictly respect the confidentiality of clients.
§ computer skills, especially web design and data base management, are highly desirable.

Speakers of foreign languages are especially valuable.

Hours and days:

Hours of work are extremely flexible during regular daytime hours. Regular office hours are 8:30 to 5, and we have evening hours -- to 8 p.m. Thursdays, snacks provided.

Time commitment is negotiable, though to allow for the continuity and consistency necessary for this aspect of our work, a minimum of 10 hours a week for at least six months (longer if possible) is preferred, though different arrangements can be discussed.

To sign up or for more information, please call (916) 551-2145.

March 2005

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REQUEST FOR VOLUNTEERS -- PHONE INTAKE/CLERICAL ASSISTANCE

The Senior Legal Hotline is seeking reception/clerical volunteers at our office, 515 12th Street, Sacramento. We are a small, friendly office of four attorneys, three paralegals, clerical/intake staff and various volunteers and student interns. We provide free legal advice and brief services by phone to people over 60.

The primary job involves answering the phone, obtaining certain initial information from clients, screening them for eligibility and setting appointments for hotline advocates to call them back.

In addition, there are miscellaneous office duties such as filing, copying and mailing; and it would be highly desirable for volunteers to be able to enter case intake information into our computer system. For this, basic typing skills are needed. Computer use of data bases and word processing is required; some training can be provided.

<u>Skills needed include:</u>

§ ability to speak clearly and succinctly when gathering or giving information over the phone to a wide range of senior clients.

§ ability to work independently and follow through with assignments.

§ ability to remain calm in the face of busy phones and difficult situations or clients.

§ a caring attitude toward seniors of all ability levels.

§ cultural sensitivity to lifestyles, language, and disabling conditions.

§ ability to strictly respect the confidentiality of clients.

Speakers of foreign languages are especially needed.

<u>Hours and days:</u>

Hours of work are extremely flexible during regular daytime hours. Regular office hours are 8:30 to 5, and we have evening hours -- to 8 p.m. Thursdays, twice a month, snacks provided -- so people with full-time day jobs can volunteer. This may be expanded to weekly sessions.

Time commitment is negotiable, though to allow for the best training and orientation, a minimum of eight hours a week for at least six months is preferred. Actual hours for our currently active volunteers vary widely.

To sign up or for more information, please call (916) 551-2145.

July 2001

<u>**SENIOR LEGAL HOTLINE VOLUNTEER ORIENTATION**</u>

Updated March 2005

Welcome! Please read these pages first, then look through the rest of the materials in the folder and start in on your self-orientation.

I. Handouts in this packet:

1. List of handouts and orientation outline (this document)
2. Job description
3. SLH brochure
4. SLH fliers
5. C98 for SLH -- our own basic computer intake manual
6. Sample intake printout
7. Intake form for notes

7b. Case continuation notes form

8. Intake procedures
9. Intake reminders
10. List of problems codes
11. VLSP/LSNC income eligibility levels
12. Current public benefit levels
13. Common referrals to other agencies
14. Social work interns
15. Memo on counting clients
16. Memo on what constitutes low income
17. Letter writing procedures
18. Memo on closing cods

18. Sample release form

19. Sample retainer agreement
20. Sample survey/checkup packet
21. Parking information

23. New volunteer questionnaire*
24. Case type preference questionnaire*
25. Emergency information form*
26. Other volunteer opportunites – memo and questionnaire*
27. Consultations questionnaire*
28. Referrals to self and other attorneys*

** Please complete and return these items. Thanks.*

Miscellaneous recent additional memos (Varies)

II. Self-Orientation

Before the formal orientation session, please do the following on your own, in whatever order works best for you – just let us know when you'll be coming to the office.

- Read the various materials in this folder; complete the forms and questionnaires as requested.
- If you have not attended our live Elder Law Overview training in person, borrow a videotape of the most recent one and watch it at home. If you attended the training awhile ago, you also may want to do this.
- In the office, review a stack of closed cases to get a better picture of the scope and nature of our service.

