USING NON-ATTORNEY VOLUNTEERS TO FOLLOW-UP WITH CLIENTS TO DETERMINE THE OUTCOMES OF THEIR LEGAL MATTERS

1. Description of similar project using non-attorney volunteers to follow-up with hotline callers
2. Volunteer job description
3. Agreement between volunteer and the project
4. Agreement by volunteer to maintain confidentiality
5. Form to use to follow-up with client
6. Directions for using follow-up form

Legal Counsel for the Elderly
HOTLINE FOLLOW-UP PROJECT

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Hotline Follow-up Project

Introduction

The Hotline Follow-up Project (HFP) is a pilot program created by Legal Counsel for the Elderly (LCE) in the fall of 2000. Specially trained and supervised HFP non-attorney volunteers conduct follow-up interviews of low-income clients who have received services from a LCE hotline attorney. The goals of the project are to:

- Determine whether clients' legal problems were resolved
- Provide further assistance to those with an unresolved problem
- Collect and analyze data to determine the client and case characteristics associated with favorable and unfavorable outcomes

This article describes the start-up activities of the project and results obtained to date. These include volunteer recruitment and training, data collection and analysis, and client follow-up assistance.

I. Volunteers

Inclusion of a volunteer component is a guiding principle of all LCE projects. The goal of the HFP team is to make these volunteers an integral part of the legal service delivery system for vulnerable, elderly D.C. residents. The Project requires the volunteers to possess the sophisticated skills needed to conduct client interviews and provide follow-up assistance.

HFP volunteers must have good telephone skills, the ability to collect, record and evaluate information and explore pertinent details. Once the follow-up assistance portion of the Project is implemented the volunteers will need the skills to (1) conduct fact investigation, (2) obtain documents or information necessary to resolve the clients' legal problems, (3) call organizations and agencies on behalf of clients, and (4) help clients complete *pro se* forms and applications.

The Project concluded that retired professionals would be the optimal source of volunteers with these skills and AARP Member Services sent three thousand recruitment letters to local AARP members whose annual incomes were over $35,000. Associations of retired professionals also would be a likely source of volunteers. Approximately thirty members responded and seven were accepted as volunteers. They include retired attorneys, paralegals, analysts and educators.[1]

Training

All volunteers attend a full day training that includes an overview of the HFP Project, a detailed discussion of the project materials and interview procedures. During the "Interview Procedures" portion of the training the volunteers review (1) the "Individual Case Master Print" (ICMP) which contains the client demographic data and the hotline attorney's record of the facts and advice given, (2) the Interview Questionnaire which provides a scripted format for the interview, (3) the Job Aid (otherwise known as "how to stay out of trouble during the interview") which has a number of scenario based solutions for interview problems and a variety of helpful "do's" and "don'ts" of interview etiquette.[2]

As part of the training the volunteers participate in a role-playing session where they have the opportunity to work with the Questionnaire and field client "curves" in the interview process. All the volunteers must sign both a volunteer agreement and a confidentiality agreement.

1. Although HFP does have attorneys as volunteers, the program is designed to use non-lawyers to conduct interviews and provide follow-up assistance.

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2. The "Interview Questionnaire:, "Job Aid", and "Hotline Advice Follow-Up Project Manual" will be posted at the Legal Hotline Technical Assistance Library at www.povertylaw.org

II. Data Collection

A. Step One – Hotline Attorney Referral

LCE hotline attorneys initiate the follow up process by identifying and referring cases for HFP follow-up based on the following criteria:

- The client must be LCE income eligible - 200% of poverty[3]
- The case must be coded "Brief Representation"
- The client must have received proactive advice (advised to take a specific action to resolve his or her legal problem)

First, the hotline attorneys decide whether a case is an extended or brief representation matter. If the hotline attorney gives the client an appointment with an LCE in-house staff attorney or refers the case to some other program where he will receive extended services, no HFP referral is made. Conversely, if the hotline attorney is able to address the client's matter fully with the phone consultations, he closes the case with the "brief representation" code.

