



LEGAL SERVICES CORPORATION
Office of Program Performance

***FINAL
PROGRAM QUALITY REPORT***

FOR

***Legal Aid Society of Cleveland
Recipient Number: 436050***

June 1 - 5, 2009

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INTRODUCTION

The Legal Services Corporation's (LSC) Office of Program Performance (OPP) conducted a program quality visit to the Legal Aid Society of Cleveland (LASC) from June 1 – 5, 2009. The team members were Cheryl Nolan, Team Leader/OPP Program Counsel; Monica Evans, OPP Program Counsel, Charles Greenfield, OPP Program Counsel, Althea Hayward, OPP Program Analyst, Janet LaBella, OPP Director, and consultant John Johnson.

Program quality visits are designed to ensure that LSC grantees are providing the highest quality legal services to eligible clients. In conducting its assessment, the team carefully reviewed the documents LSC has from the program including its application narrative for 2008, its case service reports (CSRs) and other service reports (OSRs), the numerous documents the program submitted in advance of the visit including advocates' writing samples and an electronic survey of LASC staff. On site, the team visited the Cleveland, Lorain and Lake/Geauga offices. In addition to speaking to most of the LASC staff members, the team conducted telephone interviews or met in person with a sample of board members, judges, members of the bar and community organization members.

In performing its evaluation of the grantee's delivery system, OPP relies on the LSC Act and regulations, LSC Performance Criteria, LSC Program Letters, and the ABA Standards for the Provision of Civil Legal Aid. The evaluation is organized according to the four LSC Performance Areas that cover needs assessment and priority setting; engagement with the low income community; legal work management and the legal work produced; and program management including board governance, leadership, strategic planning, resource development and coordination within the delivery system.

PROGRAM OVERVIEW AND SERVICE AREA

The Legal Aid Society of Cleveland was established in 1905. It is the fifth oldest legal services program in the country. It serves five counties from four offices – the Cleveland main office, and the Lorain, Lake/ Geauga and Ashtabula branch offices. The five-county service area, consisting of 2,285 square miles, is mixed, urban, suburban and rural and includes the northeastern Ohio counties of Ashtabula, Cuyahoga, Geauga, Lake and Lorain. Its poverty population is 231,811 – 11% of its overall population. The poverty population is ethnically diverse – 45% are white – non-Hispanic; 46% are black; 7% are Hispanic; 2% are Asian. The primary language of a significant portion of the limited-English proficient (LEP) population is Spanish.

The program's legal work is organized into substantive units for family, housing, consumer, and HEWII (health, education, work, income and immigration). The program has an intake unit housed in the Cleveland office. Of its 86 staff members, 68 are assigned to work in the Cleveland office; eight are at the Lorain office, six are at the Lake/Geauga office and four are at the Ashtabula office.

SUMMARY OF FINDINGS

LASC's delivery structure is marked by a commitment to high quality work. The work that the program does is strategically tied to the needs in the community. LASC tracks outcomes to ensure that it measures the impact of its quality services. Overall, the program is effective in engaging with the low-income population. Its high quality legal work is conducted in a way so as to achieve the best outcomes for the clients represented. The program's leadership has maintained a unified vision for the program's work; it promotes high standards for all of the program's activities. Its public relations, intake and information technology managers effectively run their specialized components. Advocates are provided ample training from outside sources. LASC is staffed so as to effectively address the linguistic and cultural characteristics of its clientele. Attorneys and other staff do a great deal of outreach and other legal education. LASC is a leader in collaborating with fellow legal services programs in the region and the state.

LASC's intake system has been enhanced in recent years to provide a centralized point of access in the Cleveland office. Intake staff uses questionnaires with branching logic trees to guide staff on proper case handling. These have been developed in coordination with experienced staff throughout the program. Requests for assistance have increased significantly in recent years and the intake unit's ability to handle the volume of new applications has reached maximum capacity. LASC's telephone system is networked programwide. Call volume reporting is available for all offices, although the program has not used the reports except in Cleveland, where they have more detailed call reports available for the Cleveland intake unit. Enhancement of their telephone system and reports on telephone usage is a priority for the program's technology projects. LASC is reviewing its intake system as well as reviewing possible technology upgrades to its telephone system focusing on expanding the program's technology and using it to address client service goals. While advocates have appropriate, up-to-date technology to support their legal work, it is used inconsistently by staff. LASC recognizes the need to redesign its website and improve the content. The program will contract with an experienced web designer to handle this project.

The program is actively involved in promoting private attorney involvement. The pro bono work at LASC is a best practice for other legal services programs for its use of volunteers in several focused substantive areas of practice. A best practice is exemplified in the Save the Dream project, a highly successful initiative that brings together hundreds of pro bono attorneys to prevent foreclosures. The LASC service area has a strong legal community; the program is engaged and well-respected by the judiciary. LASC advocates have authored and published several substantive treatises and manuals covering landlord tenant, domestic violence and consumer law.

The program's board, leadership and management successfully maintain a structure that allows the program to be effective in serving its clients. The board is active and involved in overseeing the work of the program. The program and board have put appropriate focus on resource development. Its resource development efforts support the program's priorities as determined by its 2003 needs assessment. Further, resources are

sought to serve clients in specific areas of need, such as its Save the Dream foreclosure project, tax and medical-legal partnership work. The board and executive director effectively oversee program finances. The program's budget increased from \$5 million to \$8 million since the current executive director began her term. In 2008, the program experienced a loss of revenue from LSC and IOLTA funding. The program is addressing this deficit using a two-phase plan of remedial measures.

FINDINGS & RECOMMENDATIONS

PERFORMANCE AREA ONE. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs.

Criteria 1, 2, 3 and 4. Periodic comprehensive assessment and ongoing consideration of legal needs. Setting goals and objectives, developing strategies and allocating resources. Implementation. Evaluation and adjustment.

Finding 1: LASC's last needs assessment was conducted in 2003; the program is responsive to reviewing community needs. It is implementing recommendations from its 2006 strategic planning process.

Overall, community members reported that the program is responsive to its client community and it is focused on reviewing community needs. LASC's last comprehensive needs assessment process occurred in 2003. The needs assessment survey was developed by staff and the Center for Neighborhood Development. Board members were actively involved in the needs assessment. Community members reported that the program sought good client input into the process.

In addition, LASC and its board review legal needs and program priorities annually. The process begins with a review of existing priorities by the staff and managing attorneys of all units. Staff then makes a recommendation to the board. As part of its review, the program and board analyze case service reporting and outcomes achieved for clients from data entered in its case management system. LASC reviews rejected cases, and any changes or emerging trends in the community and changes to substantive law. It also reviews usage of its website for trends in legal issues. The program's work with foreclosures is an example of how its annual review of priorities resulted in taking on new issues.

In addition to its annual review of priorities, LASC reviews client services on a quarterly basis. The program uses a Dashboard as one of its outcomes measurement tools to assist it to track client service goals. The Dashboard provides a year-to-date snapshot of the program's budget and expenses, staffing, volunteer hours, and progress achieving its client service goals. It also reports on the monetary and non-monetary benefits obtained for clients. The program also uses monthly outcome reports that they share with

all staff to help track outcomes. LASC is commended for implementing a tool for regular evaluation of outcomes and progress on legal work goals.

The program engaged in a lengthy strategic planning process in 2006. The strategic plan addressed LASC's legal work, barriers to access, program priorities, as well as client communities and their legal needs. LASC has been implementing the recommendations from its strategic planning. LASC is looking at current resources to determine the feasibility of conducting a new needs assessment in 2010.

Recommendation:

I.1.1.¹ Since the last needs assessment was conducted six years ago, LASC should consider a new needs assessment in 2010 or 2011.

PERFORMANCE AREA TWO. Effectiveness in engaging and serving the low-income population throughout the service area.

Criterion 1. Dignity and sensitivity.

Finding 2: While intake is not centralized programwide, the Cleveland intake unit's policies and procedures reflect sensitivity to clients' needs.

Intake in the Cleveland office is centralized through an intake unit that is supervised by two experienced attorneys. Branch office intake is not yet integrated into the centralized system in Cleveland. LASC plans to integrate its branch offices into a coordinated, centralized system, but has not yet developed formal plans. It recently formed an integration committee, with an intake subcommittee, with membership open to all staff. Its first meeting was recently held. The integration committee is part of LASC's strategic plan and will begin the discussion and planning for the integration of the substantive units and branch offices. In addition to the integration committee and intake subcommittee, the program has begun some initial work on bringing branch offices into the Cleveland intake system. LASC recently trained a paralegal in the Lorain office to help with Cleveland's calls. The plan is to have the Lorain paralegal connect to a Cleveland intake queue, with up to 5 callers in her queue. The Lorain paralegal will also receive calls for her office, so she could handle Cleveland calls when she is available.

Intake in the branch offices is handled by administrative staff and paralegals that screen applicants for eligibility and legal problem and prepare the new applications for review at a weekly case meeting. If a caller from a region served by a branch office contacts the Cleveland office intake unit, the Cleveland intake staff will handle the intake and forward it to the branch office. All new applications, except bankruptcies and emergencies, are reviewed at the weekly case meeting. Bankruptcies are forwarded to

¹ Recommendations are numbered as follows: the Roman numeral references the Performance Area followed by the finding number and lastly by the recommendation number that pertains to the finding.

assigned staff and emergencies are handled by an advocate at the time of the initial application. Staff report approximately 15 to 20 new applications entered into PIKA per week in the branch offices.

The Cleveland intake unit employs five experienced intake specialists who are well trained and supervised by the attorneys. Intake staff determines eligibility and utilizes extensive subject matter questionnaires with logic trees to obtain necessary initial information about an issue. The questionnaires are incorporated into the case management system and linked to legal problem codes. The questionnaires direct staff on the level of service and whether a case should be referred for further assistance. The intake unit develops the questionnaires with the assistance of the substantive unit staff. Questionnaires are usually updated at the initiative of the deputy director, the intake supervising attorneys or the substantive unit.

In limited cases involving routine, simple legal questions, intake staff gives standard advice and legal information under the supervision of the two intake unit supervising attorneys. Intake staff informs the potential client that they will be contacted later, usually within two days, by the program regarding case acceptance. Intake applications that meet LASC's criteria for further review or additional service are printed from the case management system, given to an intake supervisor for preliminary review, and then forwarded to the full service units for review and follow up contact.

