

Decision Guides

Organization: Legal Assistance Foundation of Metropolitan Chicago (LAF)

Category: Intake

Problem/Challenge/Need: We are a large, metropolitan program which includes 1.5 million poor people in Chicago and suburban Cook County. Approximately half our funding comes from non-LSC sources, and for many of those sources, we have different financial eligibility criteria. For example, our Title III funding covers seniors in suburban Cook County regardless of income or assets. The alternate funding sources also affect our priorities, because we may provide different or more expanded services to clients eligible through those funds than we do for clients served through our LSC funds. Our program priorities are set forth in a forty-four page document that is complicated and impractical to use during our telephone intake process, when decisions must be made quickly as to whether a caller's legal problem fits within priorities and whether the caller should be given advice or considered for extended representation.

Innovation Description: When we moved to a centralized telephone intake system from our previously decentralized system in late 2009, we created Decision Guides, which are clear visual aids that simplify the priorities and eligibility issues for our intake staff. Our intake staff is composed of 12 non-attorney "intake specialists" who are supervised and supported by three full-time attorneys. The Decision Guides help the intake staff to determine if a particular caller fits priorities, and what path the call should take (advice, appointment, referral). They are not intended to make ultimate case acceptance decisions, only to determine whether a caller meets certain threshold requirements to be scheduled for a full intake appointment with an attorney or paralegal to consider more extended representation. Our intake unit serves not only as an advice and referral center, but also schedules appointments directly with attorneys in our five Practice Groups. Before we reorganized into Practice Groups earlier this year, clients were either scheduled for appointments with generalists in one of our service offices, or referred to one of our special projects. With Decision Guides already in place, our intake staff was able to easily adapt to the new Practice Group structure, because there was no change in priorities.

We use the Decision Guides in conjunction with other intake tools, including a technical procedures manual that walks the intake staff through all steps of registration in our case management system, such as conflict checking and financial eligibility determinations, a chart that identifies all exceptions to LSC eligibility based on our various funding sources, screening guides for more in-depth evaluations when needed, and a shared directory of legal information and referrals organized by subject matter that can be sent to clients who are not being considered for more extended service.

The Decision Guides are designed in Power Point and can be utilized in electronic or print format.

Result: The Decision Guides were very well received by the intake staff and are in constant use. We have gotten overwhelmingly positive feedback from our Practice Group attorneys, which tell us that by utilizing the Decision Guides, we are accurately identifying which cases are appropriate to schedule for full intake interviews.

Materials available: A shortened version of the Decision Guides is attached.

2011 Innovations in Civil Legal Services

Additional information: We welcome questions as well as the opportunity to learn what tools other organizations are using to assist in screening and triaging intake.

Contact Information: Cynthia Sadkin, Director of Client and Community Services
(csadkin@lafchicago.org).

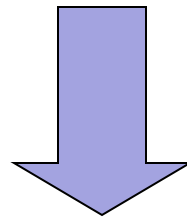
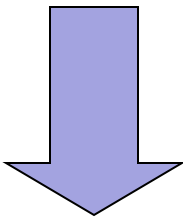
VETERANS, ACTIVE DUTY MILITARY AND NATIONAL GUARD SERVICE MEMBERS AND THEIR IMMEDIATE FAMILY MEMBERS

Always change Assigned Program to Veterans

Never reject for over income/assets. If not LSC eligible, change Funding Code to 75

Veterans' Benefits cases, including widows and dependents

All other legal problems



Register & assign to Ron Castan

Evaluate based on Practice Group priorities



and send email to Ron, C. Caporruso, C. Petrof and K. Shelton.

DOMESTIC VIOLENCE QUICK ASSESSMENT

Safety Questions

- Safe call back number and mailing address
- Does abuser live with you
- Do you need shelter information
- Domestic Violence Help Line: 877-863-6338

Key Questions

- Relationship with the abuser
- If children in common - any custody/visitation orders
- Most recent incident of physical or verbal abuse or threat
- How long ago did abuse begin, how frequent
- Threat to conceal children or remove them from client
- Fear of the abuser
- Have you called police, filed reports, pressed charges
- Have you filed for an Order of Protection - If YES – civil or criminal? Get case number, important dates and court information.