The next step is for the hotline attorney to decide which of the "brief representation" cases to refer to HFP. The only criterion provided by HFP is that the hotline attorney has advised the client to take "specific, proactive steps" to resolve his or her legal concern, *e.g.,* file a complaint in small claims court, write a letter to a merchant, obtain a copy of a disputed contract. However, not all the cases falling within the "pro active" criteria are referred to HFP. Hotline attorneys employ broad discretion in deciding what cases to refer. Reasons for a referral range from a personal interest in the outcome of a matter, to a concern that the client will encounter difficulties in following the advice.

Once the hotline attorney decides to refer a case, he enters into the LCE database the requested callback or "tickle" date, "tickle instructions" (the reason why he wants HLP to follow-up with the client) and the HFP referral code. This and other relevant follow-up information appears on the ICMP. The supervising attorney reviews the ICMPs on a weekly basis and schedules those cases tickled for a follow-up interview.

3. HFP dropped the income criterion shortly after the project began because it negatively affected the number of calls referred. As the Project matures, HFP will reintroduce the criterion.

B. Step Two – The Follow-up Interview

The Interview

The initial follow-up interview is conducted within one month of when the client called the hotline to maximize clients' recall of their hotline experience and minimize instances of telephone disconnects. The supervising attorney reviews the ICMP for each case scheduled for follow-up on a given date and highlights relevant case notes and follow-up instructions for the volunteer. She also highlights corresponding "client prompts" contained on the questionnaire, which she attaches to the ICMP. Prior to the interview, the supervising attorney reviews and discusses all highlighted items with the volunteer. The volunteer then attempts to contact the client and complete the interview using the scripted questionnaire.

The Questionnaire

The questionnaire is a scaled back version of the data collection instrument (DCI) developed by the Center for Policy Research (CPR) to assess the effectiveness of using telephone hotline advice to provide legal services to low-income populations.[4] The HFP questionnaire is the product of (1) feedback obtained from CPR interviewers who used the DCI; (2) HFP data collection goals; (3) LCE hotline attorney in-put; and, (4) feedback from volunteers who participated in pre-training tests of the questionnaire.

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4. *The Legal Hotline Outcomes Assessment Study,* Final Report – Phase II:

Pre-Test of Follow-Up Telephone Questionnaire, Center for Policy Research, September, 2000. www.equaljustice.org

The questionnaire is designed to determine the helpfulness of the hotline advice, whether the client followed the advice, and the current status of the client's matter. It also allows the volunteer to survey the client about future services LCE may offer. The volunteer records his impressions of the interview and recommends whether the client would benefit from further assistance.

Post-interview Review

After all interviews are completed for that day, the supervising attorney reviews with the volunteer the results and the volunteer's impressions. She then conducts a more detailed review of the clients' responses. The objective of this review is to identify and record the following information on the Interview Data Summary Sheet (IDSS):

(1) Did the client understand the advice?
(2) Did the client follow the advice?
(3) If yes, what was the result?
(4) If no, what was the reason?
(5) Does the client require further assistance to resolve his legal problem?

The supervising attorney then assigns final outcomes codes to the cases. She only assigns a favorable outcome (FAV) to matters that have reached a final and favorable resolution. All pending matters are coded as "no outcome to date" (NOTD) and tickled for another follow-up call three months from the date of the initial interview. Unfavorable outcomes are coded as (UNFAV). All cases where the client did not follow the advice because the matter resolved itself before he had an opportunity to do so are coded as (MRI).

Csases where clients were unable to follow the advice are coded as (UTF), while cases where clients chose not to follow the advice are coded as (CNTF). The supervising attorney determines what cases may require further assistance based on the following factors: client age, case type, problem description, outcome, and reason why the client did not follow (or encountered difficulty in trying to follow) the advice.

Those cases where further assistance is recommended are coded as (FAR), while those matters that do not warrant further assistance are coded as (NFAR). Project support staff enter the information contained on the IDSS into the HFP database.

III. Data Analysis

HFP collects data on client demographics, case types, outcome characteristics (such as whether advice was understood or followed), and the nature of the outcome, which we then use to analyze the client characteristics which are associated with particular outcomes. Finally, we conduct a statistical analysis using multivariate regression techniques to determine the statistically significant determinants of those outcomes. Ultimately, with sufficient numbers of clients, the regression analysis could prove to be a powerful tool in predicting which clients are most likely to require follow-up assistance.

