



FINAL REPORT
LEGAL SERVICES CORPORATION
Office of Compliance and Enforcement

Utah Legal Services, Inc.
Intake Review
October 23-24, 2012

Recipient No. 745000

I. EXECUTIVE SUMMARY

Finding 1: Interviews and an examination of ULS' automated case management system (ACMS) evidenced that the ACMS is sufficient to ensure that information necessary for the effective management of cases is accurately and timely recorded.

Finding 2: ULS' intake practices and procedures for eligibility screening conducted in person, by telephone, and online substantially support LSC compliance requirements, where only one (1) limited exception was noted for walk-in applicants. ULS' intake procedures for eligibility screening conducted at clinics, however, does not support LSC compliance requirements.

Finding 3: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the income eligibility requirements of 45 CFR § 1611.4 and § 1611.5, CSR Handbook (2008 Ed., as amended 2011), § 5.3, and applicable LSC instructions for applicants whose income exceed 125% of the Federal Poverty Guidelines (FPG). However, interviews evidenced that ULS' income screening at its clinics does not support these requirements.

Finding 4: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the requirement that it maintains asset eligibility documentation as required by 45 CFR §§ 1611.3(c) and (d) and CSR Handbook (2008 Ed., as amended 2011), § 5.4. However, interviews evidenced that ULS' asset screening at its clinics does not support this requirement.

Finding 5: Interviews and limited case review evidenced compliance with the restrictions of 45 CFR Part 1626 (Restrictions on legal assistance to aliens). However, interviews evidenced that ULS' eligibility procedures at its clinics do not support compliance with the documentation requirement of this Part.

Finding 6: Interviews, a review of ULS' board approved priorities, and limited case review evidenced compliance with the requirements of 45 CFR § 1620.4 and § 1620.6(c) (Priorities in use of resources).

II. BACKGROUND OF REVIEW

On October 23-24, 2012, staff of the Legal Services Corporation's (LSC) Office of Compliance and Enforcement (OCE) conducted an Intake Review of Utah Legal Services, Inc. (ULS). The purpose of the review was to assess the program's intake practices and procedures, and to evaluate their compliance with the LSC Act, regulations, the relevant sections of the CSR Handbook (2008 Ed., as amended 2011), and other applicable guidance.

The OCE team conducting the review was comprised of two (2) members: one (1) OCE staff attorney and one (1) temporary employee. ULS has three (3) branch offices located in Ogden, Provo, and St. George, Utah. During the course of the review, OCE visited ULS' main office located in Salt Lake City, Utah, the location of ULS' Statewide Intake Unit. However, close to 100% of ULS' intake is conducted by its Statewide Intake Unit in Salt Lake City.

ULS received grant awards from LSC in the amounts of \$2,292,102 for 2010, \$2,197,482 for 2011, and \$1,875,160 for 2012. For 2013, ULS expected to receive \$1,884,561. In its 2010 and 2011 submissions to LSC, the program reported 6,710 and 6,090 closed cases, respectively. ULS' 2010 and 2011 self-inspection certifications revealed a 2.5% and 5% error rate, respectively, in CSR reporting.

The review team interviewed approximately five (5) members of upper and middle management and 10 ULS staff members. The OCE team also performed mock online intake applications and reviewed 42 case files. Case file review relied upon randomly selected files, which contained a mix of advice, brief service, and extended level service cases. The OCE team also observed, along with staff from LSC's Office of Program Performance and with ULS' permission, one (1) of ULS' clinics.¹

By letter dated September 5, 2012, OCE requested that ULS provide copies of its intake procedures, board approved eligibility guidelines and priorities, and a number of other documents providing information relating to ULS' intake practices. ULS was also advised that OCE would seek access to a limited number of case files consistent with Section 509(h), Pub.L. 104-134, 110 Stat. 1321 (1996), LSC Grant Assurance Nos. 10, 11, and 12, and the LSC *Access to Records* protocol (January 5, 2004). ULS was requested to notify OCE promptly, in writing, if it believed that providing the requested material in the specified format would violate the attorney-client privilege or would be otherwise protected from disclosure.