Telephone intake is conducted to minimize wait times and lost calls, by offering callbacks to callers who may not want to hold, and by limiting the number of callers transferred to the queue. There are times when Cleveland callers are told to call back when the queue reaches maximum capacity. Walk-ins are allowed to apply as long as they arrive before 4:00 p.m., except Thursday when the end time is 2:00 p.m.

Intake also occurs through community outreach, in the clinics staffed by the medical-legal partnership staff and in pro bono clinics. LASC uses a variety of clinics staffed by pro bono attorneys and LASC staff to increase access to its services. These clinics are held an average of three to four times each month at various locations throughout the service area mostly on Saturday mornings and Wednesday evenings. Some clinics are held as open calls for all legal problems handled by LASC, while others focus on specialized substantive areas for employment, unemployment, education (including special education), expulsion and other disciplinary actions, immigration, and elder law issues. The clinic setting serves as another screening, advice and referral mechanism for clients and is effective at reaching out to underserved communities and increasing access.

Recommendations:

II.2.1. The program is strongly encouraged to continue its efforts to improve the intake system by integrating its branch offices and by continuing its work on scripts/questionnaires for case handling.

II.2.2. LASC should continue moving forward with the integration/intake committee. The program should ensure the committee is comprised of staff at all levels and include those who have involvement and experience with intake. As a first step, the committee should look at how access is currently achieved programwide and assess how best to integrate its full service units and branch offices with the goal of improving access across its service area. LASC might consider integrating offices in phases, beginning with the office most inclined to share intake with the Cleveland office, such as the Lorain office.

II.2.3. LASC should move to the electronic transfer of cases from intake staff to units.

Finding 3: LASC's Cleveland intake unit is working at maximum capacity.

LASC's strategic plan addresses access and calls for an increase in the capacity of the intake unit. Despite this strategic plan objective, the program has not added staff to the intake unit while demand has increased. The intake unit's ability to handle the incoming demand has reached its maximum capacity. The intake managing attorney regularly runs detailed reports on call flow, walk-ins and referrals to monitor and evaluate volume and productivity. Walk-ins have steadily increased in recent years. In 2008, LASC's Cleveland office handled 5,362 walk-ins; in 2007 it saw 4,182 and in 2006, it saw 3,494 walk-in applicants. The intake unit's workload has also increased with its work on the Save the Dream foreclosure matters. The foreclosure matters come in as direct referrals from partners and are handled as callbacks by intake staff. Currently, the intake unit receives approximately 75 new applications per week.

Telephone system reports show an increase in requests for assistance by telephone. 2008 call data for the receptionist lines show that 83,345 calls were answered, which is 89% of all calls into the receptionist queue. In 2008, the abandoned call time averaged one minute, 42 seconds. These figures increased from 2007 when the total calls answered at reception were 63,780, 94% of all incoming calls, and at an average abandoned time of 55 seconds. The 2008 data comparison shows that significantly more calls came in to LASC and callers were more likely to hold longer than they did in 2007.

Recommendation:

II.3.1. LASC should consider increasing staff in the Cleveland intake unit either by adding new staff and/or integrating staff from the branch offices.

Finding 4: LASC's telephone technology is not integrated and call management software does not allow for call flow reporting programwide.

All offices have a separate local and toll free number, and Cleveland has a separate number for its senior hotline. The program uses an AVAYA telephone system. The branch offices have different versions of the AVAYA phone system with less functionality than the Cleveland phone system. The branch office phone systems are networked to the Cleveland phones. However, because they are different versions of the

same phone system, they do not share the same features. The telephone system in Cleveland has limited queuing features and call management software.

LASC's information technology director is focusing on increasing the detail of reports obtained from the phone system and exploring other reporting features LASC can obtain to upgrade its phone system. Currently, the program can review hold time, dropped calls, and individual staff time spent on calls for the Cleveland intake unit. Because call management reporting is not available for the telephone systems in the branch offices, LASC cannot review these statistics programwide. An upgraded phone system can provide expanded queuing features and more flexibility on handling incoming calls, including improved access for limited English proficient (LEP) callers.

LASC's phone system has a dedicated Spanish language line, referred to as the language equity line. Callers speaking other languages are handled with Language Line. The language equity line routes Spanish callers to a queue where they hold for a staff person. The outgoing message played while in queue gives basic hold information in English and Spanish but does not play prerecorded legal information for callers. When the hold time extends beyond two and a half minutes, the outgoing message gives callers the option to transfer to the English queue.

Callers on hold in the receptionist's queue hear a message telling them the length of wait time. When the lines reach full capacity, at 13 lines, callers hear a message telling them to call back or walk in. The intake specialist's queue can hold an unlimited number of calls. The intake unit follows a statewide standard wait time not to exceed five minutes. The standard wait time for walk-ins to be screened is not to exceed twenty minutes. As a result of these standards, the Cleveland intake unit has a policy of placing no more than five callers in the intake specialists' queues. The 2008 call statistics from the Cleveland intake unit show that the average time callers waited in the English queue was six minutes; the average time callers waited in the Spanish queue was three minutes, five seconds.

Recommendations:

II.4.1. LASC's integration/intake committee and its technology staff should research telephone technologies to upgrade their current system for programwide integration, adding shared queues and call management software with detailed call reports for all offices, as well as allowing for calls to roll over to other staff within the program when call volume is high. LSC's intake focus group can provide technical assistance to LASC in this matter.

II.4.2. LASC should consider adding prerecorded legal information for callers to listen to while on hold.

Finding 5: Applicants seeking assistance with non-domestic violence family law matters appear to be experiencing access difficulties.

Family law intake is handled differently than general intake. Family intake is limited to one day per week on Wednesdays, except for domestic violence matters, which are screened throughout the week. The family law pro se clinic for uncontested divorces conducts intake on the first Monday of each month. Intake applications are accepted on a first come first served basis. Family cases are reviewed by a managing attorney once a month and given to a paralegal to set up appointments for in-depth interview. Four appointments are scheduled three days a week for divorce interviews. The appointments occur in the month following month of the initial intake. Case processing can take approximately three months before it is sent to a staff attorney, and it may be four to five months from the initial application until the case is assigned to an attorney. Staff report that at least 20% do not appear for their interview appointment. Some staff expressed a concern that applicants can learn the buzz words through reapplying to enable them to reach the next step in the intake and case acceptance process, i.e. domestic violence or a danger to the child.

Recommendation:

II.5.1. If intake staff size is increased, LASC should consider expanding its family law intake hours. Family law intake could be further improved by conducting a minimum of once weekly reviews of new family law applications.

Finding 6: Overall, intake staff is unaware of the results of their work with the clients they refer for further assistance by the program.

Communication between units regarding client services does not regularly occur and staff reported feeling disconnected to the overall results of their work. Intake specialists are generally unaware of the results of cases they send on for further review; some staff reported having an interest in learning about what happens with these cases. It is possible that the other units are also not attuned to the overall picture of what the intake unit is handling outside of what is referred to them directly. The intake managing attorney, however, discusses new trends and recurring legal problems during the monthly managers meetings. LASC is not surveying clients regarding their satisfaction with the quality of services experienced by intake staff.

Recommendations:

II.6.1. LASC should develop a mechanism for sharing information with intake staff on what happens with the clients they assist and send on for further review within the program.

II.6.2. To the extent it is not already doing so, the intake unit should share information with LASC's advocates about its work, including volume handled and results achieved,

to foster greater appreciation programwide for the work of intake staff and an understanding of how intake supports the work of advocates.

II.6.3. LASC’s intake unit should plan to gauge client satisfaction on a regular basis. It could do this after it has begun integrating its outer offices, which is a higher priority at this time. Client satisfaction ratings can help it to manage implementation and help track performance and outcomes.

Criteria 2 and 3. Engagement with the low-income population. Access and utilization by the low-income population.

Finding 7: LASC is well-known in the community for quality advocacy. Its medical-legal partnership program effectively reaches underserved communities and strengthens collaborations in the community.

Employees are actively engaged in community organizations that are working on issues in low-income communities. LASC has partnerships with numerous community groups, organizations and government entities in efforts to reach previously underserved populations. LASC is well known in the legal community, including the judiciary and bar. LASC offers services in various languages through bilingual staff, use of in-person interpreters, and the use of Language Line Services.

The medical-legal partnership creates outreach to certain communities served by medical clinics. The McCafferty clinic on Cleveland’s west side, which has a high concentration of Hispanics, is a main source of intake for these clients who wouldn’t otherwise “cross the bridge” to go to the main office. The attorney assigned to the McCafferty clinic is bilingual Spanish. The clinic offices are also used as the primary meeting place for advocates and clients served by that clinic. Another example of specialized outreach is seen in the immigration unit, where advocates conduct education and outreach at detention facilities. LASC regularly holds brief advice and referral clinics staffed by volunteer attorneys at churches and community centers throughout the service area. These clinics are publicized via the Internet and with flyers sent out to the community. Advocates in the Lake/Geauga office reported plans to collaborate with the local NAACP to reach out to the African American community.

PERFORMANCE AREA THREE. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area.

Criterion 1. Legal representation.

Finding 8: Overall, advocates are highly experienced and well-trained.

The team interviewed many experienced advocates in the program; several had more than ten years of experience and some had more than 20 years of experience. Many of these experienced attorneys, (managing, supervising, and senior attorneys) are

recognized experts in their fields of expertise, and have written multiple editions of substantive law treatises in landlord tenant, domestic violence and consumer law. Several of the program's attorneys have participated as trainers at national, regional and local conferences and seminars. Three attorneys have master's degrees in social work. In addition to substantive expertise, there are advocates and support staff in all offices who are bilingual Spanish-speakers. Spanish is the only other language spoken by staff. Overall, writing samples were well-written and revealed that advocates in general possess a high degree of knowledge about clients' legal problems and the requisite practice skills to address them. Some attorneys reported that they do all their document preparation, copying and scanning. Many attorneys expressed a desire for additional support staff assistance.

Overall, advocates interviewed during the visit were well-trained and keenly aware of substantive and procedural issues relevant to their assigned area of responsibility. An example of this is a routinely asserted demand in foreclosure litigation that the plaintiff prove it owns the subject mortgage by producing the relevant documents. When the demand goes unmet, the matter is dismissed and the client retains ownership. Another example involves an unemployment benefits case where the program successfully convinced the state agency to send notices in Spanish to limited English proficient recipients/applicants.