- Spend some time going through the case management system intake instructions with a computer. There may be case data that needs to be entered. If not, for practice you may created a make-believe case; just be sure to tell us to delete it.
- Become familiar with our on-line advocate manual and the other sections of our internal web site.
- Peruse the library of client information material – mostly on the wall racks in the hallway and in the administrative room.
- Browse through our bookshelves to become familiar with the types of reference books and binders we have in our library.
- If you wish, listen in on calls being made by more experienced advocates.
- Ask any other questions you have. But note the topics listed below – these will be covered in the formal orientation.
- When you're ready, speak to David or Ann about scheduling an orientation session. If there are other new volunteers ready, we try to do this in small groups.

III. Topics to be covered in group or individual orientation session

A. Hours: Almost any time during office hours is OK, as long as we know in advance for scheduling purposes. Sign up on the calendar when you leave. We now have Thursday evening sessions weekly.

B. Hotline history and future aspirations

C. Hotline mission: Advice and brief service
Targeted clients: low-income, isolated, minority

D. Client eligibility: Age, not income; exceptions for parties who call on behalf of others; grandparent cases

E. Connection with LSNC, VLSP: Malpractice insurance coverage; more extensive pro bono representation; income restrictions

F. Emeritus program for retired attorneys: Eligibility, MCLE requirements

G. Training opportunities

H. Make sure you know about these other important resources in the office:

1. Senior Legal Hotline on-line Advocate's Manual

2. Resources by county, in file drawer ... and through the internal web site.

3. Books in our library

4. Substantive material in looseleaf binders on library shelves.

5. Internet access – searches for information, government agency forms.

6. Westlaw access by computer

7. Judicial Council forms (by CD) on our network

8. Training opportunities folder

9. Job announcement clipboard

10. Memos clipboard

11. Your personal folder: Mail, memos, case review feedback, place to keep open cases in progress

12. Phone message slots

I. Procedures:

1. Current intake system: three ways to take calls
   Immediate hotline service
   Scheduled call-backs from phone calls
   Scheduled calls following e-mail queries
   - Please search for prior cases!

2. Choosing cases
   Hotline priorities: May be subject to change from time to time
   Volunteer's areas of special knowledge

3. If you can't reach the caller: What message to leave; when to give up.

4. Who is the client when someone else calls?

5. What if the client says s/he already has a lawyer?

6. Checking for possible conflicts

7. The intake form: Knowing which information is important.

8. Format for Notes section: Issue; facts; resolution/advice; how much detail to write

9. If there's more than one issue: separate cases

10. Same issue, same year: reopen the case. ... New year: open a new case

11. When you don't know the answer

12. When materials need to be sent to the client: How to find the right brochure

13. When is it appropriate to offer additional brief services: document review, other-party phone calls, letters (review before sending), negotiation

14. When is a release form needed?

15. Letters to clients or other parties: Have a staff attorney review before sending.

16. When to send a retainer agreement; advice letter; closing letter.

17. Common referrals to other agencies (see detailed memo)

18. Specific referrals to private attorneys

19. When social worker intervention is indicated

20. Helping non-English speakers

21. Client surveys, checkups -- and other occasional information pieces

22. Review/feedback

J. Timekeeping requirements (see also computer instructions)

K. Dealing with potential ethical dilemmas: Conflicts, confidentiality, who is the client? (See also the section in the advocate manual).

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Intake procedures

HISTORY:

As the name says, we are a hotline. Originally we took most calls directly. We have found that is more satisfying for clients and advocates alike. But as volume grew in the mid-'90s, more and more calls were getting dumped into voice mail. Some clients got helped right away, others not for days or weeks. Phone tag became common, and some clients in need got lost completely.

We switched to the appointment system. Clients got help more on a first-come, first-served basis, and many advocates, especially volunteers, like the idea of knowing something in advance about the subject matter of a call. But appointments add an extra call to every case, more if the client isn't there or we get a wrong number. And almost all clients need to wait a day or two before getting help.

Beginning in early 2000, with the advantage of more staff and volunteers, we decided to combine the two systems to incorporate most of their respective advantages.

Now, we are also receiving queries by e-mail.

