



**Final Report on the Assessment
of Telephone-Based Legal Assistance
*Provided by Pennsylvania Legal Aid Programs
Funded Under the Access to Justice Act***

*Report Prepared for the
Pennsylvania IOLTA Board*

Pennsylvania IOLTA—The Lawyers Trust Account Board



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About This Report

This report, related to funding received as a result of the Access to Justice Act (42 Pa. C. S. Section 4901 et. seq.), was sponsored by the Pennsylvania Lawyers Trust Account Board (the PA IOLTA Board), with data provided by the Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.) and by the ten legal aid programs that participated in the Helpline Evaluation. The report was produced for the PA IOLTA Board by The Resource for Great Programs, Inc.

Appendices to this report describing the two main elements of the Helpline Evaluation—the Client Survey and the Best Practices Assessment—are available in the PA IOLTA Board’s web site www.paiolta.org/.

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The Resource for Great Programs, Inc.

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EXECUTIVE SUMMARY

This report presents the principal findings and conclusions from a comprehensive evaluation of telephone-based legal assistance provided by Pennsylvania legal aid programs.

As background, in May 2011, the Pennsylvania Legislative Budget & Finance Committee released the results of its performance audit of Pennsylvania's Access to Justice Act (AJA) (the "Performance Audit Report")¹, which recommended that the General Assembly consider making the AJA fee and surcharge permanent to provide a more stable funding stream for civil legal aid. The audit recommended a "follow-up process" to determine whether telephone-based legal assistance provided by Pennsylvania legal aid programs is effective. Clarity was sought because "[c]ase resolution was unknown for the 50 percent of cases that were resolved through advice to clients."

In response, the Pennsylvania IOLTA Board undertook a comprehensive evaluation of telephone-based intake and legal assistance systems operated by legal aid programs in Pennsylvania (the Study). To conduct the Study, the Pennsylvania IOLTA Board:

- Invited ten major Pennsylvania legal aid programs that provide telephone-based intake and legal assistance to participate in the Study.
- Established a Steering Committee that included representatives of several of the AJA-funded legal aid programs, Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.), and the Pennsylvania IOLTA Board.
- Engaged a national consulting firm, *The Resource for Great Programs, Inc.*, to provide technical assistance with this effort.

The Study had two major elements:

- **The Client Survey** – telephone interviews of a representative sample of 400 clients whose cases were closed by "advice-only" or "brief services"² from Pennsylvania legal aid programs in FY 2010-11, and
- **The Best-Practices Assessment** – a self-assessment by the programs of the alignment between the operations of their telephone-based intake and legal assistance systems and best-practices that have emerged from two decades of experience with, and research on, this service delivery method within Pennsylvania and across the nation.

The Evidence Shows that Advice and Brief Services Are Not Only Effective; They Are Essential.

The Client Survey provided for the first time a picture of what happens to clients of the 50 percent of cases resolved through "advice" (including advice-only or brief services) from

¹ See "A Performance Audit of Pennsylvania's Access to Justice Act," Pennsylvania Legislative Budget and Finance Committee, May 2011.

² "Advice only" refers to legal advice provided by a legal aid program to an eligible client. "Brief services" (also called "Limited Action") are matters in which a legal aid program took limited action(s) on behalf of an eligible client that addressed the client's legal problem that is not so complex or extended as to require an entry of appearance in a court or administrative hearing. Examples include communications by letter, telephone or other means to a third party; preparation of a simple legal document such as a power of attorney; or assisting a person who is representing oneself in a court or administrative law proceedings with the preparation of documents.

Pennsylvania legal aid programs. It shed light on the question raised by the legislative auditors: *is the advice being provided to clients “effective?”*

The Client Survey revealed that:

- **One out of every three recipients of advice-only or brief services reported positive outcomes that were tangible and measurable.** For example, they were granted custody of their children, obtained the public benefits they applied for, or avoided a crisis such as eviction or foreclosure.
- **A majority of recipients met some or all of their goals in seeking legal help.** They were able to consult a lawyer or paralegal, find out what their legal rights were, and get an expert perspective on what they should do about a legal issue they faced.
- **Almost half of the cases produced complete or partial solutions to clients’ legal problems.**
- **Six out of ten recipients achieved results they deemed favorable.** In some cases the result was dealing with a major crisis, such as a suspension of heating fuel delivery in the midst of winter. In other cases, it was resolution of a lingering dispute, such as repairs promised by a landlord but never delivered.
- **Eight out of ten recipients reported that the legal aid program was helpful to them.** Often all that clients desired was simply to talk with a legal advocate to learn the legal implications of situations they were facing and to get advice about what to do.

Moreover, the Client Survey confirmed that when these services are delivered by telephone they are not only effective but provide more convenient access to services and enable vastly more people to get legal help than would be possible if delivered exclusively through in-person methods with the same amount of resources. The Client Survey revealed that:

- **Legal aid programs’ telephone-based legal assistance systems are more than “hotlines.”** They are serving as the “front door” of a sophisticated, multi-faceted service delivery approach that performs intake, triage, and case assignment by telephone for the whole of array of legal services offered by the program. These services include advice-only and brief services (over the telephone or at a program office), appointments at legal clinics or with pro bono attorneys, or extended legal representation by program advocates if the situation and available resources warrant it.
- **The majority of clients of telephone-based assistance receive follow-up from the program after having been served.**
- **Pennsylvania legal aid clients are benefiting from best practices developed through a decade of research and technical assistance by the legal aid community on telephone-based legal assistance.**
- **The vast majority – between 79 and 96 percent - of clients served by telephone took follow-up action on the advice they were given.**
- **Between 50 and 88 percent of those who took action said it worked “very well” for them.**

- **Telephone-based services achieved significant results for clients.** Approximately half of clients achieved their goals “completely” or “somewhat.” Twenty-nine percent achieved positive outcomes beyond receipt of advice-only or brief services.
- **One-half of the clients served by telephone achieved complete or partial solutions to their legal problems.** This was slightly higher than the results of a previous, national evaluation of legal hotlines conducted in 2002.
- **Six out of ten clients considered the results of their cases to be “favorable.”**
- **Three out of four clients of telephone-based assistance said their experience was positive.**

These findings provide strong evidence that from a clients’ perspective, telephone-based advice and brief services are providing not only broader and more convenient access to services but real solutions to legal problems and outcomes that the majority of clients deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome.

Pennsylvania Programs in this Study Are Achieving the Primary Goal of Telephone-Based Legal Assistance.

The Best Practices Assessment affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Low-income people anywhere in Pennsylvania who face a legal problem – ranging from a landlord’s refusal to refund a security deposit as required by the lease to receipt of a letter from Social Security saying one owes thousands of dollars in back payments – no longer have to travel to a legal aid office to seek answers. They can call a toll-free legal helpline and, if eligible for service under the program’s guidelines, quickly receive expert advice from a legal aid attorney or paralegal.

The Findings of the Best Practices Assessment Provide Support for Efforts to Optimize Results for Clients Going Forward.

Programs participating in the Best Practices Assessment acknowledge that while they have made great strides by implementing telephone-based legal assistance systems in recent years, the systems are not perfect, nor do they have the capacity to serve all the people who need them.

The Best Practices Assessment identified scores of concrete examples wherein Pennsylvania legal aid programs are applying best practices to optimize results for their clients. Pennsylvania legal aid programs could use the information produced from the evaluation, individually and perhaps collectively, as a starting point for a more thorough self-assessment than was possible here. The review would step back and take a closer look at opportunities, now that basic systems are in place, for moving forward from here to further optimize results for clients.

Among initiatives that could be carried out without great expense are the following:

- **Further self-assessment in light of this evaluation.** The documentation of best practices provided in the report provides a useful starting point for a more detailed self-assessment.

It identifies Pennsylvania programs that can demonstrate with concrete policies and implementing procedures the application of best practices in their day-to-day operations.