Finding 9: LASC's case service reporting demonstrates a productive program.

Overall, the program's case closings are within national medians. In 2008, LASC closed 238 cases per 10,000 poor persons in its service area. This compares to the national median of cases closed per 10,000 poor of 254. In 2008, LASC closed 1,389 extended service cases (25.4% of the total cases) and 4,070 limited service cases (74.6% of the total cases). This amounts to 61 extended service cases per 10,000 poor and is higher than the national median of 53.

Finding 10: Advocate staff is creative and demonstrates a legal aptitude and expertise in their work.

Advocates address significant policy issues in their work. One example involves a complaint LASC filed with the local civil rights office demanding school notices be translated for Spanish-speaking parents. Although the matter had not been resolved as of the date of this visit, LASC staff reported an increase in Spanish translations of school documents. LASC has an active immigration practice involving aggressive advocacy, particularly in removal cases, which often involve complex issues and coordination with detention centers. The program has an active motion practice; discovery is encouraged and advocates know resources are available to support this aspect of their work. Advocates consider and utilize experts in their representation of clients. Staff is willing to look at different strategies to get clients the outcomes they need.

Advocates reported participating in several listservs and task forces focused on their substantive areas. The attorneys in the medical-legal partnership project attend

quarterly meetings of all six projects statewide. Advocates attend regular unit meetings, during which recent developments in their particular area of the law are discussed. However, the program does not regularly conduct programwide discussions about case work so that advocates can benefit from learning how the issues in their unit affect clients being served in other units.

Recommendation:

III.10.1. LASC should increase communication and information sharing between units and offices so that employees are kept abreast of developments in other areas of the program.

Finding 11: While LASC has implemented necessary current technology to support law office work, it is used inconsistently by staff.

Advocates have appropriate, up-to-date technology to support their legal work. Technology staff is available to assist with training, maintenance and repairs. To support the use of technology in their legal work, LASC's written policy requires that advocates "maintain a calendar or planning system for keeping track of deadlines, discovery..., court appearances and other time-sensitive events." However, the visit team found that programwide the use of PIKA for calendaring in case management was inconsistent. Some attorneys reported using PIKA, while others use personal calendars and/or Outlook. The team learned that the use of PIKA to scan documents is also inconsistent, although a number of attorneys reported scanning documents into PIKA. Further, there was no comprehensive approach to document management. LASC has a shared drive with briefs and pleadings, but use of the shared drive was not coordinated.

Recommendation:

III.11.1. LASC should implement a document management system that will allow staff to easily access briefs and pleadings. It should also consider ways to encourage consistent use of technology for ticklers and calendaring.

Finding 12: At times, supervisors have not effectively controlled case load size and supervisory lines are unclear to staff. Priorities and case acceptance criteria are followed inconsistently by some staff.

Cases are generally assigned by supervisors to attorneys, with the exception of the HEWII unit where some cases are assigned by a staff attorney. LASC's case assignment procedures are applied inconsistently in terms of taking account of staff capacity, staff caseload and other work responsibilities. In 2008, the program developed its attorney training and development standards and protocol manual. The protocol provides guidelines for the substantive work of staff at all levels. The protocol specifies case assignment guidelines throughout an advocate's level of experience. However, interviews with staff demonstrated that some staff was unaware of the protocol and whether there were case assignment guidelines. In addition, caseloads vary, with no policy regarding caseload limits for advocates. Some advocates had extremely high

caseloads which were clearly in opposition to the standards outlined in the program's practice standards. Specifically, several advocates reported concerns for the potential for malpractice due to their sizeable caseloads.

The program has articulated priorities and a set of case acceptance criteria to guide staff in making decisions about case services. It appeared that all staff in all units were not applying these policies consistently. While priorities in the separate units are outlined in the intake questionnaires, some advocates were not clear as to the application of case acceptance criteria or the program's standards for assigning cases. Further, it was clear that staff were inconsistently applying the program's caseload policies and standards.

Supervisors oversee legal work through case reviews, development of work plans, monitoring of case loads and time records, informal communications, and observation of advocates' work. The program's standards of practice and supervision manual provides for a periodic or at least annual review of open case lists by a supervisor. The manual further states that "[a]t the periodic case review meeting, or sooner, the supervisor should review cases which have been closed since the last case review meeting." Staff attorneys close their own cases, and they are not reviewed at time of closure by a manager. However, staff generally reported case reviews with supervisors on a regular basis. Attorneys keep track of open cases and some regularly review open cases and develop task lists for each case in Outlook.

LASC's leadership has increased middle management of the program and placed greater responsibilities on key staff for legal work management. In some situations, there are multiple supervisors for a single advocate resulting in some confusion over supervision of legal work or guidance on case handling. Some staff reported concerns with supervisors being in different units and reporting to multiple supervisors. An example is seen in the intake unit where staff report to two supervising attorneys who may give different directions on handling an issue or question. It is also seen in branch offices where advocate staff report to an office managing attorney and a substantive expert on case handling. Overall, the team found that supervisory lines were at times unclear for staff, especially in the context of inter-office and inter-unit communications and work. LASC plans to focus on enhancing branch office integration and clarify lines of supervision for branch offices.

The managing attorney of HEWII reported LASC was reviewing the unit's organization to identify ways to effectively approach the multiple substantive areas that are contained in the unit. The HEWII unit was recently divided into four sub-groups with leaders that hold individual weekly or bi-weekly case meetings. The goal of the sub-groups is to focus on similar practices and make the HEWII unit more cohesive. The entire HEWII unit meets once a month. Staff reports that the new grouping is more manageable and conducive to more in-depth case discussions.

Recommendations:

III.12.1. The program should implement its attorney training and development standards protocol regarding case load size and ensure all staff is aware of the protocol.

III.12.2 LASC should ensure supervisors adhere to the program’s supervisory protocols.

III.12.3. LASC staff should follow and consistently apply the program’s case acceptance and caseload policies and standards.

III.12.4. To avoid case number disparity and excessive caseloads, case assignment procedures should be consistently followed and caseloads should be monitored.

III.12.5. LASC should continue exploration of the HEWII unit structure to determine the best service delivery structure.

Finding 13: LASC provides adequate training opportunities for advocates. New staff orientation has been delayed for some staff.

Employees receive appropriate training in substantive areas. Staff participates in webinars and shadowing in their areas of specialty. New employees receive training, both in orientation and in substantive areas. However, some employees reported their initial orientation was delayed for months. Attorneys hired within the last 2 years have gone to a number of training events, many of which were coordinated by the Committee on Regional Training (CORT) and Ohio State Legal Services Association (OSLSA). A number of newly-hired attorneys will attend a one week trial advocacy training this summer. Some supervisors shadow newer advocates at court hearings. The deputy director oversees training for advocate staff. Although advocates participate in trainings provided by CORT and OSLSA, staff suggested that more in-house training could foster more cohesion among newer staff and senior attorneys.

Criterion 2. Private attorney involvement (PAI).

Finding 14: LASC’s pro bono activities are best practices for other legal services programs. Pro bono attorneys are utilized in significant areas of need for clients and provide services in a variety of methods.

LASC involves pro bono attorneys in significant areas of service delivery. In Cleveland, brief advice pro bono clinics are held three Saturdays a month in various community locations in partnership with other organizations or groups. No pre-registration is necessary and attendance averages 40 persons at each clinic. Volunteer lawyer program (VLP) staff attorneys and program attorneys staff the brief advice clinics and provide support to the pro bono attorneys. Evening clinics are held the last Wednesday of each month and are staffed by volunteer attorneys from a law firm or with a specialty practice. VLP staff pre-screen cases for referral to the evening clinic for eligibility, merit and complexity of legal matter. The volunteer attorneys interview clients to assess their legal

problem and decide whether to accept the case for extended representation or provide advice and referrals.

All of LASC's counties offer pro bono brief advice clinics, as well as placing individual cases with pro bono attorneys. In addition, referrals are made to law firms for extended representation through signature projects. Jones Day sponsors a project addressing private landlord tenant eviction cases and Squire Sanders & Dempsey focuses on obtaining civil protective orders. A juvenile court custody project is planned.

Program staff helps train pro bono attorneys in exchange for CLE credit. VLP staff carefully reviews new cases, compile case summaries, and perform some research on occasion prior to sending out a case for extended representation. In the Save the Dream foreclosure prevention project, 204 cases were referred to private attorneys for extended representation over an eight month period last year. VLP staff engages in an ongoing review of pro bono cases and follows up via email and other methods. However, in some cases follow up on the status of pro bono referrals could be timelier.

Board members are actively involved as pro bono attorneys with the program. The board chair is a strong proponent of pro bono and has energized diversification of pro bono activities from when he was president of the Cleveland bar association. LASC increased the number of clinics from zero in 2004 to 50 in 2009; the plan is to do 50 clinics in the Cleveland area and quarterly clinics in other counties.

Recommendation:

III.14.1. VLP staff should implement systems to ensure that all pro bono cases are monitored on a timely basis.

Criteria 3 and 4. Other program services to the eligible client population and other program activities on behalf of the eligible client population.

Finding 15: LASC community legal education efforts effectively inform the client community and support its work through clinics and with pro se litigants.

LASC uses written materials and information packages to reach out and educate the client community on the legal issues within its practice. The program incorporates pro se materials in its practice and work with clinics. Materials are available in Spanish to communicate effectively with the LEP community. A high number of advocate staff are involved with community organizations through board and task force membership.

PERFORMANCE AREA FOUR. Effectiveness of governance, leadership, and administration.

Criterion 1. Board governance.

Finding 16: LASC's board demonstrates effective oversight and is actively engaged in decision making.

LASC's community and attorney board members are engaged, involved and informed. The Board of Trustees meets four times per year. Attendance at meetings is high. Board members may serve up to two three-year terms. Board members interviewed during the visit expressed a high level of support for LASC. They see themselves as advocates for the program. They also expressed a thorough understanding of the major issues faced by the program. Client members are knowledgeable, but were reported to not be as vocal as attorney members during meetings. The board is actively involved in resource development efforts. Each board member makes calls to donors.