Client or children
at risk of physical
or mental abuse,
or kidnapping

Yes

No

Advise on
EOP and set
appointment,
provide
safety info

Advise on
OP, but
assess for
Divorce or
Custody

DIVORCE AND CUSTODY

Is case already in court? Get the details.

Does client allege s/he is a victim of abuse or that the other party has or will abuse, neglect, endanger or conceal client's child/children? Who has the child(ren)?

Yes

Appointment with Children & Families PG & evaluate for Domestic Violence

No

Property involved?

Evaluate for Pro Se Clinic

Yes

No

Key Questions – Property and Financial

1. Client is (a) 50+ years old *and* married for 10+ years *or* (b) disabled *and*
2. (a) Marital assets > \$25,000 (equity in home, pension) *or* (b) Gross income of spouse is > \$40,000 *and* client needs property or support for medical reasons *or* is at risk of homelessness

Case notes should include property address and estimated equity (market value minus mortgages), and whether client lives in the marital property.

Yes to 1 and 2

No

Advise & refer

SEE NEXT SLIDE FOR IN-PERSON OR TELEPHONE APPOINTMENT OPTIONS

DIVORCE AND CUSTODY TELEPHONE OR IN-PERSON APPOINTMENT?

Reason for appointment	LAF preference (in-person vs. telephone)	Exceptions
Domestic Violence	In person	<ul style="list-style-type: none"> • Transportation • Disability • Safety
Custody	In person	<ul style="list-style-type: none"> • Transportation • Disability • Safety
Financial (property, pension, etc.)	No preference (client chooses)	
Suburban clients	In person, but telephone OK! (client chooses)	<ul style="list-style-type: none"> • Transportation • Disability • Safety

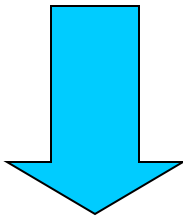
If client is given a telephone appointment, client must fax the assigned attorney the relevant court or financial documents prior to the interview, unless disability or safety prevents them from doing so.

PRO SE DIVORCE CLINIC ELIGIBILITY

Key Questions

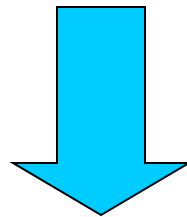
1. Do the parties own real estate?
2. Does either party have a pension?
3. Is there recent domestic violence?
4. Are there disputes between the parties about children (custody, visitation, child support), property or debts?

YES TO ANY



**Not eligible
for Pro Se
Clinic! Advise
and Refer to
outside
sources**

NO TO ALL



**Refer to
Pro Se
Clinic! You
can also
advise and
refer to
outside
sources**

**Pro Se Clinic
312-431-2101**

CHILDRENS LAW PROJECT or GENERAL CHILDREN & FAMILIES PRACTICE GROUP?

If there is a court case already...

Daley Center or Suburban Court – Evaluate for general C&F Practice Group using custody criteria

Juvenile Court (Ogden) or adoption case at Daley Center - Evaluate for Children's Law Project referral

No court case

- DCFS investigation or finding of abuse or neglect *and* client is calling for help *with the DCFS matter* (not for a custody dispute)
- DCFS wants to remove child from foster parent or relative**
- Foster parent or adoptive parent seeking help with DCFS services or subsidy payment
- Client is a relative caretaker of a child and DCFS involved
- Client is child care provider with indicated report from DCFS
- Client or household member is a suburban senior (age 55+) seeking help with guardianship or custody
- Grandparent seeking help with visitation