DIRECT CALLS AND APPOINTMENTS – MAKING THE COMBINED SYSTEM WORK

1. **At least one staff member is on hotline duty** 9 to 12 and 1 to 4 Monday through Friday, and until 7 p.m. Thursdays, according to a regular schedule (subject to emergency cancellations, vacations and trades). We try to have two or even three people on duty when we can.

2. After gaining some experience with appointments, **volunteers may choose to do part or all of their work on hotline duty**. Generally, the more the better. If we hit a slow spell, there are almost always some voice mail calls that can be returned.

3. The hotline duty advocates takes **as many calls as possible** during those hours – picking them up as they ring. Short questions that can be handled quickly are taken care of immediately; the data are entered and the advocate moves on to the next call. Most of our calls are short ones – and we find that quick access reduces some of the demand for more extensive service, as expectations build up in the minds of clients who call a "hotline" and then have to wait a day or two for an appointment.

4. **If the case requires some research or other time-consuming action**, the advocate may take the basic data, enter the case and arrange to call the client back later. This may or may not be by appointment, and it may or may not be with the advocate who took the first call. It may be better, for instance, to pass the case on to another advocate – staff or volunteer – who has specialized knowledge in the area, or perhaps one who simply will be there the next day. Use common sense and good judgment in each case. But the full intake form should be created right away by the initial advocate. Others can add their notes as the case develops.

5. **Calls that don't get picked up by an advocate** on duty are answered by front office staff (others as backup) during regular hours. They are then treated in one of two ways:

- Clients who say they have **"quick questions" and/or very urgent matters** are offered a callback the same day if possible -- even an immediate transfer, depending on the degree of urgency and advocate availability. Staff or volunteers should give receptionists a sense of their availability for such calls, and they can say no – or try to, anyway. Most typically, a note is given to one of the hotline duty staff, who returns the call in between others or after the shift.
- Clients willing to wait a day or two if necessary are given **appointments,** using the clipboards and when implemented, an on-line appointment system. With rare exceptions, we don't make appointments more than two work days out.
- If we are out of appointments, receptions may verify eligibility and take contact information. Clients are told we'll try to call them -- but no promises. They are encouraged to try again in a day or two if they don't get a call. A callback slip goes in the **Callbacks Waiting** box on the front table. Advocates who find themselves free are encouraged to take them. A callback slip is discarded after two work days if the caller hasn't been reached.

6. **Voice mail messages** (some calls still end up there) are picked up regularly by receptionists at the start of the day, noon and 4. If they came in during regular open hours, they are attended to right away, either by a receptionist who calls and sets an appointment as above or by an advocate if someone is available. Communication is key. Message slips from calls that come during closed hours may be placed into the **Callbacks Waiting** box.

E-MAIL QUERIES

- Rachel is responsible for checking the inbox at least a couple times a day. If she can't she assigns someone else to do it.
- Any new e-mail queries are assigned available appointments, the same as with phone callers. By return e-mail the caller is told who will be calling when, asked to be a little flexible as to the exact time and advised to have any relevant documents ready.
- The query is printed out and given to the assigned advocate, on the clipboard or by e-mail.
- The advocate is responsible for entering data on the intake. Eventually, our web designers are supposed to devise a system by which the information can be transferred automatically from the e-mail to Clients.
- E-mails with follow-up questions are forwarded (by e-mail or in print, as appropriate) to the advocate who handled the case. If it's a volunteer who won't be in for a while, Rachel gauges the urgency and decides whether to send the client an e-mail informing her/him of that or pass it to someone else.

Checklist of data we must collect for new cases

Until you can do it in your sleep, please be sure to obtain all information mentioned on this form while you're talking to a client. Data that are not as important to us are left off this list, but pay attention to other fields in the computer intake form, and complete them if you have the information. *For more details on all fields, please see the "Clients 98 for SLH" manual.*

Once you're completely familiar with all the information we need, completing this form for each client is optional. You may use it as a checklist for reference and write on a notepad. (Most of us don't find it effective to enter data directly into the computer while we talk on the phone.)