The board exercises its oversight responsibilities in a number of ways. It reviews priorities annually. It participated in the program's twelve-month strategic planning process and adopted a strategic plan that included a self-evaluation. It receives regular reports from the executive director on programmatic matters such as personnel changes, case service reporting, progress in the strategic plan, and good stories from casework. Generally, the board evaluates the executive director annually, but had not conducted the 2008 performance evaluation at the time of the visit. The process for the executive director's evaluation includes a survey of other managers and a sampling of staff.

Board committees are active; some committees meet monthly depending on the nature of their work and the need to meet. The financial oversight and audit committee meets every third Tuesday and regularly reviews the program's financial statements, revenue and investments, and auditing matters. The personnel committee is in the process of revising the employee handbook. The nominations and governance committee works on board composition transition due to term limits, among other related matters.

LASC plans to conduct more board training than it has in the past. In the past, LASC has not always conducted orientation training timely. The program recently implemented a new board member orientation program. The board reported it has plans to use volunteers for training.

Recommendation:

IV.16.1. The program should ensure that board member orientation is conducted in a timely manner.

Criterion 2. Leadership.

Finding 17: The executive director is an effective leader and well-regarded in the community.

The present executive director assumed the position in 2005. The former executive director had served as the program's executive director since 1968 and was generally perceived as "legal aid" in Cleveland. Many of the program's changes were initiated by the former executive director, including the creation of the substantive law units, the development of the centralized intake unit in the main office, the purchase of the Cleveland office building, phase one of renovations to the new building, and the hiring of a development director. The current leadership has continued this trend of positive change in the organization.

The executive director is well-regarded by the private bar and the Ohio Legal Assistance Foundation (OLAF). Leaders from the legal community shared extremely favorable comments about LASC's executive director. They reported that she is very active in the bar and visible at all bar events. They noted her can-do attitude and professional demeanor. Her practice is to refer to LASC as a law firm and she has raised the status of legal aid among the bar.

Program management is decisive and effective. The executive director has focused on accountability and implemented procedures and policies to support this focus.

LASC has hired a consultant to develop a leadership succession plan.

Finding 18: LASC provides opportunities to develop and exercise leadership skills and has encouraged leadership among staff. However, LASC would benefit from expanding leadership opportunities to all staff.

As part of its leadership initiative, LASC created a leadership committee in 2007. The committee developed a leadership plan with the goal of changing the institutional culture to promote leadership and recognition. The plan made several recommendations including offering training opportunities for leadership skills and development to all staff, altering the management structure to allow demonstrated leaders to be included organizational decision making and changes that impact their practice and developing work plans at all levels that incorporate leadership development as a key component.

LASC is commended for providing leadership opportunities to some staff. An intake supervising attorney participated as a protégé in LASC's Leadership Mentoring project from 2005 to 2007. In addition, one managing attorney, one supervising attorney and one staff attorney/social worker participated in a leadership development initiative coordinated by OLAF and OSLSA in 2007.

It was not clear during the visit whether all the recommendations of the LASC leadership committee have been fully implemented. For example, while some staff has

been given the opportunity to attend leadership development trainings, it was not clear from staff interviews that leadership training is being offered to all staff.

Recommendation:

IV.18.1. Absent budgetary limitations, LASC should fully implement or address the recommendations of the leadership committee. For recommendations that could incur a large expense, such as staff attending leadership training, LASC should consider whether there are alternative means of meeting those recommendations.

Criterion 3. Overall management and administration.

Finding 19: LASC has increased its focus on program management and administration.

As discussed above, LASC undertook an ambitious strategic planning process involving the board and staff that reviewed all aspects of the program's service delivery and brought many changes. Among those changes were an increased focus on management and administration.

The management team meets regularly and acts as a cohesive team. Further, the executive director communicates weekly with staff through her Notes from the Fourth Floor, an internal newsletter summarizing news and items of interest to staff. Staff at all levels reported looking forward to receiving the Fourth Floor Notes. The program held an all-staff retreat in November 2008, where structure, advocacy strategies and strategic planning were reviewed.

Criteria 4, 5 and 6. Financial Administration. Human Resources Administration. Internal Communications.

Finding 20: LASC has sufficient, capable and trained staff dedicated to financial administration. The program's financial statements are reviewed on a timely basis.

The board is actively involved in reviewing the program's financial statements. Budget variance reports are reviewed monthly. The LASC budget increased from \$5 million to \$8 million since the current executive director's term began. LASC's 2009 budget reflects a \$1.2 million deficit which resulted from the loss of investment income and decline in IOLTA funding. The program's goal is to reduce the deficit to \$600,000 under a two-phase plan. In addition, the existence of a reserve account and the program's willingness to tap into it has enabled LASC to continue services without interruption and without layoffs.

Recommendation:

IV.20.1. The program should continue to oversee the budget deficit closely and take steps to ensure the program remains fiscally sound.

Finding 21: LASC's focus on human resources administration requires additional attention to ensure consistency of employee evaluations.

Overall, LASC is focused on the human resources needs of its staff and has made some recent improvements. However, the program has more to achieve in this area. LASC recently hired a director of human resources. She is a generalist who is bringing more structure to the human resources functions in the office. Program policies and procedures are being updated. The program recently assessed salaries and adjustments were made. In 2008, an employee engagement survey was conducted by ERC Services, Inc. for LASC. The survey was designed to address several indicators of the employee's experience in the workplace including job design and challenge, training, recognition, coworker cohesion, alignment and organizational support. The survey had an 88% percent participation rate. The study rated results exceeding 75% as exceptional. In the survey, 97% of the respondents reported taking pride in their work for the organization and 96% of respondents reported that they were held accountable for the results of their work.

An example of the need for more improvement is seen in employee performance evaluations. Employees have not consistently received performance evaluations. Some have been evaluated within the past year, others have not. Prior to that time, many employees had not been evaluated for years.

Recommendation:

IV.21.1. LASC and the director of human resources should ensure regular staff evaluations are conducted for all staff.

Criterion 7. General resource development and maintenance.

Finding 22: LASC's resource development efforts are highly effective at expanding its funding base.

LASC is commended for increasing funding and developing creative approaches and opportunities. LASC's development director is primarily responsible for LASC's resource development, marketing, public relations and communications. The program's annual campaign coordinator is teamed with the development director on resource development. LASC employs a sophisticated, multifaceted public relations and resource development strategy. These activities are enhanced by a marketing plan that ties development with outreach and an external presence.

The program engages in a strategic media campaign that results in articles and features on local TV, radio and in the press. Interviews with staff and a review of the program's marketing plan demonstrate that the program has connected with all the current communications channels and is using them appropriately. The program shows a keen understanding of its various audiences and the correct media for communicating with them. LASC has held several events aimed at both strengthening its public profile

and generating support. One such event is Thirst for Justice, which is an annual event held at the main office where supporters and members of the community can learn about the program's work. LASC has an active alumni community that is included in the special events.

The program uses technology to support its resource development work. The program's website home page features prominent button links for upcoming events and donations. The program recognizes the need to revamp its website. It plans to contract with a web designer to work on the website. LASC has a fan and group page on Facebook. The Facebook pages feature upcoming events, press releases and links to the website.

LASC publishes two newsletters and an annual report. Poetic Justice is issued three times a year and is directed to the bar and donors. It focuses on good stories and profiles of LASC's work. The Alert is released four times a year to community organizations serving elders. It focuses on the legal problems of those who are 60 years and older. Both newsletters are effective strategies for maintaining a presence in the community and for fostering partnerships.

In addition to the program's public relations strategy, philanthropic goals were developed as part the strategic plan, which help guide fundraising efforts. LASC pursues new funding opportunities and is innovative in trying to develop new sources of funding.

Criterion 9. Participation in integrated legal services delivery system.

Finding 23: LASC is a leader in the statewide effort to provide coordinated civil legal assistance to eligible Ohioans.

LASC plays a leadership role in statewide and regional efforts to provide low-income persons in the state with equal access to a full range of civil legal assistance. Examples include the program's medical-legal partnership and its work on housing issues. The program is a leader in the state in foreclosure prevention and tax issues. Staff participates with statewide task forces on technology and special education among other subject areas. Advocate staff are active participants with state and local bar associations.



The
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of Cleveland
Since 1905

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September 17, 2009

Cynthia Schneider
Deputy Director
Office of Program Performance
Legal Services Corporation
3333 K Street, NW, 3rd Floor
Washington, DC 20007-3522

RE: Draft Program Quality Visit Report
Recipient #436050

Dear Ms. Schneider:

Thank you for the opportunity to respond to the Draft Program Quality Visit Report. We found the draft report very helpful and appreciate the recognition that The Legal Aid Society of Cleveland's "delivery structure is marked by a commitment to high quality work." We value the Legal Services Corporation's quality agenda, including the use of considerable resources to conduct program quality visits and provide feedback to programs. We enjoyed the week with the team from OPP and appreciate their time and thoughtfulness. We will take your recommendations to heart.

You asked for feedback regarding the report. There were a few inaccuracies and a few areas in which statements were incomplete. I have attached a document that attempts to clarify these issues. I would appreciate the opportunity to discuss these comments with you or with any member of the team.

Thanks again for your complimentary words and your recommendations for how we can improve.

Sincerely,

Colleen M. Cotter, Esq.
Executive Director

Program Overview and Service Area

Page 2:

2nd paragraph, last sentence: Because we have integrated the Ashtabula and Lake/Geauga offices it is more accurate to say that we have 10 staff members at those offices, rather than trying to split them. Most staff spend significant time in both locations.

Summary of Findings

Page 3:

2nd paragraph, 5th sentence: Our telephone system is networked program wide. Call volume reporting is available for all offices, although we have not used those reports except in Cleveland, where we have more detailed call reports available for the Cleveland Intake Unit. Enhancement of our telephone system and reports regarding telephone usage are on our short list of technology projects.

2nd paragraph, last sentence: We will not be hiring a web designer. Instead, we will contract with a web designer.

3rd paragraph, last sentence: The sentence suggests that these treatises and manuals are in the past. This is current also. Those treatises cover landlord tenant, domestic violence and consumer.

4th paragraph, 3rd sentence: Using the phrase "the program and board are focused on resource development" suggests that we are focused on this, to the exclusion of other things. Perhaps better language would be "the program and board have put appropriate focus on resource development."

4th paragraph, 4th sentence: Our last needs assessment was conducted in 2003, not 2006.