Characteristics of the Entire Client Group - 53 cases to date.

A. Client demographics

As expected, the 53 clients interviewed are predominantly older (the average age is 72, and ranges from 47 to 88), low income (average monthly income is $ 1,376, ranging from $300 to $ 4,740), female (79%), and ethnically diverse (73% black, 15% white). 55% own their own house, and 32% rent. 30% are married, 23% are widowed, 19% are divorced, 9% were never married, and 6% are separated.[5]

B. Case characteristics (case types)

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LCE legal problem codes can be grouped into several broad areas. 21% (11 cases) involve

5. Here, as elsewhere, what may appear to be an exhaustive listing may not add up to 100% because of "percent unknown" category.

real estate and landlord/tenant, 19% (10 cases) relate to consumer/finance, 19% (10 cases) involve estate planning, 15% (8 cases) involve health, 8% (4 cases) involve income maintenance, 6% (3 cases) involve family issues, 2% (1 case) involve individual rights, and 11% (6 cases) were categorized as miscellaneous.

C. Actions and outcomes

Our statistical analysis is designed to answer four questions:

- Did the client understand the advice?
- If the client understood the advice, did he follow the advice?
- What happened if he followed the advice?
- If the client did not follow the advice, why?

1. Did the client understand the advice?

Of the 53 clients interviewed, 45 reported that

Did clients understand advice?	YES	NO	TOTAL
	45 (85%)	8 (15%)	53 (100%)

they understood the advice given to them, while 8 clients reported that they did not.

Table 1

2. If the client understood the advice, did he follow the advice?

Of the 45 clients who understood the advice, 25

Did clients follow			
	25	20	45

reported that they followed that advice, while 20 reported that they did not.

Table 2

3. What happened if he followed the advice?

For the 25 clients who followed the advice, 7 reported that the outcome was favorable ("FAV"), 11 reported no outcome to date ("NOTD") – they had followed the advice, but we do not yet know the outcome

Outcomes: ad-				
	7	11	7	25

(HFP will call back within three months), and 7 reported that the outcome was unfavorable ("UNFAV").

Table 3

4. If the client did not follow the advice, why?

Determining the reasons why clients don't follow the hotline advice is fundamental to the Hotline Follow-up Project. These reasons help to shape the type of follow-up assistance the Project offers. Of the 28 who did not follow the hotline advice, 11 were unable to follow the advice ("UTF") because they either did not understand the advice (8 clients) or because it was too difficult for them to do so unassisted (3 clients), 7 clients reported that the matter resolved itself ("MRI") before they had the opportunity to follow the advice, and 10

Reasons clients did-				
	11	7	10	28

client chose not to follow the advice ("CNTF") even though they understood it.

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Tabe 4

IV. Follow-up Assistance

In addition to collecting and tracking data, an equally important function of the interview process is that it allows HFP to identify clients whose legal problems remain unresolved because of the clients' inability to follow hotline advice. These include those clients who do not understand the advice, are frustrated or confused by failed attempts to follow the advice, or are temporarily or permanently impaired from doing so by a physical, emotional or mental crisis or condition. These cases are coded as "further assistance needed" (FAR).

Once the supervising attorney identifies a FAR case, she reviews the facts of the case to determine whether to recommend the matter for an LCE-sponsored project or for assignment to an HFP volunteer. This decision is based on the need of the client. Where the need is critical or requires legal expertise (*e. g.*, spousal abuse, loss of a home), the recommendation is to assign the case to an LCE attorney or paralegal. Conversely, where the need is less immediate and does not require the skills of an attorney or paralegal, volunteer assistance is recommended. A final decision is reached after consulting with the appropriate project leader or manager.

Of the 10 FAR cases identified to date, 5 have been recommended for and accepted by LCE for further assistance. LCE-sponsored projects include LCE legal clinic, VLP, Write-a-Wrong,[7] Long-term Care Ombudsman, Representative Payee, Medicare Fraud Project and the Legal Hotline. To date, 3 cases were scheduled for appointments with LCE-attorneys, while 2 were forwarded to Write-a-Wrong. HFP scheduled each of these cases for a three-month follow-up.