During the visit, access to case-related information was provided through staff intermediaries. Pursuant to the OCE and ULS agreement of September 26, 2012, ULS staff maintained possession of the files and discussed with the team the nature of the client's legal problem and the nature of the legal assistance rendered. In order to maintain confidentiality, in some instances, discussions were limited to the general nature of the problem and the nature of the assistance provided.²

¹ The team member did not participate in any discussion in which client confidences were disclosed.

² In those instances where it was evident that the nature of the problem and/or the nature of the assistance provided had been disclosed to an unprivileged third party, such discussion was more detailed, as necessary, to assess compliance.

ULS' management and staff cooperated fully in the course of the review process. As discussed more fully below, ULS was made aware of compliance issues during the onsite visit. This was accomplished by informing intermediaries, as well as ULS' Executive Director and Deputy Directors, of any compliance issues uncovered during interviews and case review.

On October 24, 2012, OCE conducted an exit conference during which ULS was provided with OCE's initial findings and was made aware of the areas in which compliance issues were found. OCE noted that ULS' walk-in, telephone, and online intake practices and procedures substantially support LSC requirements. The limited exceptions to this finding are described in detail below, and ULS is currently working to address them. OCE noted, however, that ULS' eligibility screening procedures and the manner in which ULS is reporting legal assistance provided to applicants at its offsite clinics, is not sufficient to support LSC reporting or eligibility screening requirements. The program was very receptive to OCE's preliminary findings and recommendations.

ULS was provided a Draft Report (DR) on December 20, 2012 and given an opportunity to comment within 30 days of its receipt. The DR and accompanying exhibits are attached hereto as Exhibit A. By email dated January 9, 2013, ULS requested that the deadline to submit comments be extended to January 31, 2013. LSC granted this request by email dated January 10, 2013. ULS' comments were received on January 31, 2013 and have been incorporated in this Final Report where appropriate, and are attached hereto as Exhibit B.

III. FINDINGS

Finding 1: Interviews and an examination of ULS' automated case management system (ACMS) evidenced that the ACMS is sufficient to ensure that information necessary for the effective management of cases is accurately and timely recorded.

Recipients are required to utilize an ACMS and procedures which will ensure that information necessary for the effective management of cases is accurately and timely recorded in a case management system. At a minimum, such systems and procedures must ensure that management has timely access to accurate information on cases and the capacity to meet funding source reporting requirements. *See* CSR Handbook (2008 Ed., as amended 2011), § 3.1.

Since 2001, ULS has utilized the 2000 Sequel version of Kemp's Case Works for Windows (Kemps) as its ACMS. Based on interviews with one (1) of ULS' Deputy Directors who is responsible for ACMS administration and running ULS' CSR reports and five (5) intake specialists, as well as an evaluation of ULS' Kemp's system, the information yielded by the ACMS is sufficient to ensure that information necessary for the effective management of cases is accurately and timely recorded. A test of ULS' ability to recreate its 2010 and 2011 CSR numbers also evidenced the ability to recreate reliable CSR reporting numbers. The ACMS was

also assessed for defaults in fields that are critical to the determination of eligibility.³ No defaults in fields critical to eligibility determination were identified.

Due to the limited nature of the review, an extensive comparison of case file information to that on automated case lists was not conducted.⁴ Limited case review conducted on-site, however, did not evidence inconsistencies between information contained in the case files and that contained in ULS' ACMS.

It should be noted that ULS has made a number of beneficial modifications to Kemps, including a timekeeping feature, improved reporting features, electronic document storage, and compliance error features. These modifications were intended to increase the accuracy of the information ULS reports to LSC. For example, at the time of the review, ULS required that each extended service case file contain a completed written Client Information Sheet (CIS) with a signed citizenship attestation. If a user indicated that a client had completed a CIS, but one was not attached to the electronic file, the system flagged this and the user had to determine whether there was a data entry or compliance error before closing the case. The series of possible errors programmed into the ACMS is extensive, and staff cannot make a determination of LSC reportability without completing the required duplicate and error checks.

There are no recommendations or corrective actions required.