4th paragraph, last sentence: Overall we have not lost investment capital. We just didn't earn in 2008 and in early 2009 much money from our investments. We did not, however, record a loss.

Findings and Recommendations

Performance Area One, Finding 1:

Page 4:

3rd paragraph, 2nd sentence: The Dashboard is one of our outcome measurement tools, not the only one. We also use monthly outcome reports which we share with all staff to help us track outcomes.

Performance Area Two, Finding 2:

Page 5:

1st paragraph, 1st sentence: The intake unit is supervised by two experienced attorneys (the manager is a 3rd person, Tom Mlakar and Margaret Terry are supervisors, not managers).

1st paragraph, 4th sentence: The correct terminology is that we have a new Integration Committee, with an Intake Subcommittee.

1st paragraph, last sentence: We have two intake lines not five; but lines are staffed by five specialists.

2nd paragraph, 5th sentence: Walk-in and telephone intake data for all offices is available from the Pika case management system.

Page 6:

1st paragraph, last sentence: Questionnaires are updated at the initiative of the substantive unit, the deputy director or the intake unit. The current sentence makes it sound more rigid than it is.

2nd paragraph, 1st sentence: This should refer to the 2 intake unit supervising attorneys. They are not managing attorneys.

4th paragraph, 4th sentence: The topics for specialized advice clinics include: employment, unemployment, education including special education, expulsion and other disciplinary actions, immigration, and elder law issues.

Performance Area Two, Finding 5:

Page 8:

Last paragraph: This paragraph misstates our family law intake procedures and practice for processing case acceptance and the start of representation of new clients. It has both inaccurate and incomplete information. Below more accurately reflects the current status. I have highlighted the changes

The Intake and Case Acceptance Process in Family Law

Family Law intake is handled differently than general intake. *Domestic Violence intake is done continuously as is private custody intake and intake for applicants who have been served with divorce papers. Intakes for the pro se clinic for clients who meet the requirements for uncontested divorces are taken on the first Monday of each month. Other divorce (also termed "children at-risk") intake is limited to one day per week on Wednesdays.*

Review of new family law applications occurs at different times, depending on the type of case and the potential emergency involved. Domestic Violence applications are reviewed throughout the week, as they come in. Pro se clinic applications are accepted in a first come, first served basis. Private custody actions involving non-married parents are reviewed at least twice per week and are either rejected, provided counsel and advice, or assigned to an attorney for representation. "Children at-risk" divorce intakes are reviewed by the Family Law Unit managing attorney once a month, assessed for merit and then given to the Unit's paralegal to schedule appointments for in-depth interviews. All applications are assessed for emergency situations and are immediately reviewed if necessary. The review for non-emergencies may take up to one month, but generally occurs in much less time.

Four appointments *per day* are scheduled three days per week for divorce interviews. The appointments occur in the month following the month of the initial intake. *Cases are assigned to an attorney within fourteen to twenty-one days after completion of this interview.*

Cleveland Legal Aid's family law work has increased considerably in the last few years, as reflected in the Case Disclosure reports filed with LSC in the second half of 2008 and first half of 2009, from 137 to 192, with 121 of the 192 cases filed in 2009 being "children at-risk" divorces.

Drop offs and "buzz words"

The report states that staff report that at least 20% do not appear for their interview appointment. In our experience, this is not an unusual drop off rate, and in fact might be relatively low in the area of family law, where emotions run high and clients often change their minds.

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Items for correction or clarification
in Draft LSC OPP Report (dated August 18, 2009)

The report also states that staff reported a sense that applicants learn the buzz words through reapplying to enable them to reach the next step in the intake and case process, i.e., domestic violence or a danger to the child. We have no data to show this to be the case, and believe the “finding” to reflect poorly on our clients, suggesting that they will misrepresent their situation in order to obtain representation.

Performance Area Two, Finding 7:

Page 10:

1st paragraph, last sentence: We offer services in various languages through bilingual staff, use of in-person interpreters, and use of Language Line Services.

Performance Area Three, Finding 8:

Page 10:

1st paragraph, 1st sentence: More than “several” of our advocates have more than 10 years of experience. Many have more than 20 years of experience.

1st paragraph, 2nd sentence: Our advocates who are recognized experts include managing attorneys, supervising attorneys and senior attorneys. The draft is limited to managing attorneys.

1st paragraph, 4th sentence: Three of our attorneys have master’s degrees in social work.

1st paragraph, 2nd to last sentence: While our attorneys do a lot of their document preparation, copying and scanning, it is inaccurate to say they are responsible for all of it. We do have support staff, although perhaps not enough.

Performance Area Three, Finding 11:

Page 12:

1st paragraph, 4th sentence and later: This section is inaccurate. The case acceptance criteria for HEWII cases are not vague. We have intake questionnaires for education, wage, tax, public benefits and immigration most of which use branching logic and a memorandum that provides the same guidance for Unemployment Compensation cases. We have not yet put the UC guidelines into a questionnaire, but the guidance for case acceptance has been developed and

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is used by the intake specialists. This memorandum and the questionnaires for education, wage, tax, and immigration screen cases out that do not meet our case acceptance guidelines. For example, for the Wage Project, we screen out cases where the issue is job discrimination, union contract disputes, Cobra, Family Medical Leave Act, or lack of promotion. For cases that are screened out, we provide brief advice and/or referral information with letters that are already developed.

It is true that for safety net public benefits cases our case acceptance guidelines are fairly broad and more inclusive. Most of the public benefits cases receive more thorough analysis by an attorney and receive at least brief advice. We also refer many to the law school clinics and to *pro bono* attorneys. However, the fact that most public benefits cases meet our case acceptance criteria does not mean that we do not have such criteria.

HEWII attorneys, like attorneys in family law, consumer and housing do review applications before they pursue legal arguments to make sure that they those arguments have merit, and that we have sufficient resources for the case. For all of the units, they do so only after the cases have been determined to fit within Legal Aid's case acceptance criteria and priorities.

The confusion in this section may be due to the fact that during the LSC OPP visit we were developing our case acceptance criteria for unemployment compensation cases. As the current recession progressed and we saw more and more applicants come to us with unemployment compensation cases, we had to shut down our intake for a short period to develop some materials for those applicants and to develop our case acceptance criteria. We no longer were able to handle the volume of cases that come in. The new case acceptance criteria for Unemployment Compensation cases as well as the questionnaires we use for tax and employment cases are attached.

Performance Area Three, Finding 13

Page 13:

1st paragraph: The Legal Aid Attorney Development Protocol has clear expectations regarding responsibility as attorneys develop, but it does not include numbers of cases. The "15 – 20 with a split of 75%" language quoted here is a from a sample plan, not a directive. The Attorney Development Protocol specifically states that case assignment should be done in consideration of a number of factors, including level of experience, other work assignments, and capacity of the individual attorney. Cleveland Legal Aid does not have a policy regarding case load numbers, but does have a policy regarding the factors to be considered for case loads.

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2nd paragraph: Intake Unit has one manager and 2 supervising attorneys.

Page 13, Recommendation III.13.1:

First paragraph: Cleveland Legal Aid does clearly define supervisory expectations and duties in writing. See the Supervising Attorney job description and the Attorney Development Protocol.

Performance Area Three, Finding 15

Page 14:

1st paragraph, 4th sentence: Brief advice clinics are always staffed by both VLP staff and other Cleveland Legal Aid attorneys.

2nd paragraph: This section is unclear. We have brief advice clinics and the one-to-one match in all of our counties. We also have signature projects in the Cleveland office and have begun to expand them into the other counties. A number of firms participate in our special projects, with Squire Sanders & Dempsey and Jones Day being two examples of those.

Performance Area Four, Finding 17:

Page 16:

1st partial paragraph: All board members (not just attorney board members) may serve up to two three-year terms.

Performance Area Four, Finding 19:

Page 17:

Finding 19: The statement "leadership development opportunities are not made available to all staff" is overstated. Two years ago we developed several new positions, to provide staff the opportunity to move into more responsibility. For example, we created Supervising Attorney, Senior Attorney, Paralegal I, Paralegal II, and Intake Specialist II positions. We also have formed numerous committees regarding various topics and often called for volunteers for those committees.

2nd paragraph, 2nd sentence: The person referred to here as a managing attorney is actually a supervising attorney.

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2nd paragraph, last sentence: One managing attorney, one supervising attorney and one staff attorney/social worker participate in the leadership development initiative.

Performance Area Four, Finding 23:

Page 19:

2nd paragraph, 1st sentence: The term “aggressive” for our media campaign does not fit what we do. Perhaps “strategic” or “active”?

2nd paragraph, 2nd to last sentence: Legal Aid staff do not learn about Legal Aid at events such as Thirst for Justice. Instead, supporters and members of the legal community learn about Legal Aid’s work.

3rd paragraph, 4th sentence: We will contract with but not hire a web designer.

Performance Area Four, Finding 24:

Page 20:

1st paragraph: We use Raiser’s Edge for our development software. (Razor’s Edge is simply a misspelling of the actual software name, Raiser’s Edge.) We use it for our organization-wide development efforts. However, it is not clear how Raiser’s Edge helps to integrate the branch offices. We use several other software packages organization-wide and we have a staff intranet site, all of which are tools for integration. The use of Raiser’s Edge seems unrelated to this topic.

Unemployment Compensation -- Intake Reopened On Limited Bases (June 2009)

We have reopened unemployment intake on a limited basis in Cuyahoga County effective June 2009. We will not be accepting cases already at the UCRC level at this time. We will accept cases for evaluation that are at the initial Office of UC level and at Redetermination level. All potential clients contacting us about UC cases should speak to an intake specialist. The intake specialist will determine the level of the case and then follow steps below.

Result 1: If the claimant is **calling about a notice** issued by the Office of Unemployment or the Redetermination Unit . . .

A. We are currently accepting unemployment cases for evaluation.
Please find out:

1. the level of the case.
2. is there an appeal deadline.
3. what is the appeal deadline.
4. has the client appealed
5. what are the issues listed on the notice (why was the client denied, why is the employer appealing, etc

B. No advice given.

C. Tell the claimant:

1. Read ALL notices **carefully** -- follow the instructions on the notice.
2. File all appeals before the appeal deadline listed on the notice.
3. Keep copies of your appeals and proof of mailing.
4. If you do not understand the notice, call the office that sent you the notice – use the telephone number listed on the notice.
5. Ask for an explanation of the notice.