Advocate name:__________________ **Date case opened** ___________ (may not be date typed)

Intake type: Default is T (phone); E = e-mail; I = in house; O = outreach

Client Name____

Address____Apt./unit #____Zip _______

Phone_____________________ "**Reference**" note if caller is not client____________________

Citizenship status: Check either the "**Citizen**" box or the box by the red type on page 4. (If client comes in, s/he must sign the separate citizen form or show you legal residence documents)

Race__________ **Language**____________ **Age**________ **Sex**________

Number of adults/children in household__________/___________

Income/assets numbers – only if relevant or needed for Legal Services referral________________

How did the caller know about us?_______________________________________

Problem code (try to avoid 99 ___) **Assoc case#** _________ Clt name if different ______________

*In your **notes**, state the **issue**, include all **relevant facts** and describe **what you advised**, any other **service you provided** and any **written material** you sent.*

Funding codes: No need to enter anything. We do it automatically at the end of the month.

Important checkoffs on page 2: **packet**, if you sent client something in addition to the standard survey; **good story** if applicable. Always check "**unduplicated case**."

Reason closed -- most are **A** (counsel & advice) or **B** (brief service); (circle one or note if other ___)
Date closed ___________ ***<u>Remember to delete both if you're reopening a case and keeping it open</u>***

Special Program 2 must be opened for all cases. Check the relevant boxes. The important ones are:
___**Communication barrier** (language or speech issues) ___**Low income** (see guidelines)
___**SETA Eligible** (see memos) ___**Disabled** (Please do try to find out) ___**Lives alone**
___**Repeat client** (= prior case, different issue, same year) ___**Grandparent** case

Time spent on the case initially (round up to nearest .1 hour; include data entry, mailing, etc.)_____

<u>Other important intake tasks to remember when entering case data in the computer:</u>

1. Create a time slip from page 3 of the intake form for time you spend on a case initially, and additional ones for any time spent on subsequent days. If you create a second one on the same day, please add a notation so we know it's not an accidental duplicate.
2. Don't forget to <u>update time/case hours before printing.</u> Otherwise the correct time won't appear.
3. Make sure all dates are correct. The current date is entered as default for opening, closing, notes entries and time slips. If the activity was on a different day, you need to change it manually.
4. Print every new case, when opening and again any time there has been substantial new activity. Put the printout, with any notes and other documents, in the appropriate blue folder or give it to a staff member if urgent attention will be needed before you're back.
5. When a case is closed, send a survey packet (sign your name), together with any other material.
6. Record your total time for each workday on your yellow calendar. Turn these in monthly.

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COUNTING CLIENTS AND CASES

How much advice makes a case?

How many cases in one call?

What's the difference between "duplicated" and "repeat"?

Can a client be anonymous?

Will counting clients help me fall asleep at night?

The Legal Services Corp. in D.C. is concerned about duplicate case reporting and documentation of advice given. Since we are part of LSNC, an LSC program, we need to comply. So ...

A. Only one case per client on the same issue in one calendar year; but new year, new case.

- When a client calls back regarding the same issue during the same calendar year, the first intake should be reopened, comments and time spent added. When it is re-closed, the date closed must be updated as well.
- Do open a new case at any time (even the same day) if the subject is clearly different. (Different cases may have the same problem code.)
- New year, new case: If a client calls January 6, 2005, even if only to ask an additional brief question about the same subject as a case that was closed December 31, 2004, open a new case.
- If a case opened in 2004 remains open on Jan. 1, 2005, action taken in the new year is still part of the same case, until it is closed. We make a special effort to close cases by December 31 each year unless they are definitely active.

B. When is a case marked "repeat"?

A second (or subsequent) case opened for a client during a single year is a repeat case. The multiple cases reflect multiple issues (otherwise there wouldn't be multiple cases — see above). They may be opened on the same day or in subsequent calls. Why this distinction: Some of our reports require us to count the number of distinct individuals served in the course of a year. "Repeat" keeps them from being counted more than once. Use the "repeat" box on the seniors special code screen you get to from page 3 of the intake form.

(Note: Most such cases are still "unduplicated" – see below for the definition of a "duplicated" case.)