Finding 2: ULS' intake practices and procedures for eligibility screening conducted in person, by telephone, and online substantially support LSC compliance requirements, where only one (1) limited exception was noted for walk-in applicants. ULS' intake procedures for eligibility screening conducted at clinics, however, does not support LSC compliance requirements.

Since 1996, ULS has operated a centralized Statewide Intake Unit (SIU) from its Salt Lake City Office. The vast majority (*i.e.*, 99%) of ULS' intake is done by staff in the SIU. Approximately 93% of ULS' intake is conducted by telephone, 5% to 6% is conducted through ULS' online application system, and a limited number of walk-in intakes are conducted. Currently, ULS documents the work done at its offsite clinics as "matters" under 45 CFR § 1620.2(b), however, it conducts some level of eligibility screening of most clinic applicants.

During OCE's review, the SIU's practices and procedures were assessed by interviewing ULS' Executive Director, two (2) Deputy Directors, SIU's Managing Attorney, and five (5) intake specialists. Advocates within, and heads of, ULS' statewide substantive task forces and specialty units were also interviewed. The interviews revealed that intake procedures performed by ULS' intake staff support the program's compliance requirements for in-person, telephone, and online intake, but not for intake at ULS' clinics. The limited sampled case files reviewed also indicated

³ Pursuant to Program Letter 02-6 and the CSR Handbook (2008 Ed., as amended 2011), § 3.6, a program's ACMS is prohibited from having a default in income, assets, number in household, citizenship/eligible alien status, and LSC-eligibility, to definitively demonstrate that an inquiry was made with respect to those eligibility-dependent fields.

⁴ Case lists were not requested in advance of the review as case review was a secondary priority to the assessment of intake processes and procedures. The limited case review was conducted from a random sample pulled on-site.

that eligibility-related information collected during intake is sufficiently documented in case files.

OCE and LSC's Office of Legal Affairs (OLA) also reviewed ULS' Financial Eligibility Guidelines in advance of the visit and found them to be compliant with LSC requirements. OCE and OLA, however, recommended that ULS clarify and/or add to sections relating to the scope of the policy, authorized exceptions to LSC allowable income ceilings, and group eligibility screening. ULS was very receptive to the recommendations, revised its policy accordingly, and on November 27, 2012, ULS' board of directors approved and adopted the revised policy. *See* ULS' Comments to LSC's Draft Report and Attachment sent on January 31, 2013, attached hereto as Exhibit B, at 1.

OCE's assessment of ULS' walk-in, telephone, online, and clinic intake practices and procedures, and a description of ULS' case acceptance, management, and oversight procedures are detailed below.

Intake Practices and Procedures - Eligibility Screening

Walk-in (or In-Person) Intake Procedures

Walk-in applicants who, for example, do not otherwise have access to a telephone or computer, may apply for ULS' services using a telephone or computer station within ULS offices. As such, these applicants are screened for eligibility in accordance with either the telephone or online intake practices and procedures detailed below.

Interviews, however, indicated that ULS does not obtain citizenship attestations or verify eligible alien status for applicants applying by telephone or online from the Salt Lake City office's reception area as required by Advisory Opinion # AO-2009-1002. *See* OLA Advisory Opinion # AO-2009-1002, available at <http://www.lsc.gov/about/office-legal-affairs-external-opinions>. The OCE team discussed this finding with ULS management at the exit conference on October 24, 2012. ULS was aware that it was required to obtain citizenship attestations from all walk-in applicants, and asserted that it does so in its other offices. However, ULS did not believe this requirement applied to walk-in applicants who speak only to the shared receptionist for the building in which their Salt Lake City office is housed.

Nonetheless, ULS informed LSC at the exit conference that it will now require all walk-in applicants to the Salt Lake City office to complete a citizenship attestation or provide the necessary documentation to support their eligible immigration status. This was confirmed in ULS' comments to the DR, in which ULS stated that they are currently "[h]aving the receptionist at our Salt Lake office ensure that all walk-in applicants complete a citizenship attestation or provide the necessary documentation to support their alien eligibility." *See* ULS' Comments to LSC's Draft Report and Attachment sent on January 31, 2013, attached hereto as Exhibit B, at 1.