Yes to any of the above

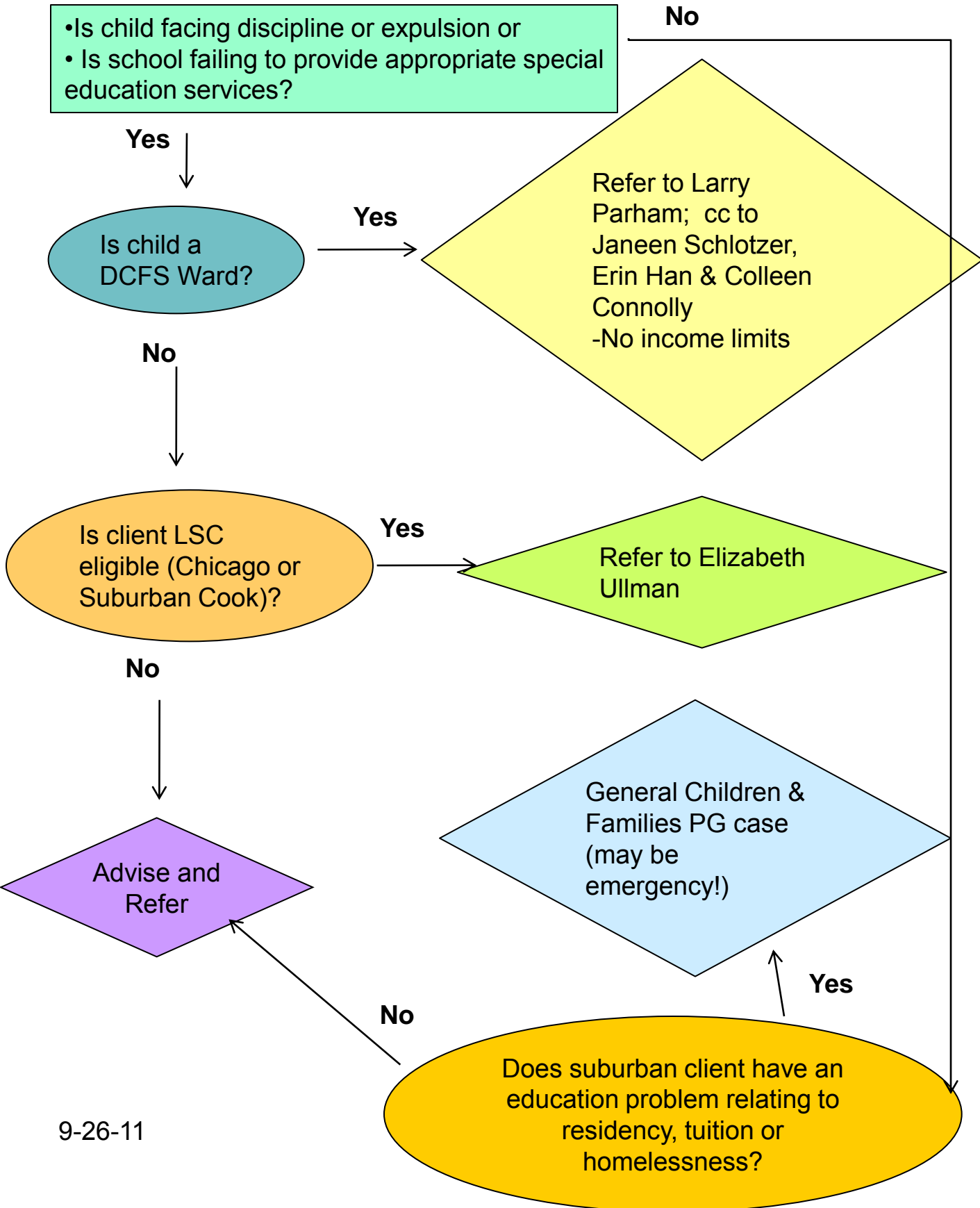
No to all of the above

Refer to CLP – Use new assignments chart!

Is the client really calling about: Custody? Public benefits? School enrollment?