- **Exchange of site visits by intake and legal assistance staff.** A useful initiative that programs could take would be to arrange site visits for their telephone assistance staff to other programs for a closer look at common issues – for example, examining the merits of “live” advice systems versus “call-back” systems; exploring approaches for minimizing the long wait times that some clients experience before being connected with legal advocates; and observing systems in place for handling large volumes of calls effectively and efficiently.
- **Statewide conference on telephone-based intake and legal assistance.** State funders PLAN, Inc. and/or the Pennsylvania IOLTA Board could convene a statewide summit meeting at which programs compare notes and share what they have learned about telephone-based legal assistance. Information from the Client Survey as well as from the Best Practices Assessment could be helpful in identifying practices that correlate with good results and high satisfaction among clients being provided with advice-only and brief services.
- **Capitalizing on national trainings.** Opportunities for cross-fertilization among programs are offered by the training and technical assistance offerings of the national civil justice community. For example, two national associations, NLADA and the ABA, collaborate in May of each year to present the Equal Justice Conference, a major focus of which is telephone-based legal assistance. Each Pennsylvania program should consider sending one or more of its telephone-based legal assistance staff to this conference, and indeed, encourage them to submit proposals for presenting workshop sessions at the Conference.

The Best Practices assessment and the Client Survey, taken as a whole, have shown that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients. Regardless of where they go from here, Pennsylvania programs can take satisfaction in having achieved something remarkable – that is, establishing and operating service delivery systems that are providing real benefits day in and day out to thousands of clients who otherwise would be unable to get the legal help they sorely need.

I. INTRODUCTION: PURPOSE AND OVERVIEW OF THIS REPORT

This report presents the principal findings and conclusions from a comprehensive evaluation of telephone-based legal assistance being provided by Pennsylvania legal aid programs.³ It integrates and summarizes the two major elements of the evaluation, each described in a separate report:

- **The Client Survey** – telephone interviews of a representative sample of 400 clients whose cases were closed by advice-only or brief services from Pennsylvania legal aid programs in the last six months in 2011,⁴ and
- **The Best-Practices Assessment** – a self-assessment of best practices applied by Pennsylvania legal aid programs in the operations of their telephone-based intake and legal assistance systems.⁵

Background. In May 2011, the Pennsylvania Legislative Budget & Finance Committee released the results of its performance audit of Pennsylvania’s Access to Justice Act (AJA), which recommended that the General Assembly consider making the AJA fee and surcharge permanent to provide a more stable funding stream for civil legal aid.

The Performance Audit Report⁶ recommended a “follow-up process” to determine whether telephone-based legal assistance provided by Pennsylvania legal aid programs is effective. Clarity was sought because “[c]ase resolution was unknown for the 50 percent of cases that were resolved through advice to clients.”

³ These systems are often called “legal hotlines” in the legal aid community generally. In Pennsylvania, they are more frequently called “helplines.” In this report, we use the term “helplines” as shorthand for systems that provide intake, legal advice and/or brief legal services primarily by telephone.

⁴ See Appendix A, *Final Report on the Survey of Clients Provided with Advice or Brief Services by Pennsylvania Legal Aid Programs Funded under the Access to Justice Act*

⁵ See Appendix B, *An Analysis of Best Practices Applied by Pennsylvania Legal Aid Programs in Delivering Telephone-Based Legal Assistance*.

⁶ See *A Performance Audit of Pennsylvania’s Access to Justice Act*, Pennsylvania Legislative Budget and Finance Committee, May 2011.

This Report at a Glance

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In response, the Pennsylvania IOLTA Board undertook a comprehensive evaluation of telephone-based intake and legal assistance systems operated by legal aid programs described in this report (“the Study”). To conduct the Study, the Pennsylvania IOLTA Board:

- Invited ten major Pennsylvania legal aid programs that provide telephone-based intake and legal assistance to participate in the Client Survey. (See Exhibit 1, page 5 for a map of the service areas covered by the ten programs.)
- Established a Steering Committee that included representatives of several of the AJA-funded legal aid programs, Pennsylvania Legal Aid Network, Inc. (PLAN, Inc.), and the IOLTA Board.
- Engaged *The Resource for Great Programs, Inc.*, (“The Resource”) to provide technical assistance with this effort.⁷

Purposes of the Client Survey. The Client Survey addressed an important question raised in the performance audit of AJA: how are the 50 percent of cases closed through advice (including both advice-only and brief services) resolved? Data from the Client Survey were used to explore the following questions:

- What actions, if any, did clients take after receiving legal advice and assistance?
- Was the advice helpful?
- What outcomes resulted from the legal assistance clients received?
- Did contacting Legal Aid help clients achieve their goals?

THE CASE FOR TELEPHONE-BASED LEGAL ASSISTANCE

*From The Response by
Legal Aid of Southeastern Pennsylvania (LASP)
To the Best Practices Self-Assessment Questionnaire:*

LASP’s legal Helpline has enabled our program to serve residents living in many communities in our four-county region that are not served by public transportation, particularly rural areas of Bucks and Chester Counties.

Without public transportation, people have to rely on cars to get to our local offices, which may be as much as 20 miles from where they live.

Many of the poorest living in our region either do not have cars or their cars are unreliable. For some, the cost of fuel has made operating a car prohibitive.

Previously, that meant many people who needed our services could not or would not get them.

The same can be said for clients who would have trouble coming to the office because of limitations and disabilities due to age or handicap. Telephone access allows the elderly and the disabled to obtain legal advice and brief services from the safety and security of their own home. Without it, many of these clients would not have received services.

The Helpline also allows the working poor and those with school commitments to access our services. Traveling to one of our local offices during the work week can be impossible for people who have jobs they cannot afford to lose, or school obligations they cannot miss.

Limited resources currently make it impossible for the Helpline to be open on weekends or evenings, but finding a time to call the Helpline during a work or school break, or during the lunch hour, is feasible for someone who could not take the time required to travel to a local office.

Without the Helpline, many would not get this assistance. They would move out of their apartment, not knowing that they had a right to stay. They would get farther behind in their utility bills, not knowing that there was an assistance program for which they might be eligible.

They would accept a denial of unemployment compensation or food stamps or Medicaid, even though an appeal would be successful, because they did not know their legal rights, or how to carry out an appeal.

The Helpline has changed all this. The benefits are pretty obvious: people with critical legal problems can get assistance when they need it.

⁷ *The Resource* is a national corporation dedicated to providing strategic support to civil justice programs that seek to expand access to justice for low-income people. Details about this organization may be obtained at www.GreatPrograms.org.

- Were clients satisfied with the results?

Another purpose was to shed light on the effectiveness of telephone-based legal assistance, which has grown in importance among Pennsylvania legal aid programs and across the country as legal aid organizations seek to help more people with limited resources and to improve access to their services, particularly for people facing barriers such as physical disability, lack of access to public transportation and location in rural areas far from program offices.

Data from the Client Survey provided context for better understanding of:

- The impact of whether legal assistance was provided by telephone or in-person on the results that were achieved.
- The impact of whether the service was “advice-only” or “brief services” (such as a call or a letter to an opposing party on the client’s behalf) on the results that were achieved.
- The impact of a client’s legal problem on the results that were achieved – for example, whether the client was seeking prevention of an eviction from rental housing or custody of one’s children.

Purposes of the Best Practices Assessment: One of the central purposes was determining the extent to which the telephone-based legal assistance systems operated by Pennsylvania legal aid programs align with national and state standards and guidelines for legal helplines.⁸

Another purpose was identifying practices in Pennsylvania programs that can be replicated in other programs across the state. Since 2000, telephone-based legal assistance has grown in importance among Pennsylvania legal aid programs and across the country. Today, legal aid programs are helping more people with limited resources and improving access to their services, particularly for people facing barriers such as physical disability, lack of access to public transportation and location in rural areas far from program offices. The Best Practices Assessment sought to identify steps that could further promote efficiency, effectiveness and quality of services for clients of legal aid programs across Pennsylvania.

Approach Used in the Evaluation: The Resource worked with the Steering Committee and leaders of the ten programs to develop and carry out the Client Survey and Best Practices Assessment. The Resource also collected extensive information regarding telephone-based legal assistance in Pennsylvania and across the United States using the following methods:

- Previous evaluation research on telephone-based legal assistance systems in the United States.
- Structured interviews with leaders of the ten legal aid organizations included in the Study.