6. If you need help in faxing your appeal, you may come to our office.
7. We are sending you a letter with an Citizenship form.
Please get this to our office with your papers as soon as possible so we can determine if we can help you.

- D. Send “uc – intake letter and information sheet” found under All Intake . . . Employment.
- E. PC is 76-Unemployment Compensation
- F. None.

Result 2: If the claimant received any notice from the UCRC (either Notice that an appeal has been transferred to the UCRC or the Hearing Notice). . .

- A. We are not able to take hearing level cases at this time.
- B. No advice given.
- C. Tell the claimant:
 1. **Carefully** read ALL instructions attached to the UCRC notices which explain the hearing procedures.
 2. If you do not understand the notices, please call the Review Commission at (866) 833-8272.
 3. Ask for an explanation of the notices.
 4. We will send you other information and tips.
- D. Send “uc –hearing level intake closed letter and information sheet” found under All Intake . . . Employment.
- E. PC is 76-Unemployment Compensation . . . Not Served – Lack of Resources . . .
- F. Record OS . . . PC is 76 . . . Service provided is 129 (Referred to other source of assistance).

Result 3: If the claimant has **already had a hearing** . . .

- A. Case does not meet our acceptance criteria and we can not assist.
- B. No advice given.
- C. Tell the claimant:

1. **Carefully** read the UCRC decision which contains the appeal rights for the decision.
 2. If you do not understand the appeal rights, please call Review Commission at (866) 833-8272.
 3. Ask for an explanation of your appeal rights.
 4. Need to proceed on your own or contact a private attorney.
 5. To find an attorney, may contact CMBA at (216) 696-3532.
- D. Send “uc post hearing denial letter” found under All Intake . . . Employment.
- E. PC is 76-Unemployment Compensation . . . Not Served – Lack of Resources . . .
- F. Record OS . . . PC is 76 . . . Service provided is 129 (Referred to other source of assistance).

Employment Questionnaire
Revised March 11, 2008

[Introduction]

1.) [NOTE FOR INTAKE SPECIALIST ONLY -- do not ask this question!]

Please confirm this employer/ business has been added to Pika as an opposing party and attached to this case. If necessary, please exit the questionnaire, add the opposing party's name, business address and telephone number. Also, review conflicts!

Yes, already done | 2

No, exit | 0

2.) How many employees work for this employer/ business?

[Please estimate whether the number is MORE or LESS than 50, if necessary.]

Number of Employees: | 3

3.) What is (was, OR would have been) your job with this employer/ business?

Job Title: | 4

4.) What is your **current** employment status concerning the job for which you want help?

Not Hired | 5

Employed (Still Working There) | 6

No Longer Employed (Laid Off, Terminated or Quit) | 8

Unknown | 12

[Not Hired]

5.) When did this incident occur?

More than 3 Years Ago | 19

Less than 3 Years Ago | 28

[Currently Employed]

6.) When were you hired by this employer/ business?

Date of Hire: | 7

7.) When did the most recent problem occur?

More than 3 Years Ago | 19

Less than 3 Years Ago | 14

[No Longer Employed]

8.) Are you STILL unemployed?

Yes, not working | 30

No, employed elsewhere | 9

9.) When were you hired by the former employer/ business?

Date of Hire: | 10

10.) When was your last day of employment?

More than 3 Years Ago | 19

Less than 3 Years Ago | 14

11.) [Not Used at This Time!]

Summary: | 0

[Unknown]

12.) When were you hired by this employer/ business?

Date of Hire: | 13

13.) When did the most recent problem occur?

More than 3 Years Ago | 19

Less than 3 Years Ago | 14

[Union]

14.) Is this job covered by a Union contract?

Yes | 15

No | 20

15.) What Union?

Union Name: | 16

16.) Have you contacted a Union representative concerning this problem?

Yes | 17

No | 18

17.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling those types of employment problems where Union exists.
- B. No advice given.
- C.
 - 1. If you want a second opinion, you may call the National Labor Relations Board at (216) 522-3715.
 - 2. If you are a state or municipal government employee, you may also contact the State Employment Relations Board at (614) 644-8573.
 - 3. Otherwise, if want an attorney to handle this matter, need to contact a private attorney. But, you would need to pay attorney's fees and costs.
 - a. In Ashtabula County, find private attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to BOTH bar associations.
 - CCBA is (216) 621-2414.
 - CBA is (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
 - 4. Where still unemployed, you may be entitled to unemployment compensation benefits.
 - a. You can file an application for UC benefits by contacting the Ohio Department of Jobs and Family Services at (877) 644-6562 or <http://unemployment.ohio.gov>.
 - b. I will send you a flyer which explains the UC application process.
 - c. In the future, if you are denied UC benefits, you can call Legal Aid again to determine whether we will assist you in that claim.
- D. Send "denial (union) ltr" located under All Intake... Employment. Always enclose the UC Flyer located under All Intake... Employment explaining how to register for UC benefits.
- E. PC is 21-Job Discrimination OR 22-Wage Claims OR 25-Employee Rights OR 26-Agricultural Worker Issues (Not Wage Claims/ FLSA Issues) OR 29-Other Employment... Status is Not Served -- Lack of Resources... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 21, 22, 25, 26 or 29... Service provided is 122 (Referred to private bar) or 129 (Refer to other source of assistance).

Summary: | 0

18.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling those types of employment problems where Union exists.
- B. No advice given.
- C.
 - 1. Contact your Union representative to see what, if any, help is available.
 - 2. If you want a second opinion, you may call the National Labor Relations Board at (216) 522-3715.
 - 3. If you are a state or municipal government employee, you may also contact the State Employment Relations Board at (614) 644-8573.
 - 4. Otherwise, if want an attorney to handle this matter, need to contact a private attorney. But, you would need to pay attorney's fees and costs.
 - a. In Ashtabula County, find private attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to BOTH bar associations.
 - CCBA is (216) 621-2414.
 - CBA is (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
 - 5. You may be entitled to unemployment compensation benefits.
 - a. You can file an application for UC benefits by contacting the Ohio Department of Jobs and Family Services at (877) 644-6562 or <http://unemployment.ohio.gov>.
 - b. I will send you a flyer which explains the UC application process.
 - c. In the future, if you are denied UC benefits, you can call Legal Aid again to determine whether we will assist you in that claim.
- D. Send "denial (union) ltr" located under All Intake... Employment. Always enclose the UC Flyer located under All Intake... Employment explaining how to register for UC benefits.
- E. PC is 21-Job Discrimination OR 22-Wage Claims OR 25-Employee Rights OR 26-Agricultural Worker Issues (Not Wage Claims/ FLSA Issues) OR 29-Other Employment... Status is Not Served -- Lack of Resources... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 21, 22, 25, 26 or 29... Service provided is 122 (Referred to private bar) or 129 (Refer to other source of assistance).

Summary: | 0

[SOL Denial]

19.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling those types of employment problems where incident occurred over 3 years ago.
- B. No advice given.
- C. If you want a second opinion, need to contact a private attorney. But, you would need to pay attorney's fees and costs.
 - a. In Ashtabula County, find private attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to BOTH bar associations.
 - CCBA is (216) 621-2414.
 - CBA is (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
- D. Send "denial (general) ltr" located under All Intake... Employment. Always enclose the UC Flyer located under All Intake... Employment explaining how to register for UC benefits.
- E. PC is 21-Job Discrimination OR 22-Wage Claims OR 25-Employee Rights OR 26-Agricultural Worker Issues (Not Wage Claims/ FLSA Issues) OR 29-Other Employment... Status is Not Served -- Lack of Resources... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 21, 22, 25, 26 or 29... Service provided is 122 (Referred to private bar) or 129 (Refer to other source of assistance).

Summary: | 0

[Problem Type]

20.) **[NOTE FOR INTAKE SPECIALIST ONLY – do not ask this question!]**

Describe the type of employment problem?

COBRA Rights | 21

Discrimination | 28

Family Medical Leave Act | 28

Lack of Promotion | 28

License Revocation | 23

Pension Dispute | 21

Wage and Hour Claim | 25

Wrongful Discharge | 28

Other Unfair Treatment or Conditions at Work | 28

[COBRA Rights] [Pension Dispute]

21.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling those types of employment problems.
- B. No advice given.
- C.
 - 1. **Refer to Ohio Pension Rights Project at Pro Seniors for assistance. Call (800) 488-6070.**
 - 2. If you want a second opinion, need to contact a private attorney. But, you would need to pay attorney's fees and costs.
 - a. In Ashtabula County, find private attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to BOTH bar associations.
 - CCBA is (216) 621-2414.
 - CBA is (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
- D. Send "pension-cobra info ltr" located under All Intake... Employment.
- E. PC is 22-Wage Claims... SPC is 22-2, Pension and Other Benefits... Status is Not Served -- Lack of Resources... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 22... Service provided is 122 (Referred to private bar) or 129 (Refer to other source of assistance).

Summary: | 0

[License Revocation]

22.) [Not Used at This Time!]

Summary: | 0

23.) What type of license is at issue?

Child Day Care License: | 48

Other Occupational License: | 36

24.)

- A. Case approved for review.
- B. No advice given.
- C. Here is what happens now.
 - 1. Please gather copies of ANY documents needed to evaluate your case.
 - 2. You need to fax, mail or bring the papers to Legal Aid as soon as possible.
 - 3. You will be contacted by telephone within the next 10 days. If you do not hear from us within 10 days, then please call us back.

- D. None.
- E. PC is 93-Licenses (Drivers, Occupational, and Others)... SPC is 93-3, Other Professional License... Case Status is Pending... In Cuyahoga, send to Stephanie Jackson for review
- F. None.

Summary: | 0

[Wage and Hour Claims]

25.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling those types of employment problems.
- B. No advice given.
- C.
 - 1. Tell applicant to file a Complaint with the Ohio Department of Commerce Wage and Hour Bureau, who handles wage disputes. I am sending you a letter describing how to file the Complaint.
 - 2. A Complaint form will also be included.
 - 3. Another option is to file a lawsuit in Small Claims Court. The unpaid wages must be \$3000 or less to go to Small Claims Court. I will send you a pamphlet that explains the Small Claims process.
 - 4. If you want a second opinion, need to contact a private attorney. But, you would need to pay attorney's fees and costs.
 - a. In Ashtabula County, find private attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to BOTH bar associations.
 - CCBA is (216) 621-2414.
 - CBA is (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
- D. Send "wages info ltr" located under All Intake... Employment. Always enclose the Small Claims brochure with this letter.
- E. PC is 22-Wage Claims... Status is Not Served -- Lack of Resources... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 22... Service provided is 122 (Referred to private bar).