Review under appropriate priorities

EDUCATION (SPECIAL ED, DISCIPLINE, EXPULSION)

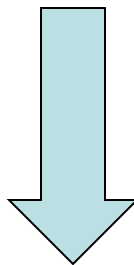


SUBSIDIZED HOUSING

Subsidized housing of any kind:
Public, Project-Based, Section 8
Voucher, HUD, CHA, HACCC,
IHDA, Low Income Trust Fund

+

Termination Notice of any kind:
5 day, 10 day, 30 day,
Intent to Terminate,
Utility Shut-Off



Immediate Advice and
Appointment.
**This could be an
Emergency!**

PRIVATE HOUSING IN CHICAGO

1. Client withheld rent due to bad conditions *and has lived in the unit > 1 year or has a current lease or*
2. Landlord is retaliating against client for complaining to authorities *or*
3. Landlord is “bad actor” – lockout, utility cutoff or other outrageous conduct *or*
4. Landlord discriminating against or harassing client *or*
5. Client does not owe rent or Landlord refused to accept it *or*
6. Other urgent health/safety issue for client

Yes to any of above

No to all of the above

- Is client's position reasonable? (i.e. amount withheld, plans to stay or move)
- Will client escrow rent ?

No

Advise and Refer

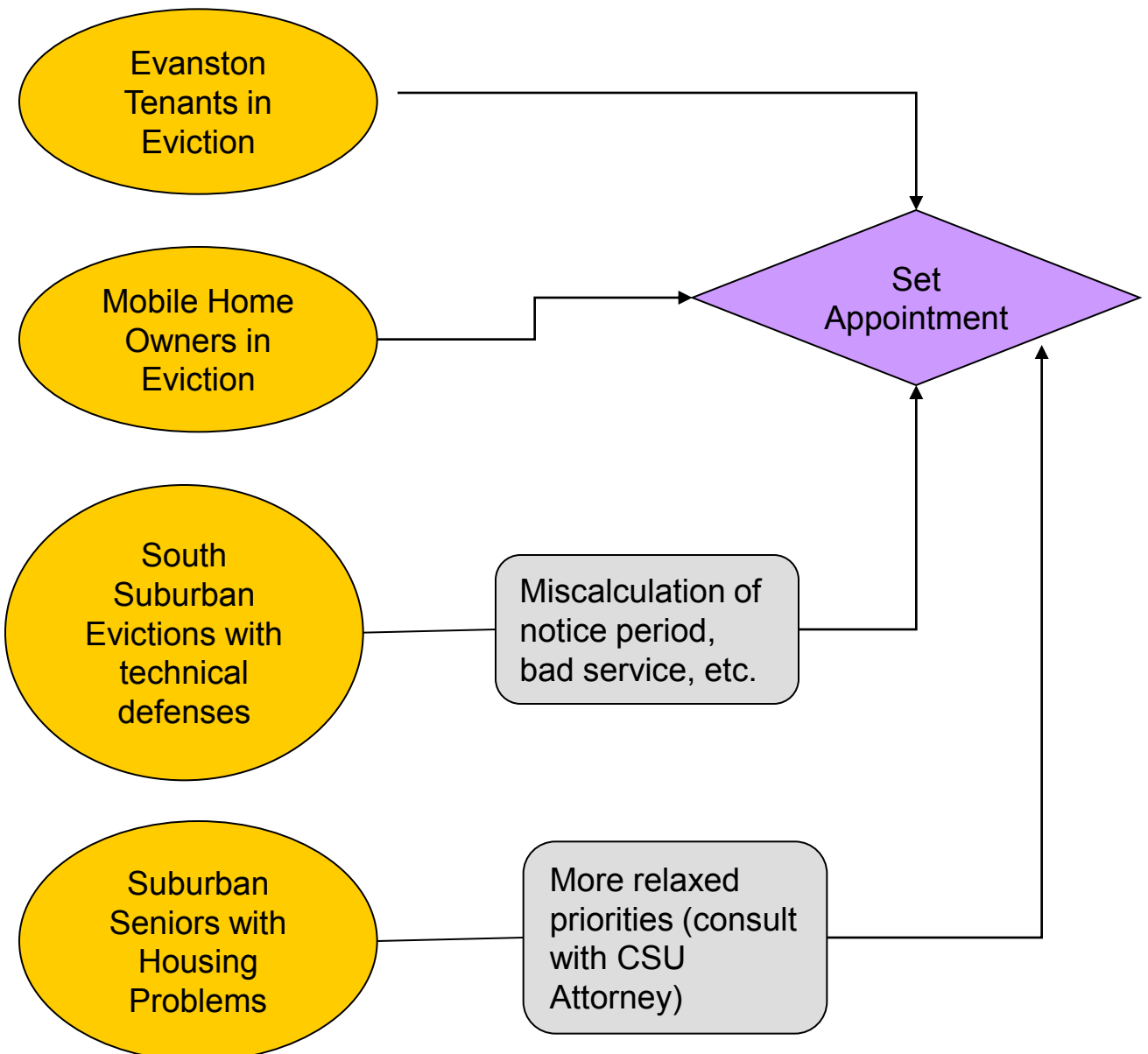
Yes

Possible Appointment

Consult with CSU Attorney!

PRIVATE HOUSING FOR SUBURBAN CLIENTS

In addition to the same types of private housing cases for Chicago residents that should be set for appointments (bad conditions, lockouts, utility taps, retaliation...), the following categories of suburban clients usually should be set for an appointment:



BANKRUPTCY

Why does client want to file for bankruptcy ?

1. Save home due to foreclosure, tax sale or sale in bankruptcy (REFER IMMEDIATELY TO Consumer PG!)