Overview of the Report. Following this Introduction, Section II provides an overview of the ten programs included in the Client Survey. Section III describes the methodologies that were used for the Client Survey and Best Practices Assessment.

Section IV presents findings on the first question addressed by the evaluation, which was: what results are achieved by clients after they have received advice-only or brief services from a Pennsylvania legal aid program? This question was raised in the May 2011 Performance Audit Report.

⁸ See page 16 for the sources of standards and guidelines that were applied in this assessment.

Section V presents findings on the second question addressed by the evaluation, which was to gauge the effectiveness of these services when they are delivered by telephone. This was also raised by the May 2011 report of the legislative auditors.

Section VI presents the results of a further analysis of the Client Survey data exploring the impact on results of three major factors: whether clients had received advice-only or brief services; whether clients had been served primarily by telephone or in-person; and whether results were better or worse depending on the specific legal problems faced by clients.

Section VII summarizes the findings of the Best Practices Assessment regarding the alignment of the telephone-based legal assistance systems in Pennsylvania with best practices emerging from the experience and research on this service delivery approach by the civil justice community in Pennsylvania and across the nation.

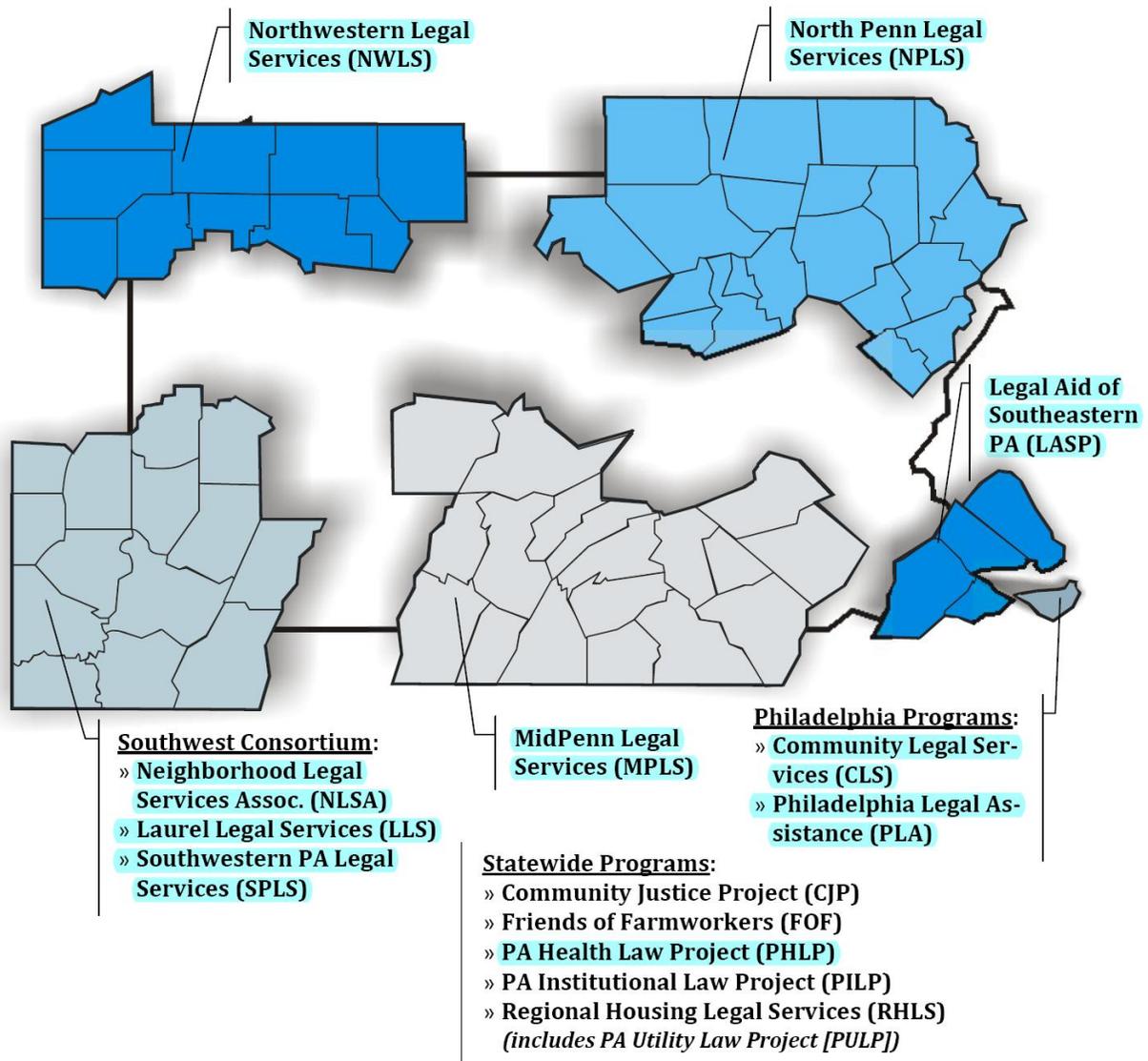
And Section VIII summarizes the overall conclusions from the Study, based on integration of the findings from both elements – the Client Survey and the Best Practices Assessment – regarding the effectiveness of telephone-based legal assistance systems in Pennsylvania.

Continued on next page...

II. OVERVIEW OF TELEPHONE-BASED INTAKE AND LEGAL ASSISTANCE SYSTEMS IN PENNSYLVANIA

Exhibit 1 below highlights the ten programs included in the Study and the geographic areas they cover.⁹

Exhibit 1



⁹ One of the programs in the Study, Philadelphia Legal Assistance (PLA), does not receive AJA funding but was included in the Study because of its importance as the operator of the telephone-based legal assistance system serving Philadelphia, the largest city in the state.

Exhibit 2 below summarizes the telephone-based intake and legal assistance systems in place in the ten programs. Below we describe each of the following elements:

- Geographic coverage.
- Population segments served.
- Services provided by telephone.
- Hours of operation.
- Volume of telephone-based legal assistance.

**Exhibit 2:
Snapshot of Telephone-Based Intake and Legal Assistance Systems
Used in Legal Services Programs in Pennsylvania¹⁰**

Key for Self-Ratings

- Practice in place
- In place in some locations - See Note 1
- Special populations or circumstances - see notes 2 and 3.

OVERVIEW	LLS	LASP	MPLS	NLSA	NPLS	NWLS	PHLP	PLA	SPLS
1. Geographic Area Covered by Telephone-Based Legal Assistance:									
a. Entire service area of program	•	•	○	•	•	•	•	•	•
b. Specific counties or cities									
2. Population Segments Served by Telephone-Based Legal Assistance:									
a. General low-income population	•	•	•	•	•	•		•	•
b. Special population(s)							□		
3. Services Provided by Telephone:									
a. Advice	•	•	•	•	•	•	•	•	•
b. Brief services	•	•	•	•	•	•	•	•	•
c. Legal education materials	•	•	•	•	•	•	•		•
d. Referral	•	•	•	•	•	•	•	•	•
e. Coaching and/or materials for self (pro se) representation	•	•	•	•	•	•	•	•	•
4. Hours of Operation for Telephone-Based Assistance:									
a. Weekdays	•	•	•	•	•	•	•	•	•
b. Evenings	•			•			□	•	•
c. Weekends							□		
5. Volume of Telephone-Based Cases Closed in FY 2010-2011:									
a. By "advice & counsel":	1,412	1,978	1,641	4,785	3,259	1,905	1,140	5,377	541
b. By "brief services":	37	114	121	352	389	332	879	890	570
c. Total Telephone-based advice-only and brief services cases:	1,449	2,092	1,762	5,137	3,648	2,237	2,019	6,267	1,111
d. Total advice-only or brief services cases closed by program (including telephone and in-person) in FY 2010-11:	1,945	6,048	6,257	7,824	5,466	3,443	2,019	9,017	1,966
e. Telephone-based cases as a percentage of total advice-only and brief services:	74%	35%	28%	66%	67%	65%	100%	69%	57%

Note 1: MPLS planned to roll out its telephone-based legal assistance system to all counties in mid-2012.