The remaining five cases were assigned to HFP volunteers who performed the following valuable services for the clients:

7. Write a Wrong is an LCE program which prepares letters for seniors on a number of consumer issue.

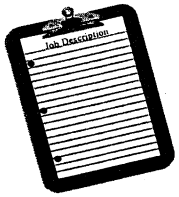
- Identified and contacted a social worker to help a client to find alternative housing after his landlord had evicted him.
- Assisted a client to contact a referral number by conferencing the two parties together via telephone.
- Researched the question of what documents and information the client must produce to apply for a reverse mortgage. Upon further review of the case and the client characteristics, HFP referred the client to the LCE legal clinic for assistance.
- Researched whether a defendant in a contract case was still doing business in D.C.
- Provided the client with referral numbers she had either lost or forgotten.

Where appropriate, the follow-up assistance cases are tickled for a three-month callback.

HFP follow-up assistance is still in its formative stage. With time, experience and additional resources the goal is to develop this component of the project into a Brief Services Unit[8] which will increase the efficiency and productivity of the entire legal services program.

Conclusion

The Legal Counsel for the Elderly Hotline Follow Up Project represents an exciting and innovative opportunity to help those in need. While still in its development stage, with many challenges ahead, in time the combination of the follow-up interviews and follow-up assistance will help to improve the quality and depth of services provided to the poor and aging residents of the District of Columbia.



JOB DESCRIPTION

TITLE: HOTLINE ADVICE FOLLOW-UP VOLUNTEER

NAME OF PROGRAM: HOTLINE ADVICE FOLLOW-UP PROJECT

PURPOSE OF JOB CONDUCT TELEPHONE INTERVIEWS WITH CLIENT WHO HAVE CALLED THE LEGAL COUNSEL FOR THE ELDERLY HOTLINE TO DETERMINE . . .

- whether clients follow hotline attorney advice, and if not, why not
- whether clients understand hotline attorney advice, and if not, why not
- what additional services will assist clients follow through on hotline attorney advice

REPORT TO: HOTLINE ATTORNEY SUPERVISING ATTORNEY

DESCRIPTION OF DUTIES:

1. Attend initial orientation/training session and follow-up sessions as needed.
2. Conduct telephone interviews using the Hotline Advice Follow-up. Questionnaire
3. Complete Questionnaire evaluation and "Extended Representation Outcome Codes."
4. Debrief with supervising attorney after completing all interviews for the day.

QUALIFICATIONS:

1. Good attention to detail;
2 Good listening and telephone skills;
3. Ability to collect and record information and explore for more information
4. Ability to analyze information:

COMMITMENT:

Willingness to work three (3) to four (4) hours per week for approximately six (6) months.

HOTLINE ADVICE FOLLOW-UP PROJECT
VOLUNTEER AGREEMENT

This agreement is intended to indicate the seriousness with which we treat our volunteers. The intent of the agreement is to assure you both of our deep appreciation of your services and to indicate our commitment to do the very best we can to make your volunteer experience here a productive and rewarding one.

I. HOTLINE ADVICE FOLLOW-UP ADVICE PROJECT

We, LEGAL COUNSEL FOR THE ELDERLY, agree to accept the services of _____(volunteer) beginning NOVEMBER 13, 2000, and we commit to the following:

1. To provide information, training, and assistance for the volunteer to be able to meet the responsibilities of their position.
2. To ensure diligent supervisory aid to the volunteer and to provide feedback on performance. To respect the skills, dignity and individual needs of the volunteer, and to do our best to adjust to these individual requirements.
3. To respect the skills, dignity and individual needs of the volunteer, and to do our best to adjust to these individual requirements.
4. To be receptive to any comments from the volunteer regarding ways in which we might mutually better accomplish our respective tasks.
5. To treat the volunteer as an equal partner with agency staff, jointly responsible for completion of the agency mission.

II. VOLUNTEER

I, _____, agree to serve as a volunteer and commit to the following:

1. To perform my volunteer duties to the best of my ability.
2. To adhere to agency rules and procedures, including record-keeping requirements and confidentiality of agency and client information.
3. To meet time and duty commitments, or to provide adequate notice so that alternate arrangements can be made.