2. Save subsidized apartment
3. Save or restore utilities
4. Save or restore license
5. Prevent or terminate wage or SSD/SSI garnishment or a lien on real estate
6. Prevent/reverse repossession of car
7. Client is a creditor in someone else's bankruptcy

One of the above applies

None of the above applies

2. Received 5, 10 or 14 day notice of termination for rent, utilities or \$\$ EMERGENCY if still within notice period. If notice expired, set for appointment as a housing case

3. Cannot resolve with medical deferral letter or CEDA assistance

4. •Has firm offer for employment where license is required, or other compelling reason license needed
•License not suspended for child support or DUI

5. Debt causing garnishment or lien >\$3,500 and Total debt > \$7,500

6. Car needed for employment/medical

No

No

No

No

Advise and Refer, including Pro Se Bankruptcy Clinic

None of 2-6 applies

Yes to any of 2-6 above

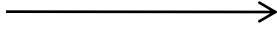
Set Appointment

7. Evaluate with priorities for underlying case (consumer, family, etc.)

CONSUMER

Loans, Collections, Repossessions, Fraud, Garnishments

Car warranty
or repair issue



Advise and
Refer (unless
extreme
fraud)

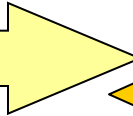
Pay Day Loans
Car Title Loans
of any amount



Set Appointment
unless collection
proof

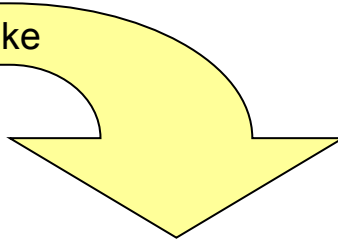
All other
consumer
matters

< \$5000 at stake



Advise and
Refer

> \$5,000 at stake



Is client collection proof?
• Income from SSI/SSDI/UI/TANF/Pension?
• Wages below garnishment level (and likely to stay that way)
• Has no equity in real estate and not likely to inherit any soon