Note 2: PHLP Helpline serves people with health insurance problems, or who do not have health insurance. Total AJA- (and IOLTA-) eligible, advice & brief services cases closed in FY 2010-11: **2,019**. In total, counting clients served with funding from other sources, PHLP closed **3,714** advice/brief services cases in FY 2010-11.

Note 3: NWLS does not have evening or weekend intake hours, but has a web intake application for services which can be completed at any time by an applicant for services.

¹⁰ The table shows only the nine programs that operate telephone-based intake and legal assistance systems. A tenth program, Community Legal Services (CLS) in Philadelphia also participated in the Client Survey, but was not included in the above table because its intake and legal assistance is provided in-person at the program's offices only. Telephone-based intake and limited assistance for the general low-income population in the Philadelphia region is provided by Philadelphia Legal Assistance (PLA). The two programs collaborate closely as the principal legal aid programs in Philadelphia, under an arrangement that assigns specific services to each program.

A. Geographic Coverage.

As indicated in Exhibit 2 (see previous page), all regions of the Commonwealth are covered by telephone-based intake and legal assistance systems. Each of the regional legal aid programs maintains a centralized telephone intake and legal assistance system covering its entire service area.¹¹

B. Population Segments Served.

Eight of the programs serve the general low-income population with their telephone-based legal assistance systems. The ninth program – the Pennsylvania Health Law Project (PHLP) – operates a statewide telephone helpline that helps eligible Pennsylvanians establish or maintain state funded health care coverage (primarily Medicaid) and ensures the insured population receives medically necessary services. PHLP's helpline provides access to legal assistance for the 2.1 million low-income Pennsylvanians on Medicaid, the one million Pennsylvanians without health insurance, and the 197,000 low-income children enrolled in the Children's Health Insurance Program (CHIP). Many of these unduplicated three million plus Pennsylvanians also have some complicating combination of private insurance, and/or public health insurance (*e.g.*, Medicare, Veterans Administration).

C. Services Provided by Telephone.

Intake is conducted by telephone in most programs. Legal advice, brief services and referrals for further assistance are also provided. For most of the programs, the telephone-based system serves as the primary channel for intake; however, in most programs, clients can also come to program offices for service during scheduled intake hours or call for an appointment.

D. Hours of Operation.

All programs provide telephone-based legal assistance during regular business hours. Clients of the three programs serving Southwestern Pennsylvania and clients of the Pennsylvania Health Law Project can also get help during evening hours on specific weekdays.

E. Volume of Telephone-Based Legal Assistance.

As indicated in Exhibit 2, the volume of cases handled by telephone-based assistance varies widely among programs. For example, only 28 percent of the advice-only and brief services cases handled by MidPenn Legal Services (MPLS) are handled primarily by telephone. At the other end of the spectrum, Pennsylvania Health Law Project conducts 100 percent of its direct legal assistance for low-income people through its statewide legal advice-only and brief services helpline.¹²

Please see Appendix B - the Best Practices Assessment report – for a more detailed description of the telephone-based intake and legal assistance systems operated by Pennsylvania legal aid programs.

¹¹ PLA provides a telephone intake and legal assistance system covering the entire Philadelphia Region served by both PLA and CLS, under an agreement between the two programs. MidPenn planned to expand its telephone-based system to cover its entire service area by mid 2012.

¹² In addition to its services for low-income people, PHLP also assists people whose income is above the income guidelines for AJA and IOLTA, using grant funds from other sources. PHLP clients included in the Client Survey consisted only of clients whose incomes met the AJA and IOLTA eligibility guidelines.

III. METHODOLOGIES USED IN THE EVALUATION

Information was collected by four methods:

1. **Research into telephone-based legal assistance systems.** The Resource interviewed key leaders of telephone-based legal assistance across the nation. The Resource also created a checklist of best practices based on the findings of that research. This work was the groundwork for the goals and methodology of the rest of the Study.¹³
2. **Interviews with executive directors and managers of telephone-based intake and legal assistance systems.** Guided by the checklist of best practices and research, the Resource conducted 30-to 60-minute telephone interviews with executive directors and helpline managers of AJA-funded programs in Pennsylvania. These interviews provided an overview of the role and structure of the systems in place in each of the programs.
3. **The Client Survey.** The survey was carried out using computer-assisted telephone interview (CATI) facilities and trained survey interviewers at Northwestern Michigan College (NMC) in Traverse City, Michigan. The Resource worked with the ten legal aid organizations participating in the study to select representative samples totaling 400 clients (an average of 40 per program) from the universe of all cases closed by advice-only or brief services between July 1 and December 15, 2011.¹⁴
4. **Program self assessment of alignment with best practices.** The Resource created and implemented a pair of self-assessment instruments to determine how closely the telephone-based legal assistance systems used in Pennsylvania are aligned with the best practices identified in the research:¹⁵
 - **A narrative questionnaire**, which provided the programs with an opportunity to describe, and showcase the best practices used in, their telephone-based assistance systems.
 - **A web-based survey**, which used a combination of closed- and open-ended questions about the best practices to enable programs to self-classify whether their policies and practices were in place, under development, or not in place.

¹³A summary of the findings of the research is provided as an attachment to the Best Practices Assessment report – see Appendix B.

¹⁴ A description of the sampling methodology and a copy of the questions used for the Client Survey are provided as Attachment A to the Client Survey report – see Appendix A.

¹⁵ Copies of the narrative questionnaire and web-based survey instrument are provided as attachments to the Best Practices Assessment report - see Appendix B.

IV. SUMMARY OF FINDINGS ON “ADVICE” CASES (INCLUDING “ADVICE-ONLY” AND “BRIEF SERVICES” CASES)¹⁶

The Client Survey provided a picture of what happens to clients of the 50 percent of cases resolved through “advice” (including advice-only or brief services) from Pennsylvania legal aid programs.¹⁷ It shed light on the question raised by the legislative auditors: *is the advice being provided to clients “effective?”*

For a strong majority of clients, the answer was “Yes.” As summarized in Exhibit 3 below, the Client Survey revealed that:

- **One out of every three recipients of advice-only or brief services reported positive outcomes that were tangible and measurable.** For example, they were granted custody of their children, obtained the public benefits they applied for, or avoided a crisis such as eviction or foreclosure.
- **A Majority of Clients Achieved Their Goals** (page 10). Often all that clients desired was simply to talk with a legal advocate to learn the legal implications of situations they were facing and to get advice about what to do.
- **Almost half of the cases produced complete or partial solutions to clients’ legal problems.**
- **Six out of ten recipients achieved results they deemed favorable.** In some cases the result was dealing with a major crisis, such as a suspension of heating fuel delivery in the midst of winter. In other cases, it was bringing closure to a lingering dispute such as repairs promised by a landlord but never delivered.
- **Eight out of ten recipients reported that the Legal aid program was helpful to them.** Often all that clients desired was simply to talk with a legal advocate to learn the legal implications of situations they were facing and to get advice about what to do.

**Exhibit 3:
Percentage of Clients Who Reported the Results Indicated**

All "Advice" Cases (Including "Advice-Only" and "Brief Services")	
<i>Achieved At Least One Positive Outcome</i>	34%
<i>Met Goals Completely or Somewhat</i>	53%
<i>Had Legal Problem Solved Completely or Somewhat</i>	48%
<i>Considered Result to Be Favorable</i>	65%
<i>Thought Legal Services Program was Very or Somewhat Helpful</i>	84%

¹⁶ For details of the Client Survey, see Appendix A, which is a complete copy of the Client Survey report.

¹⁷ “Advice only” refers to legal advice provided by a legal aid program to an eligible client. “Brief services” (also called “Limited Action”) are matters in which a legal aid program took limited action(s) on behalf of an eligible client that addressed the client’s legal problem that is not so complex or extended as to require an entry of appearance in a court or administrative hearing. Examples include communications by letter, telephone or other means to a third party; preparation of a simple legal document such as a routine power of attorney; or assisting a person who is representing oneself in a court or administrative law proceedings with the preparation of documents.