III. I agree to work as a hotline advice follow-up.

IV. AGREED TO:

_____	_____
Volunteer	Staff Representative
_____	_____
Date	Date

This agreement may be canceled at any time at the discretion of either of the parties but will automatic renew every six (6) months unless otherwise stipulated by the parties.

CONFIDENTIALITY AGREEMENT

Date_____

I, _____, understand that my volunteer association with the Hotline Advice Follow-up Project (HAFP) may at times expose me to confidential written and spoken information. I understand that any information about HAFP cases, or clients is not to be discussed outside the office.

I have read the confidentiality section for the Hotline Advice Follow-up Project and agree to abide by it.

_____ Date _____

_____ Date _____

Call Date	complt interview	left msg w/person	wrong#	no answer	moved new #	moved no#	disconnected	lft word ans mach
Call Date	complt interview	left msg w/person	wrong#	no answer	moved new #	moved no#	disconnected	lft word ans mach
Call Date	complt interview	left msg w/person	wrong#	no answer	moved new #	moved no#	disconnected	lft word ans mach

NFAR FAR

CLIENT'S NAME:_____TEL #_____NEW TEL#_____TICKLE DATE_____

INTERVIEWER'S NAME _____ DATE_____ REFERRED TO _____

Hi, my name is _____. I am a volunteer with the Legal Counsel for the Elderly. I am helping LCE find out what people think of its Legal Hotline. The LCE records indicate that you called the hotline within the last month.

Question 1
Do you remember calling the LCE hotline?
1 - Yes 2 - No/Called several times [client prompt language]. . "You called the hotline about [See Case Type for brief description].".

Question 2
Would you be willing to answer a few questions about that?

1 - Yes, complete the interview.
2 - No . . . . Try to reschedule [new date: ___/___/____ Time:_____ a.m./p.m.]

Question 3
Can you tell me briefly why you called the hotline? [Client's description][If client is unable to remember use "case type" or "problem description" from ICMP to prompt]

Client understood advice: Yes No [Complete after interview]

Question 4	Advice given by hotline attorney - circle all that client volunteers even if different from highlighted prompts [complete after the interview]
In your own words, please tell me what advice the hotline attorney gave you? [Write down in as much detail as possible the client's description of the advice given by the hotline attorney][If client unable to recall, use prompt language highlighted by staff attorney in "Advice Given," or by the hotline attorney in the Tickler description field on the ICMP].	**Did the hotline attorney . . .** 0001. Explain your legal rights, responsibilities or procedures 0010 Advice on how to resolve your legal issue re: **[cite "case type"]** 0011 Advice on how to resolve a non-legal issue re: **[cite "case type"]** 0021 Give you legal advice after reviewing a document for you 0032 Tell you to contact a reduced fee panel referral attorney 0034 Tell you to contact AARP LSN – **[AARP Member Services 800-424-3410]** 0035 Tell you to contact the LTC OMB – **[434-2140/434-2138]** 0036 Tell you to contact the RepPayee Project – **[434-2180]** 0037 Tell you to contact Write-A-Wrong – **[434-6565]** 0038 Tell you to contact Medicare Fraud Project – **[434-2099]** 0049 Refer you to further LCE services 0050 Tell you to contact another free legal services agency **[NLSP 678-2000/DCLSC 638-4798/LASDC 628-1161]** 0051 Tell you to contact bar referral service 0052 Refer you to social services agency 0053 Tell you to contact senior center services 0054 Tell you to contact HICP – **[676-3900]** 0055 Tell you to contact housing counseling services – **[667-7006]** 0059 Refer you to assistance outside of LCE 0060 Sent you a pamphlet or other written materials 0070 Refer you to Adult Protective Services **[727-2345]** 0071 Refer you Office of Peoples Counsel **[727-3071]** 0072 Refer you to Consumer Credit Counseling **[682-1500]** 0073 Refer you to SSA 0074 Advice you as to small claims issues 0075 Other [description]_____