Summary: | 0

26.) [Not Used at This Time!]

Summary: | 0

27.) [Not Used at This Time!]

Summary: | 0

[Discrimination, Lack of Promotion, Wrongful Discharge... Other Unfair Stuff at Work]

[Protected Status]

28.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling those types of employment problems.
- B. No advice given.
- C.
 - 1. If you believe that your **employment problem is due to discrimination** you can contact:
 - a. the Equal Employment Opportunity Commission (EEOC) at (216) 522-2001; and
 - b. the Ohio Civil Rights Commission at (216) 787-3150.
 - c. At this time, the Cleveland NAACP and the U.S. EEOC are teaming up to assist employees file employment complaints.
 - d. On the first Wednesday of each month, from 9:30 a.m. to 3:00 p.m., EEOC staff will be available at the Cleveland NAACP office to talk with you, discuss your employment problems and to help file the necessary forms to investigate complaints against an employer.
 - e. The NAACP office is located on 2131 Stokes Blvd., Cleveland.
 - 2. Otherwise, if you want help, need to contact a private attorney. But, you would need to pay attorney's fees and costs.
 - a. In Ashtabula County, find private attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to BOTH bar associations.
 - CCBA is (216) 621-2414.
 - CBA is (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
- D. Send "denial (prot. status) ltr" located under All Intake... Employment. Always enclose the UC Flyer located under All Intake... Employment explaining how to register for UC benefits.
- E. PC is 21-Job Discrimination OR 29-Other Employment... Status is Not Served -- Lack of Resources... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 21 or 29... Service provided is 122 (Referred to private bar).

Summary: | 0

29.) [Not Used at This Time!]

Summary: | 0

[Unemployment Compensation]

30.) Have you applied for Unemployment Compensation benefits?

Yes | 31

No | 34

31.) Are you receiving UC benefits?

Yes | 9

No | 32

32.) Do you want help with your claim for UC benefits?

Yes | 33

No | 9

33.) CLIENT REQUIRES ASSISTANCE CONCERNING CLAIM FOR UC BENEFITS. Please complete Employment screening AND then open separate file for UC benefits.

Click Save and Continue: | 9

34.) When did you last work at ANY job?

MORE than 18 months ago | 9

LESS than 18 months ago | 35

35.) You may be entitled to unemployment compensation benefits.

- a. File a claim for UC benefits by calling the Ohio Department of Jobs and Family Services at (877) 644-6562;
- b. OR, file a claim by logging onto <http://unemployment.ohio.gov>;
- c. Keep ANY proof of filing the claim;
- d. Also, save ALL your papers from the county; and
- e. I will be sending a flyer which explains the unemployment application process.
- f. In the future, if you are denied UC benefits, you can call Legal Aid again to determine whether we will assist you in that claim.

Advice Summary: | 9

[License Revocation continued]

36.) Why is your license suspended, or are you being threatened with a suspension?

Reason: | 37

37.) Have you received any written notice or letter related to the suspension?

Yes | 38

No | 41

38.) What was the date of the notice or letter?

Date: | 39

39.) What does the notice or letter state?

Description: | 42

40.) [Not Used at This Time!]

Summary: | 0

41.) What have you been told regarding the license suspension?

[Briefly describe who, what, when, where, and why, etc. as appropriate.]

Description: | 42

42.) Is there a deadline for appealing this suspension?

Yes | 43

No | 45

43.) What is the appeal deadline?

Date: | 44

44.) Have you filed an appeal?

Yes | 45

No | 45

Tax Questionnaire Revised March 6, 2008

1.) What is the nature of your tax problem?

Income Tax – related to employment or other income the IRS says you received | 5

Estate and Gift Tax – related to the death of another person | 2

Property Tax – related to current or past ownership of real estate | 4

Sales Tax – related to current or past ownership of a business | 2

Unknown | 2

2.) Please describe the tax problem for which you want help from Legal Aid.

[Use 2-3 sentences to clarify who, what, when, where, and why, etc. as appropriate.]

Description: | 3

3.)

- A. LASC will not represent you in this tax matter because it does not meet the acceptance criteria for our Low Income Tax Clinic, which handles disputes concerning federal income taxes. But, we will review the facts of your case to see if we can assist you through our Volunteer Lawyers Program.
- B. No advice provided.
- C. Here is what happens now.
 - 1. Inform applicant that we will need copy of any papers and notices regarding this tax problem. Please send or bring such items to LASC as soon as possible.
 - 2. We will send a Citizenship Statement that must be signed and returned to us.
 - 3. Until these items have been returned we cannot review this case or seek a volunteer attorney.
 - 4. Please be aware that our Volunteer Lawyers Program may not be able to find an attorney, but will make a reasonable effort to do so.
 - 5. At this time, you remain responsible for protecting your rights, meeting any deadlines and attending any court hearings.
- D. Send "pro bono ltr with ctznship and understanding form" located under All Intake... Administration.
- E. PC is 95-Wills/ Estates and SPC is 95-2, other estate planning/ administration OR 91-Legal Assistance to Non-Profit Organization and 91-1 general corporate/ non-profit... Office is VLP... Status is Pending...
- F. None.

Summary: | 0

4.)

- A. Case does not meet acceptance criteria for LASC because it involves property taxes.
- B. No advice provided.
- C. But here is some information that might help you.
 - 1. In Cuyahoga County, applicant may be able to get help with payment plan by contacting Taxpayer Services with the Cuyahoga County Treasurer. Call (216) 443-7420 for assistance. Select option # 4 from the menu.
 - 2. To determine if you are eligible for the Homestead Exemption, contact you County Auditor:
 - a. In Ashtabula County, call (440) 576-3783.
 - b. In Cuyahoga, call (216) 443-7050.
 - c. In Geauga, call (440) 279-1600.
 - d. In Lake, call (440) 350-2510 or (800) 899-5253.
 - e. In Lorain, call (440) 244-6261 and for Elyria (440) 329-5148.
 - 3. Alternatively, you may be able to prevent a judgment and sale by filing a Chapter 13 Bankruptcy. LASC does not handle bankruptcies.
 - 4. If want an attorney to handle this matter, need to contact a private attorney. But, applicant would need to pay attorney's fees and costs.
 - a. In Ashtabula, find attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to CMBA at (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
- D. None.
- E. PC is 62-Homeownership/ Real Property... SPC is 62-6, property taxes/ tax foreclosure... Status is Not Served... Lack of Resources is reason... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 62... Service Provided is 129 (Referred to other source of assistance) OR 122 (Referred to private bar).

Summary: | 0

5.) Are you ONLY seeking help in preparing and filing an income tax return?

Yes, I ONLY want help in preparing and filing a return. | 6

No, I need help with a dispute involving income tax. | 10

6.) In what county do you live?

Ashtabula | 8

Cuyahoga | 7

Gauga | 8

Lake | 8
Lorain | 7

7.)

- A. Case does not meet acceptance criteria for LASC because it ONLY involves tax preparation and LASC does not provide such services.
- B. No advice provided.
- C. Inform applicant to contact one of the following agencies to get assistance in preparing and filing income tax returns.
 - 1. Your local First Call For Help.
 - a. In most counties, the number is 211.
 - b. In Lorain County, call (440) 328-5726.
 - 2. The Cuyahoga County First Call for Help at (216) 436-2000.
 - 3. IRS Taxpayer Assistance at (800) 829-1040.
- D. Send "tax prep (tax season) referral letter" located under All Intake... Public Benefits and Tax.
- E. PC is 24-Taxes (Not EITC)... SPC is 24-9, other federal income tax... Status is Not Served... Lack of Resources is reason... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 24... Service Provided is 123 (Referred to provider of human or social services.)

Summary: | 0

8.)

- A. Case does not meet acceptance criteria for LASC because it ONLY involves tax preparation and LASC does not provide such services.
- B. No advice provided.
- C. Inform applicant to contact one of the following agencies to get assistance in preparing and filing income tax returns.
 - 1. Your local First Call For Help.
 - a. In most counties, the number is 211.
 - b. In Lorain County, call (440) 328-5726.
 - 2. The Cuyahoga County First Call for Help at (216) 436-2000.
 - 3. IRS Taxpayer Assistance at (800) 829-1040.
- D. Send "tax prep (off season) referral" letter located under All Intake... Public Benefits and Tax.
- E. PC is 24-Taxes (Not EITC)... SPC is 24-9, other federal income tax... Status is Not Served... Lack of Resources is reason... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 24... Service Provided is 123 (Referred to provider of human or social services.)

Summary: | 0

9.) [Not Used at This Time!]

Summary: | 0

10.) What level of government is involved in your income tax dispute?

[Note -- Select highest level applicable.]

Federal (IRS) | 13

State (Ohio) | 11

Municipal (Local) | 11

11.) Please describe the tax problem for which you want help from Legal Aid.

[Use 2-3 sentences to clarify who, what, when, where, and why, etc. as appropriate. If state refund intercept, please explore underlying reason for other possible LASC case.]

Description: | 12

12.)

- A. LASC will not represent you in this tax matter because it does not meet the acceptance criteria for our Low Income Tax Clinic, which handles disputes concerning **federal** income taxes. But, we will review the facts of your case to see if we can assist you through our Volunteer Lawyers Program.
- B. No advice provided.
- C. Here is what happens now.
 - 1. Inform applicant that we will need copy of any papers and notices regarding this tax problem. Please send or bring such items to LASC as soon as possible.
 - 2. We will send a Citizenship Statement that must be signed and returned to us.
 - 3. Until these items have been returned we cannot review this case or seek a volunteer attorney.
 - 4. Please be aware that our Volunteer Lawyers Program may not be able to find an attorney, but will make a reasonable effort to do so.
 - 5. At this time, you remain responsible for protecting your rights, meeting any deadlines and attending any court hearings.
- D. Send "pro bono ltr with ctznship and understanding form" located under All Intake... Administration.
- E. PC is 24-Taxes (Not EITC)... SPC is 24-4, state or local income tax... Office is VLP... Status is Pending...