Exhibit 4 below provides examples of “positive outcomes” reported by clients in their responses to the Client Survey.

Exhibit 4

EXAMPLES:

MEASURABLE OUTCOMES OF “ADVICE” CASES

Thirty-four percent of clients interviewed for the Client Survey indicated they achieved positive outcomes. The following are examples of their comments about results they achieved:

- **Obtained alternative housing.** *The house that I was in was going into foreclosure and I was trying to get in other housing. I called Legal Aid to be informed of my rights. I followed all the steps and called all the people. I wrote a letter to the housing authority and was able to get into housing.*
- **Got credit straightened out.** *I contacted Legal Aid to inquire about claiming bankruptcy. After talking with them, I checked my credit and it wasn't too bad. I ended up not filing for bankruptcy. I applied for a mortgage and went back to work.*
- **Dealt with bad news from Social Security.** *I got a letter from Social Security that said I owed \$4000 for SSI. There was a form that I was supposed to fill out and I didn't understand it. Legal Aid helped me with the form and Social Security waived the overpayment. I didn't have to pay it back.*

The evidence from the Client Survey indicates that advice-only and brief services are not only effective; they are essential. Without them, thousands of low-income families a year would be forced to confront their legal problems without any legal help at all, with consequences that in some circumstances would be devastating.

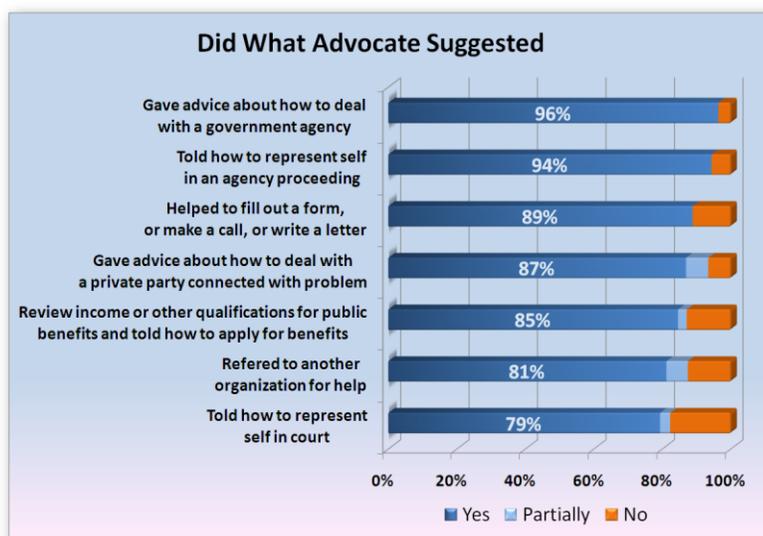
V. OVERALL FINDINGS ON TELEPHONE-BASED LEGAL ASSISTANCE

In addition to clarifying the results being achieved through advice-only and brief services generally, the Client Survey shed light on the effectiveness of those services when delivered via one of the telephone-based intake and legal assistance systems that have come into wide use by Pennsylvania legal aid programs since 2000. As summarized in Exhibits 5, 6 and 7 below and on the following page, the Client Survey revealed that:

1. **The vast majority – between 79 and 96 percent - of clients served by telephone took follow-up action on the advice they were given.** (See Exhibit 5.)
2. **Between 50 and 88 percent of those who took action said it worked “very well” for them.** (See Exhibit 6.)
3. **Telephone-based services achieved significant results for clients.** (See Exhibit 7.)
 - Twenty nine percent achieved positive, measurable outcomes beyond receipt of advice-only or brief services.
 - A majority of clients achieved their goals “completely” or “somewhat.”¹⁸
 - Almost half of the cases produced complete or partial solutions to clients’ legal problems.
 - Six out of ten clients said their results were “favorable.”
 - Eight out of ten said the legal aid program was helpful to them.

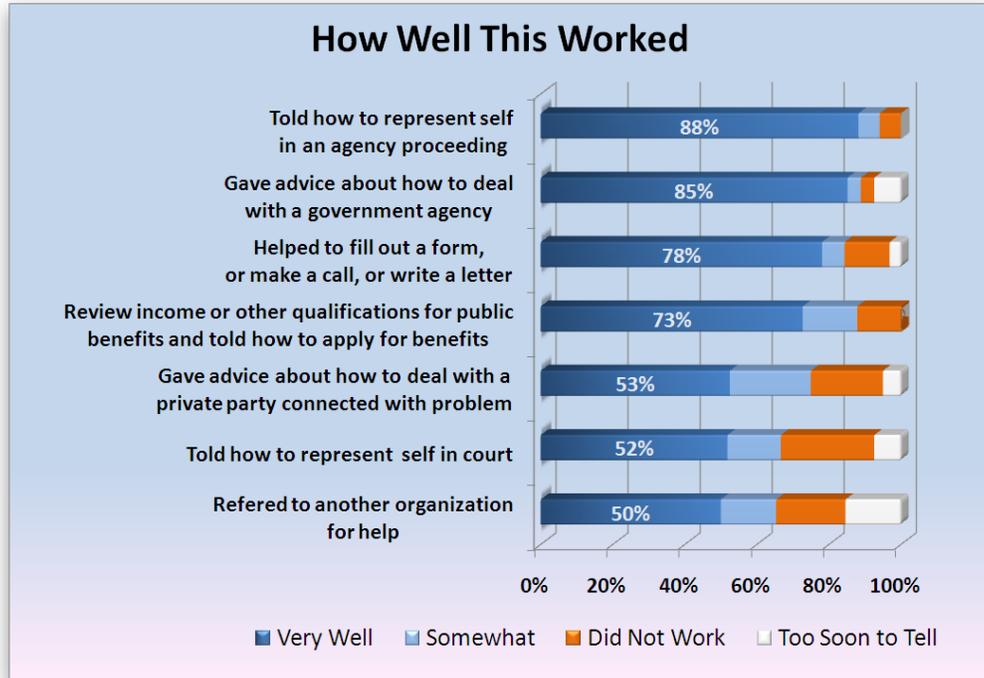
These findings provide strong evidence that from a clients’ perspective, telephone-based advice and brief services are providing not only broader and more convenient access to services but real solutions to legal problems and outcomes clients deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome. Taken as a whole, they indicate that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients.

**Exhibit 5:
Follow-Up Reported by Clients of Telephone-Based Legal Assistance**



¹⁸ Choices posed to clients were: “Yes, completely,” “Yes, somewhat,” “No, not completely” or “No, not at all.”

**Exhibit 6:
Results of Follow-Up Reported By Clients in the Survey**



**Exhibit 7:
Results of Legal Assistance Delivered by Telephone
Percentage of Clients Who Reported the Results Indicated**

All Telephone-Based "Advice" Cases (Including "Advice-Only" and "Brief Services")	Yes
<i>Achieved At Least One Positive Outcome</i>	29%
<i>Met Goals Completely or Somewhat</i>	50%
<i>Had Legal Problem Solved Completely or Somewhat</i>	46%
<i>Considered Result to Be Favorable</i>	58%
<i>Thought Legal Services Program was Very or Somewhat Helpful</i>	76%