Telephone Intake Procedures

As stated above, approximately 93% of ULS' intake is conducted by telephone and handled by staff in ULS' SIU in Salt Lake City. ULS' toll-free intake line is open Monday through Friday from 9:00am to 2:00pm. When an applicant phones ULS' SIU, they are directed to one (1) of four (4) intake queues: English; Spanish; online and seniors; or Pidgin (*i.e.*, an instant messaging program). ULS also has a separate toll-free number for the non-LSC funded ULS Senior Citizen's Legal Helpline.⁵

Calls are routed in the order they are received to intake staff who conduct eligibility screening, reject applicants who do not qualify, and connect eligible applicants to designated attorneys within the relevant subject matter task force. Until approximately one (1) month before OCE's visit, intake staff conducted eligibility screening by following ULS' Statewide Intake Scripts and Kemps fields. A review of ULS' Statewide Intake Scripts indicated they were sufficiently detailed to meet LSC compliance requirements.

At the time of the review, however, intake staff was using an automated intake script within an Access 2 Justice (A2J) guided interview program. A2J interviews allow a user to be guided through a computerized interview by a computer-created avatar. The program is based on branch logic, meaning that each question posed depends upon previous answers. Interviews indicated that intake staff asks the interview questions verbatim. A review of the A2J automated script, and interviews with the SIU's Managing Attorney and five (5) intake specialists indicated that the questions asked were sufficiently detailed to support LSC compliance requirements.

Applicants who are ineligible for ULS' services are so advised and referred to another legal assistance provider or resource if appropriate. If the applicant appears eligible for services, intake staff collects additional information regarding the applicant's legal problem, and transfers all information collected from the A2J guided interview program into Kemps.

Although OCE found ULS' telephone intake system to support LSC requirements, OCE notes the following relating to ULS' telephone screening practices:

- *"Deeming" Income:* ULS' A2J interview requires inquiry into five (5) specific income sources and an additional inquiry is made to identify "other" income sources. Intake staff is required to ask applicants who state they have no income, an additional set of questions designed to determine how the applicant's living expenses are being paid. If, after additional questioning, the applicant still appears to have no income, and the applicant has not been recently terminated from a public benefit, applied for a public benefit, or left a spouse and is seeking assistance with alimony or support and a divorce, intake staff "deems" \$225.00 per month in income to the applicant's household.

OCE informed ULS at the exit conference that LSC does not require recipients "deem" income to applicants who, after a reasonable inquiry, are determined not to have any

⁵ The senior helpline is open to residents of Utah who are 60 years or older and have a legal problem in Utah. There are no financial eligibility limits for the senior helpline and seniors are not required by the funding source to provide financial eligibility information.

income. ULS was receptive to OCE's comments and has since decided to abandon this practice.

- *Authorized Exceptions to Income Ceilings:* ULS has adopted authorized exceptions to its annual income ceilings as allowed under 45 CFR § 1611.5. In practice, however, ULS was not screening all applicants who could qualify for LSC-funded services under these authorized exceptions. Instead, ULS was choosing to fund the services provided to such clients with non-LSC funds and was not reporting these cases to LSC.

During the review, OCE informed ULS that it is likely under-reporting cases for clients whose income is between 125-200% of the Federal Poverty Guidelines (FPG). *See* CSR Handbook (2008 Ed., as amended 2011), § 2.1 ("Cases that meet LSC eligibility criteria should be reported in the CSR irrespective of funding source.") ULS was receptive to OCE's comments, and informed LSC, by email on November 13, 2012, that it revised its over-income approval form, and would require intake staff to screen all applicants for LSC's authorized over income exceptions so it can report cases for those clients to LSC. On November 19, 2012, LSC informed ULS by email that a review of the form indicated that it supports LSC requirements.