F. None.

Summary: | 0

13.) Is this a personal tax problem or a business related tax problem?

Personal | 16

Business-related | 14

Not sure | 16

14.) Are you now, or were you in the past when this tax problem occurred, "self-employed" or an "independent contractor"?

[Note – If applicant received a 1099 instead of, or in addition to a W-2, then this person is (was) self-employed or an independent contractor.]

Yes | 16

No | 15

Not Sure | 16

15.)

- A. Inform applicant case does not meet acceptance criteria for Legal Aid because not currently handling business-related tax matters. But, we will review the facts of your case to see if we can assist you through our Volunteer Lawyers Program.
- B. No advice provided.
- C. Here is what happens now.
 - 1. Inform applicant that we will need copy of any papers and notices regarding this tax problem. Please send or bring such items to LASC as soon as possible.
 - 2. We will send a Citizenship Statement that must be signed and returned to us.
 - 3. Until these items have been returned we cannot review this case or seek a volunteer attorney.
 - 4. Please be aware that our Volunteer Lawyers Program may not be able to find an attorney, but will make a reasonable effort to do so.
 - 5. At this time, you remain responsible for protecting your rights, meeting any deadlines and attending any court hearings.
- D. Send "pro bono ltr with ctznship and understanding form" located under All Intake ... Administration.
- E. PC is 91-Legal Assistance to Non-Profit Organization and 91-1, general corporate/ non-profit... Office is VLP... Status is Pending...
- F. None.

Summary: | 0

16.) Please describe your tax problem.

[Use 2-3 sentences to clarify who, what, when, where, and why, etc. as appropriate.]

Description: | 17

17.) Why did you call Legal Aid at this time?

Letter or Notice from IRS | 19

Refund withheld or intercepted | 40

Earned Income Tax Credit denied | 18

Other | 18

18.) Have you received any letters (or notices) from the IRS within the past 3 months?

Yes | 19

No | 29

19.) Do you currently have, WITH YOU, the most recent letter concerning this matter?

[Note – If applicant can get the IRS letter, ask him or her to do so.]

Yes | 20

No | 23

20.) What is the date on the letter?

Date: | 21

21.) What does the letter say?

Summary: | 22

22.) What letters and numbers are in the upper right corner of the letter?

[Note – The letters and numbers on IRS forms indicate the type of letter. It may begin with the letters "CP."]

Form #: | 23

23.) Is there any deadline?

Yes | 24

No | 26

24.) When is the deadline?

[Note – If the deadline is within 5 days or less, contact Susan Morgenstern, another HEWI tax attorney, or a supervisor for additional guidance in handling this case.]

Deadline Date: | 25

25.) Explain what you have already done OR need to do by that deadline.

Explanation: | 26

26.) What other letters (or notices) have you received from the IRS in the past year?

Summary of IRS Letters and Notices: | 27

27.) Have you responded to the IRS letter(s)?

Yes | 28

No | 29

28.) Please describe your response(s).

[Use 2-3 sentences to clarify who, what, when, where, and why, etc. as appropriate.]

Description: | 29

29.) Does the IRS say you owe it money?

Yes | 30

No | 33

30.) How much does the IRS say you owe?

Amount Owed: | 31

31.) Do you agree with the amount the IRS says you owe?

Yes | 33

No | 32

32.) Explain why you deny owing this amount.

[Note – If the applicant believes someone else actually owes the IRS this amount, include that person's name and relationship to applicant (if known) with the

explanation.]

Explanation: | 33

33.) What tax years are involved?

[Note – Use "not sure" if applicant does not know, the year(s).]

Tax years: | 34

34.) Did you file tax returns for all the years in dispute?

Yes | 35

No | 37

Not Sure | 37

35.) Do you still have copies of those returns?

Yes | 36

No | 36

36.) Are you up-to-date in filing your tax returns?

Yes | 41

No | 37

37.) Explain ANY returns you failed to file, including the tax year and the reason for not filing?

Explanation: | 41

38.) [Not Used at This Time!]

Summary: | 0

39.) [Not Used at This Time!]

Summary: | 0

[Refund Intercept]

40.) Why was your federal tax refund intercepted?

To pay the IRS for a past tax debt owed by me. | 18

To pay the federal government for some other debt owed by me. | 49

To pay a debt owed by my spouse. | 18

Not Sure | 18

41.) Has the IRS taken any collection action?

[Such action may include freezing a bank account, garnishing wages, reducing social security benefits, or taking your tax refunds.]

Yes | 42

No | 43

42.) What collection actions has the IRS taken?

[Note – If already described previously, then simply state "see above."]

IRS Collection Actions: | 43

[EITC]

43.) Have you applied for the Earned Income Tax Credit in the last 3 years?

Yes | 44

No | 44

Not Sure | 44

44.) In what tax years, if any, were you denied the Earned Income Tax Credit?

Tax Years EITC Denied: | 47

45.) [Not Used at This Time!]

Summary: | 0

46.) [Not Used at This Time!]

Summary: | 0

47.) Is there anything else you want to tell me about this problem?

Additional Facts: | 48

48.)

- A. Case meets acceptance criteria for review.
- B. No advice provided.
- C. Here is what happens now:

1. Tell client this case will be reviewed by an attorney to determine what assistance we can provide.
 2. **CONFIRM THAT ALL POTENTIAL CONFLICTS HAVE BEEN CHECKED. Add parent(s) for each child claimed on ANY tax return in dispute as an opposing party in Pika.**
 3. We may need additional information, including all the letters and notices you got from the IRS. Please send us all pages of every letter.
 4. If you get more papers from the IRS contact us right away.
 5. Let us know right away if you change your address or phone number.
 6. One of our attorneys will contact you shortly after we review this case.
- D. None.
- E. Where child at issue, PC is 23-Earned Income Tax Credit OR if no children, 24-Taxes (Not EITC)... FC is 33 – IRS... Status is Pending...
- F. None.

Summary: | 0

49.) Did you file that tax return with a spouse?

Yes | 18

No | 50

50.) What was this refund taken for?

Child Support Obligation | 51

Student Loan | 52

Social Security Overpayment | 53

Not Sure | 54

51.)

- A. Case does not meet acceptance criteria for LASC because your tax refund was taken for a child support obligation. LASC can not prevent such IRS action.
- B. No advice provided.
- C.
 1. Inform applicant that IRS can take tax refunds to satisfy a past child support obligation. IRS can continue to do so until this debt is repaid.
 2. If disputing the underlying debt, need to contact a private attorney. But, applicant would need to pay attorney's fees and costs.
 - a. In Ashtabula, find attorney by looking in the telephone book.
 - b. In Cuyahoga, refer to CMBA at (216) 696-3532.
 - c. In Geauga, refer to bar association at (440) 286-7160.
 - d. In Lake, refer to bar association at (440) 350-5800.
 - e. In Lorain, find private attorney by looking in the telephone book.
- D. None.

- E. PC is 38-Support... SPC is 38-1, support/ child... Status is Not Served... Lack of Resources is reason... Outcome is "Made referral or sent written information."
- F. Record LSC OM... PC is 38... Service Provided is 123 (Referred to provider of human or social services).

Summary: | 0

52.)

- A. Case does not meet acceptance criteria for LASC because your tax refund was taken for an outstanding student loan. LASC can not prevent such IRS action.
- B. No advice provided.
- C.
 - 1. Inform applicant that IRS can take tax refunds to satisfy an outstanding student loan. IRS can continue to do so until this debt is repaid.
 - 2. At this time, LASC can not help you with the tax problem.
 - 3. But, we can evaluate your case to see if we might be able to assist you with this student loan debt.
 - 4. **Exit this questionnaire and use "Student Loan (General)."** Do not open a second file at this time.
- D. None.
- E. PC is 16-Student Financial Aid... Status is Pending per further review...
- F. None.

Summary: | 0

53.)

- A. Case does not meet acceptance criteria for LASC because your tax refund was taken for a Social Security overpayment. LASC can not prevent such IRS action.
- B. No advice provided.
- C.
 - 1. Inform applicant that IRS can take tax refunds to satisfy a Social Security overpayment. IRS can continue to do so until this debt is repaid.
 - 2. At this time, LASC can not help you with the tax problem.
 - 3. But, we can evaluate your case to see if we might be able to assist you with this Social Security overpayment.
 - 4. Please describe the Social Security overpayment problem. Use 2-3 sentences to clarify who, what, when, where, and why, etc. as appropriate.
 - 5. This information will be reviewed by an attorney who handles such cases to determine whether there is anything LASC can do to help you.
 - 6. In the meantime, will send you a release of information form and a return envelope. Please sign the release and send it back to us right away.

7. We also want you to send us all of the letters and papers you have gotten from the IRS and the SSA about this problem; send all pages of every letter.
 8. If you get more papers, send them to us right away.
 9. Let us know if you change your address or phone number.
 10. One of our attorneys will contact you shortly after we get your signed release and your papers.
- D. Send "SSA -- release ltr" letter found under All Intake... Public Benefits and Tax.
E. PC is 72-Social Security and SPC is 72-3, overpayment OR 74-SSDI and 74-3 OR 75-SSI and 75-3... Status is Pending...
F. None.

Summary: | 0

54.)

- A. LASC will not represent you in this tax matter because it does not meet the acceptance criteria for our Low Income Tax Clinic. But, we will review the facts of your case to see if we can assist you through our Volunteer Lawyers Program.
- B. No advice provided.
- C. Here is what happens now.
1. Inform applicant we will need copy of any papers and notices regarding this tax problem. Please send or bring such items to LASC as soon as possible.
 2. We will send a Citizenship Statement that must be signed and returned to us.
 3. Until these items have been returned we cannot review this case or seek a volunteer attorney.
 4. Please be aware that our Volunteer Lawyers Program may not be able to find an attorney, but will make a reasonable effort to do so.
 5. At this time, you remain responsible for protecting your rights, meeting any deadlines and attending any court hearings.
- D. Send "pro bono ltr with ctznshp and understanding form" located under All Intake... Administration.
E. PC is 24-Taxes (Not EITC)... SPC is 24-9, other federal income tax... Office is VLP... Status is Pending...
F. None.

Summary: | 0

55.) Test.

Summary: | 0