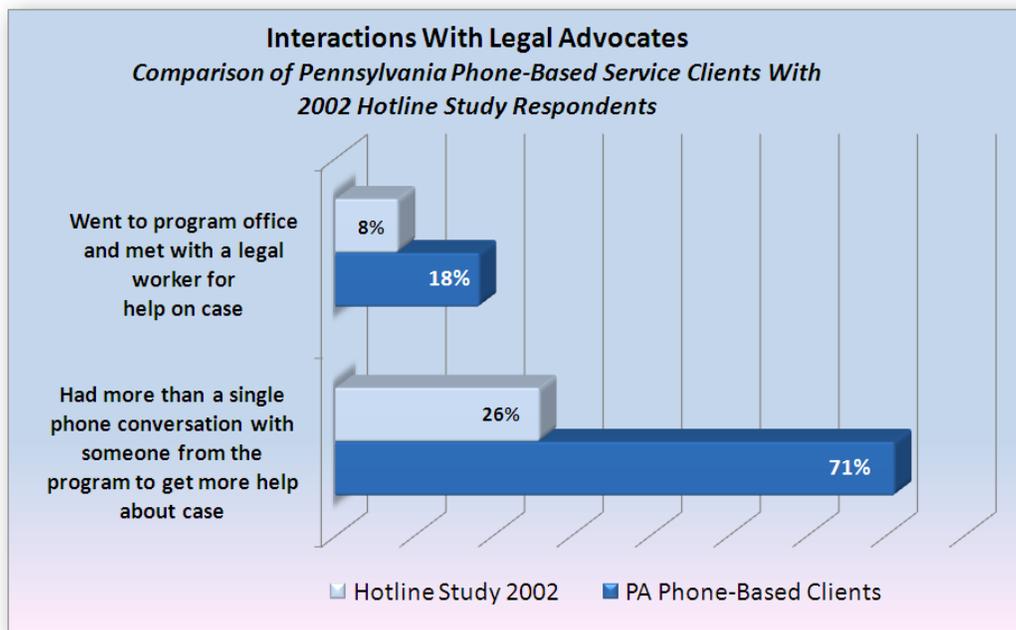
In addition to findings “1” through “3” above (illustrated by exhibits 5, 6 and 7), the Client Survey provided insights about how the Pennsylvania telephone-based legal assistance systems have evolved over the past decade into a sophisticated, multi-faceted service delivery approach. The first of these insights was as follows:

4. *Legal aid programs’ telephone-based legal assistance systems are more than “legal hotlines.”*

This finding is indicated by Exhibit 8 below, which compares findings of the Pennsylvania Client Survey with the 2002 Hotline Study.¹⁹ The table displays the responses to similar questions about the frequency and nature of interaction (that is, by telephone versus in-person) between clients and their legal advocates.

- Pennsylvania clients were over twice as likely (18 percent versus eight percent) to receive services in-person in the program office as the 2002 Hotline Study respondents.
- Pennsylvania clients were almost three times as likely (71 percent versus 26 percent) to have more than a single conversation with their legal advocates as were the clients interviewed in the 2002 Hotline Study.

Exhibit 8



¹⁹ Pearson, Jessica and Lanae Davis, “The Hotlines Assessment Study: Final Report;” 2002, available at <http://www.nlada.org/DMS/Documents/1037903536.22/finalhlreport.pdf>.

The comparison in Exhibit 8 suggests an important distinction between the telephone-based legal aid systems of today and a typical legal “hotline” of a decade ago. In Pennsylvania, many clients have extensive interactions with their legal advocate after intake, and a significant number are asked to come into the program office for in-person services. Telephone-based systems have evolved into the “front door” of a sophisticated, multi-faceted service delivery approach that performs intake, triage, and case assignment by telephone for the whole array of legal assistance offered by the program.

By contrast, the “hotlines” that were the focus of the 2002 Hotline Study served primarily as a quick source of legal information and limited representation, almost entirely by telephone.

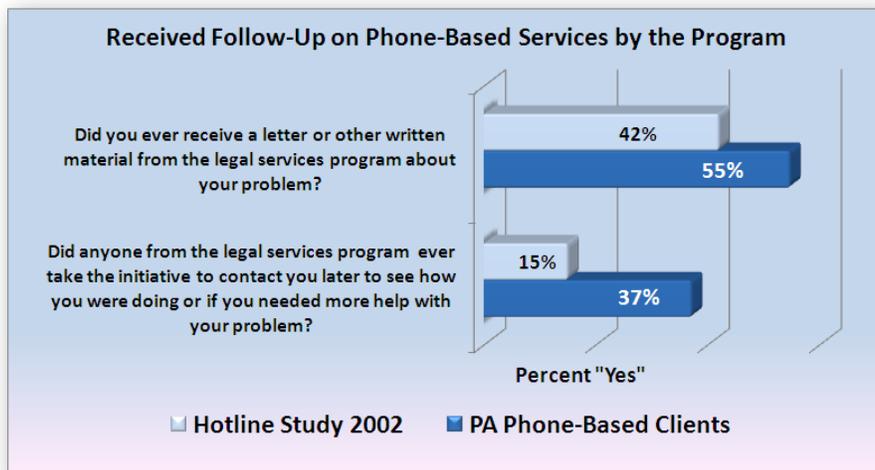
Two additional important findings of the Client Survey were as follows:

5. ***The majority of clients of telephone-based assistance receive follow-up from the program after having been served.*** In this respect, the Client Survey affirmed that the Pennsylvania telephone-based legal assistance systems are in alignment with one of the best practices recommended by the 2002 Hotline Study.
6. ***Pennsylvania legal aid clients are benefiting from best practices developed through a decade of research and technical assistance by the legal aid community on telephone-based legal assistance.*** As indicated in Exhibit 9 below, a higher percentage of clients in the Client Survey reported receiving follow-up assistance than clients who were interviewed in the 2002 Hotline Study. These kinds of follow-up activities were recommended by the Hotline Study and reinforced over the following decade in training and technical assistance by NLADA, the ABA and AARP. The findings in Exhibit 9 suggest that Pennsylvania programs have benefitted from those recommendations and apply them widely.

PENNSYLVANIA’S TELEPHONE-BASED LEGAL ASSISTANCE SYSTEMS ARE MORE THAN “LEGAL HOTLINES.”

Telephone intake and legal assistance systems are serving as the “front door” of a comprehensive service delivery approach that performs intake, triage and case assignment by telephone for the whole of array of legal assistance offered by the program; these can include advice-only and brief services (over the telephone or at a program office), appointments at legal clinics or with pro bono attorneys, or extended legal representation by program advocates if the situation and available resources warrant it.

Exhibit 9



VI. FINDINGS REGARDING IMPACTS OF MAJOR VARIABLES ON EFFECTIVENESS OF TELEPHONE-BASED LEGAL ASSISTANCE

In an analysis of major factors potentially affecting the results of telephone-based legal assistance, the Client Survey found that:

1. ***There were no large differences in results between advice-only cases and brief services cases.*** None of the slight differences proved to be statistically significant.
2. ***Results for clients were found not to be correlated with the legal problems clients faced.*** Slight differences in results were observed, but statistical significance tests indicated the sample sizes for the Client Survey were too small to say with confidence that some problems are more amenable to telephone-based assistance than others.
3. ***Marginally better results were reported for in-person services than for services provided primarily by telephone.*** As indicated in Exhibit 10 below, differences between the two modes of service delivery were small in percentage terms – between 4 and 11 percentage points; however, the apparent advantage of in-person over telephone-based assistance was found to be statistically significant for three of the five measures applied in the comparison.

Exhibit 10:
Results Achieved by Clients
by Mode of Service – Telephone Based or In-Person

All "Advice" Cases (Including "Advice-Only" and "Brief Services")	TELEPHONE-BASED			IN-PERSON			Significant Difference (See Note *)
	Advice-Only and Brief Services			Advice-Only and Brief Services			
	Yes	Some- what	Total YES	Yes	Some- what	Total YES	
<i>Achieved At Least One Positive Outcome</i>	29%	(NA)	29%	39%	(NA)	39%	✓
<i>Met Goals Completely or Somewhat</i>	38%	12%	50%	43%	11%	54%	
<i>Had Legal Problem Solved Completely or Somewhat</i>	36%	11%	46%	45%	6%	51%	
<i>Considered Result to Be Favorable</i>	58%	(NA)	58%	69%	(NA)	69%	✓
<i>Thought Legal Services Program was Very or Somewhat Helpful</i>	54%	22%	76%	60%	24%	84%	✓

*NOTE: The differences in results indicated with "✓" were found to be statistically significant at a 93 percent or higher confidence level.