In the DR, LSC requested that ULS indicate in its comments to the DR the date on which use of its new over-income approval form was initiated. In its comments to the DR, ULS informed LSC that they are currently "[s]creening cases of senior citizens and victims of domestic violence whose incomes are between 125-200% of the FPG's for LSC-allowable exceptions and reporting the services provided to LSC regardless of funding source." *See* ULS' Comments to LSC's Draft Report and Attachment sent on January 31, 2013, attached hereto as Exhibit B, at 2. ULS also informed LSC that "[o]ur board amended the Financial Eligibility Guidelines to reflect this change on November 27, 2012 and form ([Draft] Report Exhibit 8) was effective January 2, 2013." *See id.*

- *Reasonable Inquiry Regarding Income Prospects:* Recipients are required to make reasonable inquiry into each applicant's income prospects, pursuant to the requirements of 45 CFR § 1611.7(a). ULS' ACMS does not contain a specific "prospective income" field. Interviews and a review of ULS' eligibility scripts used by intake staff before they used the A2J guided interview programs evidenced that staff was required to ask applicants whether they anticipate any significant changes in income over the next 12 months, and to document the answer in the case notes field. The A2J guided interview does not include this question. Instead, when staff inquires about different sources of income, they ask the applicant the following: "For these questions, please consider the next 12 months and let me know about any substantial changes that may occur (such as children turning 18, seasonal work, etc.)."

OCE finds this manner of inquiry about prospective income to be reasonable, compliant with 45 CFR § 1611.7(a), and consistent with LSC's OLA Advisory Opinion # AO-2009-1006.

- *Group Clients:* Although ULS' Financial Eligibility Guidelines allow ULS to provide legal assistance to groups in accordance with LSC regulations, interviews indicated that ULS does not, in practice, accept group clients. However, in the exit conference, OCE recommended that ULS implement procedures for intake staff to follow when screening potential group applicants. OCE also provided ULS with a sample Group Eligibility Worksheet which provides guidance on the type of information LSC-recipients should collect in order to effectively screen group applicants. In response to OCE's recommendation, ULS has created and implemented its own Group Eligibility Form, which it provided to OCE by email on December 6, 2012. A review of the form indicates it meets LSC requirements.

Online Intake Procedures

ULS also uses an A2J guided interview program to screen online applicants. Applicants can access ULS' online application from the first page of ULS' website. *See* ULS' Website, available at <http://www.utahlegalservices.org/>. After clicking on the link to "Apply for Help Online Now," the applicant is led to a page with a set of instructions and guidance for the online application process. The instructions provide, among other things, that "[a]t the end of the interview, if it appears that you have the type of problem we can help with and it appears that you financially qualify for our services, you will then need to talk to one of our intake workers, who will verify that we may indeed help you." *See* Online Eligibility Screening Welcome Page, attached to the DR as Exhibit 1.

After reading the instruction page, applicants may click on the link to "Begin Online Interview." The applicant is then lead though a series of detailed questions by a virtual avatar named Ayla about a series of items, including the following:

- The number of members of the applicant's household;⁶
- Gross income for each member of the household, considering the next 12 months and any substantial changes that may occur, including: disability benefits, income from unemployment, employment or self-employment, general assistance, alimony or child support, veterans benefits, worker's compensation, SSI/SSDI, social security, pension, investments, and other income;
- Assets of all members in the household including: the value of all personal items such as TV's, computers, sofas, clothing, beds, etc., cash and money in bank or credit union accounts, a second home or other real estate, vehicles, cars, trucks or motorcycles, money in stocks, bonds and certificates of deposit, work-related tools, and any interest in a business;
- Whether the applicant has already applied for legal assistance from ULS, and if so, within how much time, and whether the applicant is already a client;
- Whether the applicant needs help with a criminal matter or traffic tickets, is currently in prison, or already has a lawyer for their legal issue;

⁶ The definition of household is explained in simple terms to the applicant.

- Whether the applicant is a citizen, a permanent legal resident (and if so, asks the applicant to provide their ID number), or neither;
- Whether the applicant's legal problem is due to domestic violence or trafficking;
- Whether the applicant has a hearing date approaching; and
- The applicant's legal problem type.