Question 5 Would you say you found the hotline advice . . 1 - Very helpful 2 - Somewhat helpful 3 - Not at all helpful **Question 6** Did you follow the advice? 1. Yes **[proceed to Question 7]** 2. Tried **[proceed to Question 8]** 3. No **[proceed to Question 9]** **Question 7. If "Yes, Followed Advice"** How well did the advice work for you? Would you say it . . . 1 - Worked very well 2 - Sort of worked 3 - Did not really work 4 - Too soon to tell **[Proceed to Question 10]**	**Question 8. If "Tried to Follow Advice"** What would you say happened? [Write down client's description. Following interview circle all the client volunteers] 1. Didn't understand advice 2. Tried, no one called back/couldn't get through 3. Too expensive 4. Too difficult 5. Other_____. **[Proceed to Question 10]**	**Question 9. If "No, Did Not Follow Advice"** What would you say happened? [Write down client's description]**[Circle all the client volunteers. Complete after interview]** 1. Did not understand advice 2. No recollection of calling hotline 3. Too difficult 4. Lost notes/forgot what I was told 5. No time/Did not get to it 6. Obtained assistance elsewhere 7. Changed mind* 8. Situation changed* 9. Matter resolved itself* **[Proceed to Question 10]**

10. What would say has happened to your legal problem since you spoke with the hotline attorney? [Write down the client's description. Include dollar value of benefit, if appropriate].

***Note: If client did not follow advice because situation changed or client changed mind, ask if matter resolved, and if yes, ask if resolved favorably, unfavorably or somewhere in between [then proceed to Question 12]**
****Note: If client did not follow advice because matter resolved itself, ask client if resolved favorably, unfavorably or somewhere in between [then proceed to Question 12]**

11. Since you called the hotline would you say that your problem is:

a. Better b. About the same c. Worse

12. Optional wrap up question: If the interviewer wishes to review the questionnaire to confirm that the client has answered each relevant question, please ask the client for another minute of his or her time to double check notes and intake questions.

13. Optional: Use if client has expressed concern about other legal problem(s).
Now before we hang up, I want to give you the number to LCE hotline so you can give them a call about the other legal matter you are concerned about. Do you have a pen or pencil handy? **That number is (202) 434-2170.**

Thank you very much for your time. The information you provided will help LCE improve it services. Have a nice day.

Volunteer comments

Based on your interview of the client, is:
Further Action Recommended – FAR **No Further Action Recommended - NFAR**

12. HFP Attorney comments	NFAR	FAR

HFP DATA ENTRY SUMMARY SHEET

Case Number:_____

Client understood advice Y N

Client followed advice Y N

Client tried unsuccessfully to follow advice because

1. Didn't understand advice
2. Tried, no one called back/couldn't get through
3. Emotionally, mentally or physically too difficult
4. Other_____.

Client did not follow advice because

1. Did not understand advice
2. No recollection of calling hotline
3. Emotionally, mentally or physically too difficult
4. Lost notes/forgot what I was told
5. Too hard/not worth the trouble
6. No time/Did not get to it
7. Changed mind
8. Situation changed
9. Matter resolved itself
10. Assistance elsewhere

HFP OUTCOME CODE TO DATE: FAV NOTD PFAV UNFAV UTDO NC

BENEFIT AMOUNT: $_____

DNFA CODE: CNTF MRI UTFA

TTF CODE: UTF DNUA TUTF

HFP RECOM ACTION CODE: NFAR FAR [brief description of FAR_____]

QUESTION 1. Do you remember calling the LCE hotline?

A No or . I called a couple of times/I called a couple of places but I do not know if I called LCE.

JA I have some information in my notes that might help. According to the hotline attorney notes you called LCE on [DATE] with questions about a [PROBLEM CODE, *i.e.,* bankruptcy, social security, SSI, eviction] bankruptcy matter. Does that help?

A I did not call. My son/daughter called, but s/he is not here right now. S/he will be back later. Or, I have a number for him/her if you want it.

JA What time is good to call back to speak with your son/daughter?

JA Thank you. A telephone number for your son/daughter would be very helpful.

QUESTION 2. Would you be willing to answer a few questions about that?

A Well, how long will this take?

JA Not long. I would say less than ten (10) minutes.

A I really don't have the time right now.

JA Of course, I understand. I would like to reschedule the interview for a time that is convenient for you, if possible. When is a good time to call back?