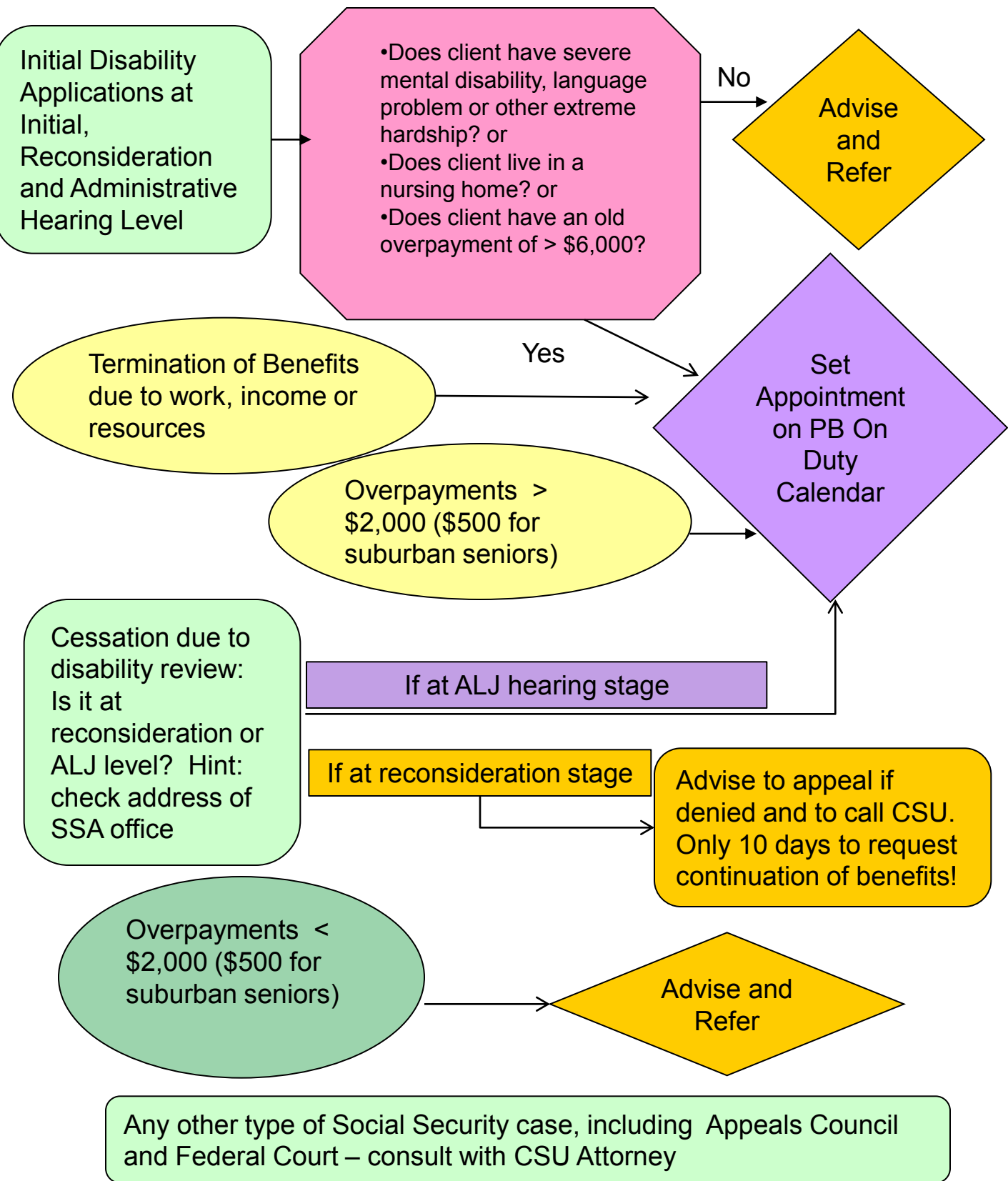
Yes

Advise and
Refer

No

Set
Appointment

SSI, SOCIAL SECURITY DISABILITY AND OTHER SOCIAL SECURITY BENEFITS (Adults and Children)



PUBLIC BENEFITS (CASH, MEDICAL, FOOD/SNAP)