C. Any case in which we give advice should be counted and entered.

Even if it's quite general, even if it's not provided directly to the person we consider to be the client. And don't forget to document the provision of some advice in your notes.

Referrals usually count as cases. As long as we "review relevant information and counsel the client on action to take to address a legal problem," it's a case, even when the "review" is minimal and the "action" consists of calling a specialized agency for further help.

We encourage clients to accept at least a brief consultation with us, even if they call thinking that all they want is a certain agency's number or address. We can then consider it a case.

If no advice at all is given, however – just a referral to a source of non-legal help, for instance -- it's not considered a case. *(It may then require a matter service report (MSR); see other memo.)*

D. Referrals to other offices within LSNC

If we give no advice, there is no case, as with any other referral (same as above).

But if we do give advice, LSC wants to make sure that in-house referrals are not counted twice when all of LSNC's cases are tallied at the end of the year. For LSC purposes, they are to be counted only by the office referred to.

The hotline still needs to count these referred cases in reports to our separate funding agencies.

Therefore if a case is referred to LSNC offices, VLSP or DERA, you need to do three things:

1. "Case type" on page 1 of the intake should be changed to 'T' -- for "transferred."
2. The "Unduplicated Service" box on page 2 of the intake form should be left unchecked.

- *This is the only instance in which it should not be checked; please be sure to check it for all other cases.*

3. Type "no" in the "LSC case" box on the closing form you get to from page 3.

But please note: These instructions apply only if you have contacted the other office directly and are sure it is taking on the case; not, for instance, if you merely suggest that a client might want to call another LSNC office but don't know whether the client actually follows up. We notify the other office about the referral (fax a "Referral Notification" form). It is the responsibility of the other office to get back to us if they open a case.

Also, this applies only to LSNC branch offices (Sacramento, Yolo, etc.), VLSP and DERA. Referrals to the Long Term Care Ombudsman or Health Rights Hotline are treated like those to other agencies -- no special designation is necessary.

E. Anonymous client -- preferably not

Please try to discourage it - assure the client that as a law office, we are bound by confidentiality -- but if inevitable, here's how:

Give the date for the first name, i.e. 4/15/05

Number 1 as middle initial if it's the day's first anonymous case, No. 2 if the second, etc.

Use zzz for the last name. No spaces.

Do try to get whatever other information you can for the intake, especially age, race, sex, county, special code checkoffs, etc.

* * *

Check for prior cases before you create a new one!

Advocates: Appointment setters are supposed to search for prior cases, but sometimes they're swamped with calls or miss one due to a misspelling or some other glitch. Or the client may have called again since your appointment was made. So please check again before you call. Refer to the Clients 98 search instructions.

If there is a prior case and you're legitimately opening a new one (different subject or new year), then please list the old case as an "associated case" on your intake and call attention to its existence in your notes.

Updated March 2005

Senior Legal Hotline
515 12th Street ❖ Sacramento, CA 95814
Telephone: (916) 551-2145 ❖ Fax: (916) 551-2197
www.seniorlegalhotline.org

HOW TO DETERMINE WHETHER A CLIENT IS LOW INCOME

Low-income status is not an eligibility requirement for our service, but our funders like to hear that we are serving a lot of low-income people. So please help us not to miss recording this.

1. Look at your chart, showing 125% and 187.5% (sometimes described as 150% of 125%) of poverty levels for different household sizes. Make sure yours is current.

2. Listen for comments during your conversation with the client that will keep you from having to ask for specifics. The client may volunteer information about pension or investment income, employment, etc., that would rule out low-income status. Conversely, anyone receiving SSI, Medi-Cal, In-Home Supportive Services, food stamps, can be assumed to be low income.

3. If necessary, ask the client's main source of income. If it's clearly low income, mark the checkoff on the "Seniors" screen when you access it from page 3 of the intake ("Special Program 2).

4. If you can't tell from steps 2 or 3, just ask politely: "We need to record what percentage of our callers are low income, so can you please tell me whether your income is under about ________ a month?"