A I don't have time for this. I don't want to talk to you.

JA Certainly. I apologize for any inconvenience. Have a nice day. Good-bye.

QUESTION 3. Can you tell me briefly why you called the hotline?

A I think I called because my landlord was trying to evict me [PROBLEM CODE INDICATES CLIENT CALLED ABOUT SOME OTHER MATTER, *i.e.*, BANKRUPTCY]

JA Oh, I see. Yes, perhaps that was another call to the hotline. However, the reason I am calling is to follow-up on your call about [USE CASE TYPE FROM INDIVIDUAL CASE MASTER PRINT]. Have you had some questions about that issue within the last month?

A I have had so many problems lately, I really can't remember which one I called about.

JA I have some information in my notes that might help. According to the hotline attorney notes you called LCE on [DATE] with questions about a [CASE TYPE FROM INDIVIDUAL CASE MASTER PRINT]. Does that help?

QUESTION 4. Please tell me what advice the hotline attorney gave you. [Write down in as much detail as possible what the client describes as the advice given by the hotline attorney]. HAFP will use this data to determine the extent to which client understood the advice given by the hotline attorney.

A I don't remember/I forgot

JA Perhaps I can help. According to my notes, the hotline attorney advised you to [USE PROMPTS HIGHLIGHTED BY STAFF ATTORNEY UNDER "ADVICE GIVEN" ON INTERVIEW FORM or TICKLER DESCRIPTION ON INDIVIDUAL CASE MASTER PRINT].

A The hotline attorney told me there was nothing I could do.
[NOTES INDICATE HOTLINE ATTORNEY ADVISED CLIENT TO TAKE SOME ACTION]

JA I see. Is it possible that you are thinking of a different call? Here is why I am asking. According to my notes, the hotline attorney advised you on how to [USE PROMPTS HIGHLIGHTED BY STAFF ATTORNEY UNDER "ADVICE GIVEN" ON INTERVIEW FORM or TICKLER DESCRIPTION ON INDIVIDUAL CASE MASTER PRINT].

A Oh, yes. The attorney told me that I should fill out some papers at the courthouse, some papers for small claims.
[HOTLINE ATTORNEY NOTES INDICATE ADVISED CLIENT ON A DIFFERENT ISSUE]

JA I see. Is it possible that you are thinking of a different call? Here is why I am asking. According to my notes, the hotline attorney advised you to [USE PROMPTS HIGHLIGHTED BY STAFF ATTORNEY UNDER "ADVICE GIVEN" ON INTERVIEW FORM or TICKLER DESCRIPTION ON INDIVIDUAL CASE MASTER PRINT]. Have you had any questions about that issue within the last month?

SURVEY QUESTION 5 – 6a. Please ask each survey question as written and in order. Do not infer the response from the client's prior narratives. The interviewer may feel that the answer to these question are embedded in the client's narrative responses and may wish to infer the client's answer rather than ask what appears a redundant question. Please resist the temptation. Instead, use transition language such as:

(a) So, based on what you just told me, would you say you found. . .
or
(b) I believe you have already answered this next question, but I just need to confirm that with you. Would you say you found . . .

Question 6. If answers is "Tried to . . . or Did Not follow advice . . ." proceed to Question 6b . . . What would you say happened? [Write down client's description]

The interviewer may feel that the answer to this question is embedded in the client's responses to Questions 4-6. However, it is important to give the client an opportunity to focus specifically on this issue. We want to identify from the client's comments as many factors as possible as to why s/he did not follow the hotline advice. HAFP will use this data to determine if client needs additional LCE assistance to successfully follow the advice.

A Client has stated that the hotline advice was not at all clear and understandable and that s/he did not follow the advice.
JA O.K. Now you told me earlier that the hotline advice was not at all clear and understandable. So, would you say that was one of the reasons that you decided not to do what the hotline attorney suggested . . . that because the advice wasn't clear you did not really understand what the attorney wanted you to do? [Client answers "Yes"]. O.K. Now, are there any other reasons that come to mind?

A Client provides multiple reasons. Oh, my son was going to help me but he got called out of town and I don't know when he is going to be back. And, I'm housebound and can't get around without help. And, anyway, the landlord isn't bothering me so I'm not going to worry about it anymore.