A conservative application of these findings would be for programs to observe the following guidelines:

- **Clients with difficult legal problems or facing unusual challenges should continue to be provided with in-person services** where they can benefit from the extra attention and enhanced communication that can result. Intake procedures should be applied that provide screening for difficult problems or special client challenges, such as limited English proficiency, disabilities or low literacy.
- **Clients who do not have difficult problems or unusual challenges can effectively be served by telephone.** The benefits of easier access, greater efficiency – both for clients and for the program – and generally good results make the telephone-based services of Pennsylvania programs a vital component of a modern, full range, mixed-service delivery system.

VII. FINDINGS ON ALIGNMENT OF PENNSYLVANIA TELEPHONE-BASED SYSTEMS WITH BEST PRACTICES²⁰

The Best Practices Assessment offered an opportunity for program leaders to describe their best efforts in the context of standards and guidelines that are widely accepted in the civil justice community, and in the process, create opportunities for replicating success and fostering program improvement throughout the network of Pennsylvania legal aid provider organizations.

The best practices on which this assessment was based are found in three sources:

- ***American Bar Association (ABA) Standards For The Operation Of A Telephone Hotline Providing Legal Advice And Information (“the ABA Standards”)***. A copy of these standards can be downloaded from the following web address: <http://www.americanbar.org/content/dam/aba/migrated/legalservices/downloads/delivery/hotlinestandards.authcheckdam.pdf>
- ***Legal Services Corporation (LSC) Guidelines for Telephone-Based Intake and Legal Assistance Programs (the “LSC Guidelines”)***. A copy of these guidelines can be downloaded from the following web address: http://grants.lsc.gov/sites/default/files/Grants/Prgltr2002_4.htm .
- ***The results of past evaluations of phone-based legal assistance systems***, such as the 2002 Hotline Study performed for the Project for the Future of Equal Justice at the National Legal Aid and Defender Association (NLADA). Further information and copies of relevant studies are posted at the following web address: <http://www.legalhotlines.org/outcomesurveys.php> .

The Resource organized the Best Practices Assessment around themes and associated principles outlined in the *LSC Guidelines*.²¹ LSC’s framework was used because:

- ***It articulates practices and principles widely accepted within the civil justice community.*** The *LSC Guidelines* incorporate the *ABA Standards*, which were issued in 2001 after broad consultation with civil legal aid leaders to ensure that phone-based systems being adopted by legal aid programs conformed to the ethical and professional standards of the legal profession.
- ***The LSC Guidelines are practical and concrete.*** They translate the broad aspirational goals of the *ABA Standards* into a relatively short document that nicely captures the best practices developed by legal aid programs seeking to deploy new technology as a means of providing as many people as possible with access to the civil justice system while honoring basic tenets such as respect for the basic interests and dignity of clients, service quality, efficiency, and effectiveness.

²⁰ For details of the Best Practices Assessment, see Appendix B, which is a complete copy of the assessment report.

²¹ Our use of the LSC Guidelines as the organizing structure for this questionnaire is for convenience only and is not intended to have any regulatory implications. The underlying premise of our study is that all Pennsylvania programs are committed to the goal of maximizing their impact on the communities they serve and vitally interested in learning how well they are doing when assessed against the high standards established by their peers in Pennsylvania and elsewhere. The LSC Guidelines provide a concise and practical articulation of those standards. For the two legal aid programs in the study that are NOT LSC recipients, the LSC Guidelines have no formal regulatory force. Even for the eight programs in this study that are LSC recipients, the LSC Guidelines are aspirational; conformance with them is not a condition of federal funding.

The Best Practices Assessment was organized into five sections, corresponding to the major themes expressed in the LSC Guidelines:

- A. Client Access:** *Applicants should have prompt access to a person who can initiate the intake process in a courteous and professional manner.*
- B. Staffing the Telephone Intake and Delivery System:** *While staffing may vary as to professional background and employment status, all staff on the telephone intake and delivery system are well trained, experienced and closely supervised.*
- C. Decisions on Assistance:** *Applicants for service should receive prompt determination as to the type of services that they will receive from the program.*
- D. Technology:** *The applicant's journey from initial application to appropriate advice, brief service or referral should be expedited.*
- E. High Quality Legal Services:** *The quality control system ensures that the service provided to clients is accurate, informative, prompt, professional and conflict-free.*

Findings of the Best Practices Assessment

Exhibit 11 on the next page summarizes the overall alignment of the ten programs across the five best-practice performance areas.²² The text box on page 19 provides examples of best-practices reported by programs in the evaluation.

The results affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Low-income people facing a legal problem – ranging from a landlord's refusal to refund a security deposit according to terms of the lease to receipt of a letter from Social Security saying one owes \$4,000 in back payments – no longer have to travel to a legal aid office to seek answers; they can call the toll-free legal helpline and, if eligible for service under the program's guidelines, quickly receive expert advice from a Legal Aid attorney or paralegal.

In addition to gauging programs' alignment with the five best-practice areas as summarized in Exhibit 11, the Best Practices Assessment report identified scores of concrete examples wherein Pennsylvania legal aid programs are applying these approaches to optimize results for their clients. The report recommended that programs individually, and perhaps collectively, apply the information produced by the Best Practices Assessment as a starting point for a more thorough review of their telephone-based legal assistance systems. Exhibit 11, and the supporting detail outlined in the Best Practices report, provides a useful point of departure for such a review by identifying Pennsylvania programs that can demonstrate with concrete policies and implementing procedures the application of these best practices in their day-to-day operations, which staff in other programs can readily observe and learn from at minimal expense.

²² The details of this analysis are summarized in Appendix B, exhibits 7 through 14.

Exhibit 11:
**Summary – Alignment of Phone-Based Intake and
 Legal Assistance Systems with Best Practices²³**

Best-Practice Area	Percent of Programs in Alignment	Best-Practice Models (Examples)	Page		
A. Client Access	56-89 Percent	<i>Intake Through Central Portal:</i>	Legal Aid of Southeastern Pennsylvania (LASP)	13	
		<i>Legal Service Provided in First Call:</i>	LASP	13	
		<i>Helpline for Specialized Services:</i>	Pennsylvania Health Law Project (PHLP), Philadelphia Legal Assistance (PLA), MidPenn Legal Services (MPLS)	14	
		<i>Evening Hours:</i>	Southwestern Pennsylvania Consortium - Neighborhood Legal Services Association (NLSA), Laurel Legal Services (LLS), Southwestern Pennsylvania Legal Services (SPLS)	14	
		<i>Telephone assistance in caller's native language:</i>	MPLS	14	
		Changes or Additions That Would Improve What's In Place			
		<i>New Technology</i>	LASP: New call center	14	
		<i>Redesign of Intake</i>	NLSA: More centralized telephone system	15	
		<i>More staff to handle telephone intake</i>	All programs	15	
		B. Staffing and Training	100 Percent	Best-Practice Models (Examples)	
<i>Staff with appropriate qualifications assigned to helplines</i>	SPLS, MPLS, North Penn Legal Services (NPLS)			18	
<i>Practices that minimize turnover</i>	LASP, NLSA, Northwestern (Pennsylvania) Legal Services (NWLS)			18-19	
<i>Appropriate training</i>	LASP, NLSA, SPLS			19	
C. Prompt Decisions on Assistance	89-100 Percent	Best-Practice Models (Examples)		Page	
		<i>Simplified process</i>	LASP, PLA	22	
		<i>Clear guidance for intake staff</i>	NWLS, NLSA	22	
		<i>Clients provided with follow-up letters</i>	MPLS, PHLP, LLS, NLSA, SPLS	22-23	
		<i>Follow-up letters in client's native language</i>	MPLS	23	
D. Technology: Expediting the Applicant's Journey from Initial Application to Appropriate Advice, Brief Service or Referral	89-100 Percent	Best-Practice Models (Examples)		Page	
		<i>Automated document assembly</i>	LASP	25	
		<i>Various approaches for making resources accessible to staff</i>	LASP (wiki); MPLS, SW Consortium (SharePoint sites); NLSA, PHLP (case management or phone systems); NWLS (program website)	25-27	
		<i>Automated scheduling</i>	PLA	26	
		<i>Automated court dockets</i>	PLA	27	
		<i>Online document retrieval systems</i>	PLA (Save Your Home Philly hotline)	27	
		<i>Paperless system</i>	NLSA	27	
		Changes or Additions That Would Improve What's In Place			
		<i>Google apps for staff chat</i>	LASP	27	
		<i>New hardware or software</i>	LASP, NLSA	27	
		<i>More staffing for tech function</i>	MPLS	27	
		<i>Roundtables for tech people</i>	NLSA	27	
		<i>Case Management System software improvements</i>	PHLP, PLA	28	
		E. High Quality Legal Services	100 Percent	Best-Practice Models (Examples)	
<i>Best-Practice research informs launch of helpline</i>	MPLS			31	
<i>Helpline assists trend spotting</i>	LASP (weekly meetings); NLSA (monthly meetings); NLSA, PHLP (examples of impact)			31	
<i>Brief services provided by phone</i>	LASP			32	
<i>Regular client feedback</i>	MPLS, NWLS			32	
<i>Comprehensive management approach</i>	SPLS			32	
<i>Pro se materials provided as complement to telephone-based assistance</i>	NLSA, PHLP			32	

²³ "Page" column refers to page numbers in Appendix B.