What numbers to use where the blank line appears in the question? Officially Older Americans Act-funded programs use 100% of poverty level. But senior clients who make just over that almost always have some expenses for health care and/or special expenses due to aging. These amounts are deductible in making the determination, as are regular debt payments. If you get some of this information, great. But unless there's a reason to, we don't need to get into the exact amounts, so if the client doesn't voluntarily offers precise figures and if you need to ask, just use a round number that's around the 125% level – say $1,000 a month for a one-person household, $1,350 for two, etc. And if you've heard of considerable extra expenses due to age or disability or of major debt payments, estimate a deduction for those.

5. If the client still declines to answer, don't push it. Make your best guess from what you know.

- ***BOTTOM LINE: Use common sense; don't agonize over it -- and if it's a borderline case, then feel free to err on the side of calling it low income. When we did ask for precise information during a one-month trial some time ago, we found that we were underestimating the number of low-income clients by quite a bit.***

EXCEPTIONS –WHEN MORE PRECISION IS NEEDED:

1. If more precise numbers are relevant to the issue at hand, then obtain them, of course. Examples: If we're counseling someone on debt collection or management, particularly if they're trying to save a house.

2. If you're considering a referral to VLSP or a regular legal services office, then the client must meet the more strict guidelines (medical, age-related and debt payment expenses are still deductible, but you'll have to ask for precise numbers).

Please turn the page

(Legal Services programs specifically for seniors, like us, are not limited to low income only. These operate at LSNC offices in Chico (Butte, Tehama, Plumas, Glenn and Colusa counties), Auburn/Grass Valley (Placer, Nevada and Sierra), Vallejo (Solano), Woodland (Yolo) and Eureka (Humboldt and Del Norte). See the reference list for programs in other counties.)

- Also: note that for LSC purposes, a client household with gross income of over the 187.5% level is never eligible, no matter how high its expenses for health care, debt, etc.

ONE HOUSEHOLD OR TWO?

The income determination is supposed to be for the entire household, so if there are other members aside from the client, you need to ascertain their total income and use the chart for number of members. Not everyone living under the same roof is necessarily considered part of the same household, however. Roommates who share space and costs but keep separate finances from each other, for instance, are two separate households. An elderly parent who moves in with an adult child -- or vice versa -- would likely still be a separate household, even if the lines are not so clearly drawn. If the senior remains eligible for SSI and/or Medi-Cal on her/his own, she is a separate household – and low income – even if others in the home are quite well off. Minor children would never be considered a separate household.

MEMO

March 31, 2005

TO: ***All hotline volunteers***

FROM: ***David***

RE: ***Client letters policy reminders***

Please remember the following any time you find it appropriate to write a letter to or on behalf of a client:

1. Any letter that contains legal advice or involves advocacy needs to be reviewed by a staff attorney before being sent. It is always a good idea for written communications to be seen by another set of eyes to ensure clarity and accuracy and to avoid any misunderstandings. (We review each others' letters, too!).

2. If the letter is going to a non-client, use your judgment as to which phone number(s) should be on the letterhead. In most cases, businesses and agencies should get the administrative number (2145) and the fax number, and not the toll-free (800) number. You should have two letterhead forms in your directory, the administrative one, which includes 2145 and the fax number, and a client one, which has the local and toll-free client numbers. Variations can be created for special cases.

3. If you are sending a letter to a non-client party with the administrative number on the letterhead, please be sure to copy the text onto a client letterhead (or edit the phone numbers) for the copy that will go to the client.

4. Save the primary version of any letter as a computer WordPerfect file, in your directory and named with the name of the client. For a client with multiple letters and/or other documents, create a subdirectory and give the documents more specific names.

5. Make a hard copy of any letter and attach it to the file.

6. Please do write letters in the following situations:

a. If there seems to be a possibility of any misunderstanding as to the nature and extent of the services we will be providing, it's a good idea to spell this out in writing. (If you want to be extra sure, you can even have the client sign a simple retainer agreement – find the form in the FORMS directory.)

b. If the client says s/he will send documents to review and they haven't arrived in a reasonable amount of time, a simple closing letter is appropriate (along with a survey). You can keep a template in your folder, customizing it for your client. (A simple closing letter of this type, as long as it contains no legal advice, need not be reviewed.)

Thank you!