JA The client has provided the interviewer with two reasons why s/he did not follow the hotline advice [(1) Too hard - son out of town and housebound and (2) Problem resolved itself - landlord not bothering client anymore]. Confirm with the client what s/he volunteered. If the interviewer misunderstood the client's narrative, this will give the client an opportunity to clarify.

(a) Yes, I can see how hard it would be for you to follow up on your own; and,
(b) It sounds as if, at least for now, that the problem may have resolved itself.

A Client begins to talk about legal problem other than the one that is the subject of the interview, *i.e.,* eviction . . . "Oh, I don't really remember why I didn't do what the attorney told me to do about the eviction. I've just had so many problems lately. You know, like last week, this guy came around to repair my roof. He tore it all up and then left. I haven't seen him since. What can I do about that? Can you help me? That's what I really need help with now."

JA Oh, I am sorry that you are having a difficult time with the roofing contractor. Unfortunately, I am not an attorney so I can't advise you on what to do. However, I can give you the number to the LCE hotline after we are finished with the questionnaire. You should call the hotline with your questions. Now, getting back to your eviction matter, can you think of any reason why you did not follow up on the hotline advice?

Question 8. What would you say has happened with your legal problem since you spoke with the hotline attorney? [Write down client's description].

A Client goes off track during narrative. Oh, the landlord sent me this summons or something and it said that I had to be out within ten (10) days. Well, I couldn't do that. The day after I got the notice I went to West Virginia for three weeks. I have relatives in West Virginia. You know a sister, a couple of nephews. Fine boys. Well, anyway, she has not been feeling well so I went down there to help out. I drove. Well, ...

JA Politely bring the client back to the question.

Mr/s. X, I am sorry about your sister, however, I do want to find out from you what has happened with your eviction issue. What has happened since you received the summons?

A Client begins to talk about legal problem other than the one that is the subject of the interview, *i.e.,* eviction . . . "Oh, nothing much. But, I have this other problem. My sister lives alone and she is having a hard time taking care of herself. I mean, she is fragile. And, I don't know that she is paying her bills. I was thinking of becoming her guardian. How do I do that?"

JA Unfortunately, I am not an attorney so I can't advise you on what to do. However, I can give you the number to the LCE hotline after we are finished with the questionnaire. You should call the hotline with your questions. Now, getting back to your eviction matter, you say that nothing much has happened. Could you explain that a bit more for me?

SURVEY QUESTIONS 8 AND 9

Question 8. Since you called the hotline is your legal problem . . . [1 – Better 2 - About the same 3 – Worse]

JA As with all survey questions, it is important to ask it even if you feel the answer is embedded in the client's narrative. Use a transition . . .

(a) You may have already answered this next question, but I just need to confirm it with you. Would you say that your legal problem is . . . . or,

(b) So, based on what you have told me during this interview, would you say that your legal problem is . . .

9. LCE may offer additional services to its clients. LCE would like to know if you would find the following services helpful to you in the future. LCE does not currently offer these services. This question is for research purposes only. Would you find it helpful if . . .

JA It is important to emphasize to client that LCE does not currently provide these services. Otherwise, the client may incorrectly conclude that LCE has reopened the case and will handle the matter for the client. This may result in the client discontinuing any self-help effort to resolve the matter. This in turn could potential subject LCE to a malpractice action.

Question 10. Optional wrap up question: If the interviewer wishes to review the questionnaire to confirm that the client has answered each relevant question.

JA Mr/s. X. That just about does it. I just need another minute to double-check my notes to make certain that I have covered all the questions. Would that be o.k.?

Question 11. Be sure to give client LCE hotline number if discussed during interview.

12. Volunteer comments

JA Write down any change in status of client's matter. HAFP will use data to identify client outcome behavior from hotline attorney advice.
JA Write down insights from interview, *i.e.* client physical, mental, emotional condition and affect on ability to follow advice; client seems unwilling to proceed at this time, *etc.*.
JA Write comments on interview, *i.e.,* interview went smoothly, problems encountered, *etc.*
JA Write down recommendation, *i.e.*, client needs someone to help complete legal forms, client needs more information, *etc.*