EXAMPLES: *Best Practices Applied By Pennsylvania Legal Aid Programs*

The following are just a few of the scores of examples outlined in the Best Practices Assessment report under the five headings listed here.

1. Client Access

Pennsylvania Health Law Project (PHLP) operates a toll-free statewide legal Helpline that each year serves approximately 3,700 consumers and their advocates across Pennsylvania with an enormous range of health related needs and concerns. PHLP serves the 2.1 million low-income Pennsylvanians on Medicaid/Medical Assistance, the 1 million Pennsylvanians without health insurance, and the 197,000 low-income kids enrolled in the Children's Health Insurance Program (CHIP).

2. Staffing and Training

The *Southwestern Pennsylvania Legal Services (SPLS)* Hotline is staffed by veteran program employees, most with over ten years of program experience, including two intake workers in the program's central Washington County office, an intake worker in each of three other program offices, a senior staff attorney with 32 years of legal experience providing telephone advice and brief service, and the Washington County Managing Attorney acting as project supervisor.

3. Prompt Decisions on Assistance

Callers to the *Legal Aid of Southeastern Pennsylvania (LASP)* Helpline speak immediately to a paralegal who is trained and experienced not only in determining financial and other eligibility, (such as absence of conflicts, restrictions, etc.), but also in determining whether the caller's problem falls within program priorities, case acceptance policies and intake guidelines.

As a result, clients are almost always told upon their first contact whether or not LASP will be able to help them. They are also usually told on that call whether that assistance will be limited to telephone advice from the Helpline or might include additional services delivered by the local office. Not only is this beneficial to the client, it respects their time and the time of the staff since it involves little in the way of transferring calls and call backs. It is very efficient given the level of technology currently available to Helpline staff.

4. Technology

LASP uses automated document assembly (including Hot Docs and ATJ software) programs to develop templates for the use of staff and callers. These templates allow the staff to generate customized letters to callers following telephone advice and brief service. Others provide self-help materials for callers with certain landlord/tenant issues.

5. High quality legal services

PHLP works to turn clients' experiences into policy change that improves clients' lives and keeps PHLP from having to solve the same problem over and over again. For example, PHLP received numerous Helpline calls from families of Medicaid eligible children denied home health services by their physical health Medicaid managed care plans (physical health Managed Care Organizations, or MCOs). Armed with this information, PHLP followed up with administrative advocacy that resulted in a Department of Public Welfare (DPW) investigation, which found that seven Medicaid MCOs improperly denied home health care. DPW put the MCOs on a Corrective Action Plan requiring them to stop issuing the erroneous denials, review these cases, and correct the previous denials sent.

VIII. CONCLUSION: NEXT STEPS FOR OPTIMIZING THE EFFECTIVENESS OF PHONE-BASED LEGAL ASSISTANCE SYSTEMS IN PENNSYLVANIA

1. The Evidence Shows That “Advice” Services (Including “Advice-Only” And “Brief Services”) Are Not Only Effective; They Are Essential.

Advice-only and brief services are legal aid’s “emergency room” cases. Without them, thousands of low-income families a year would be forced to confront their legal problems without any legal help at all, with consequences that in some circumstances would be devastating.

The findings of the Client Survey indicate that for a strong majority of clients whose cases are resolved by advice – either advice-only or brief services – the services they have received are effective. For example, six out of ten achieve results they deem “favorable,” and eight out of ten find these services to be “helpful.” These services provided by Pennsylvania legal aid programs are enabling many thousands of people a year to address simple legal problems quickly, with much better results than they would have if left to deal with these problems without access to any legal assistance.

Moreover, the Client Survey confirmed that when that these services are delivered by telephone they are not only effective but provide more convenient access to services and enable vastly more people to get legal help than would be possible through only traditional, in-person methods with the same amount of resources.

2. Pennsylvania Programs in This Study Are Achieving the Primary Goal of Telephone-Based Legal Assistance.

The Best Practices Assessment has affirmed that all the Pennsylvania programs examined are achieving the primary goal of telephone-based legal assistance, which is to make legal assistance accessible to every eligible person – including residents in rural areas and those facing special obstacles such as a disability or limited English proficiency – without sacrificing service quality and effectiveness in the process.

Moreover, the companion research effort – the survey of 400 clients served by the programs in this Study – has demonstrated that clients of telephone-based advice and brief services are getting not only access to services but solutions to legal problems and outcomes that the majority of clients deem favorable, even in some cases where the facts of the situation are not favorable to the client’s preferred outcome.

The Best Practices Assessment enabled each participating program to consider, and to carefully assess its own alignment with, the best practices that have emerged from almost two decades of research, technical assistance, training, and “on the ground” experience with telephone-based intake and legal assistance in practice in Pennsylvania and across the nation. It highlighted examples and vignettes illustrating how those practices are being applied within the specific context of individual programs across Pennsylvania.

3. The Findings of This Assessment Provide Support for Efforts to Optimize Results for Clients Going Forward.

The Client Survey and the Best Practices Assessment, taken together, have shown that telephone-based legal assistance is a legitimate vehicle for effective, high-quality assistance to clients. Yet, programs participating in the Best Practices Assessment acknowledge that while

they have made great strides by implementing telephone-based legal assistance systems in recent years, the systems are not perfect, nor do they have the capacity to serve all the people who need them.

A productive use of these findings would be for programs to use the findings of this Study individually and perhaps collectively, as a starting point for a more thorough review than has been possible here. The review would step back and take a closer look at opportunities, now that basic systems are in place, for moving forward from here to further optimize results for clients.

Many of these opportunities lie in best-practices that other programs already have in place. A useful initiative that programs could undertake would be to arrange site visits for their telephone assistance staff to other programs for a closer look at how they handle common issues – for example, “live” advice systems versus “call-back” systems; approaches for minimizing the long wait times that some clients experience before being connected with legal advocates; systems in place for handling large volumes of calls effectively and efficiently. These are just some of the issues that could be discussed in exchanges of site visits among telephone service staff of Pennsylvania programs.

Another step would be for state funders PLAN, Inc. and/or the Pennsylvania IOLTA Board to convene a statewide conference or summit meeting at which programs compare notes and share what they have learned about telephone-based legal assistance. Information from the Client Survey as well as from the Best Practices Assessment could be helpful for identifying practices that correlate with good results and high satisfaction among clients being provided with advice-only and brief services.

Other opportunities are offered by the training and technical assistance offerings of the national civil justice community. For example, two national associations – NLADA and the ABA – collaborate to present in May of each year the Equal Justice Conference, a major focus of which is telephone-based legal assistance. Each Pennsylvania program could consider sending one or more of its telephone-based legal assistance staff to this conference, and indeed, encourage them to submit proposals for presenting workshop sessions at the Conference.

Regardless of where they go from here, Pennsylvania programs can take satisfaction in having achieved something remarkable: establishing and operating service delivery systems that are providing real benefits day in and day out to thousands of clients who otherwise would be unable to get the legal help they sorely need.

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