The interview takes approximately 10 to 15 minutes to complete, depending on the answers provided. The questions that follow each specific answer vary depending on the applicant's previous answer. For example, if an applicant indicates they own a car, Ayla will ask a series of questions designed to identify the equity value of any cars that do not fall under ULS' exception for one (1) vehicle per driver in the household used primarily for transportation and not used for recreational purposes. An applicant also has the opportunity to ask for additional information or guidance about any question posed and to revise any answer previously provided.

Approximately seven (7) mock attempts to apply for ULS' services online using various income and asset scenarios, citizenship and alien statuses, and legal types indicated that the A2J system accurately makes initial determinations as to whether an applicant may qualify for ULS' legal services. Specifically, the program successfully identified the mock applicant as one that, based on the information provided online, was not eligible for services where the applicant's income or asset level was over ULS' guidelines, the applicant was not a US citizen, could not provide an alien ID number and who was not a victim of domestic violence, or who had a legal problem outside of ULS' priorities.

Those applicants who complete the entire A2J guided interview without being informed that, based on information they provided, they do not appear to be eligible for ULS' services, are invited to submit their applicant for review. They are also instructed to contact intake staff by phone or online chat to complete their application. *See Online Eligibility Screening Final Page, attached to the DR as Exhibit 2.*

Interviews evidenced that the questions ULS' intake staff ask applicants after they have submitted an online application are sufficiently detailed to ensure that a "reasonable inquiry" has been made of each applicant, as required under 45 CFR § 1611.7(a)(1). Interviews indicated that approximately 85% of online applicants deemed likely to be eligible by the A2J guided interview program are also found to be eligible after staff has had the opportunity to speak with them. Intake staff reports that most of the online applicants' errors occur when answering questions about household numbers, income and asset figures, and their legal problem type.

Clinic Intake Procedures

In evaluating ULS' clinic intake practices and procedures, the OCE team interviewed two (2) staff members who coordinate or participate in ULS clinics, ULS' Executive Director, and one (1) of ULS' Deputy Directors. On the evening of October 23, 2012, an OCE team member also

observed, along with staff from LSC's Office of Program Performance (OPP) and with ULS' permission, one (1) ULS "street law" clinic.⁷

Interviews indicated that, before 2012, ULS found that a significant number of its clinic cases were not reportable to LSC due to incomplete eligibility screening and compliance-related documentation. Those clinic services for which the documentation did not meet LSC requirements, were documented as "matters" under 45 CFR § 1620.2(b). In 2012, ULS decided to document all of the work done at its offsite clinics as "matters." Notwithstanding this designation, interviews indicated that applicants for most of ULS' clinics are asked to provide some information regarding their income and assets and many, but not all, are asked to sign citizenship attestations or to provide documentation showing their alien eligibility. *See e.g.*, Sample ULS Clinic Intake Forms, attached to the DR as Exhibit 3.

Interviews also indicated that the type of legal assistance provided at clinics varies significantly by clinic and ranges from legal information to brief services. As such, the program's characterization of all legal services provided at these clinics as "matters" is incorrect. *See* 45 CFR § 1620.2(b) ("A matter is an action which contributes to the overall delivery of program services but does not involve direct legal advice or legal representation of one of more specific clients."), and CSR Handbook (2008 Ed., as amended 2011), §§ 2.1–2.3.

Interviews with ULS management also indicated that, due to the bottom-up manner by which ULS' clinic program has developed, ULS could not, at the time of the review, provide a complete list of all clinics it runs, participates in, or supports (financially or otherwise). ULS has allowed advocates, on their own initiative, to find opportunities to support (through partnerships or other collaborative efforts) legal clinics in Utah that serve ULS' target population. Advocates appear to have been successful in doing so and, as such, ULS supports a number of clinics across the state to varying degrees. However, ULS does not appear to have kept a centralized list of the clinics its staff supports or evaluated the compliance requirements that may apply to each clinic, partnership, or level and manner of support.

OCE staff informed ULS management during the visit that it must ensure that the services it provides at the clinics it supports are done so in accordance with the applicable LSC regulations and guidelines, including, but not limited to 45 CFR Part 1611, 45 CFR Part 1626, and the CSR Handbook (2008 Ed., as amended 2011). OCE recommended that ULS first identify, among other things: all clinics ULS leads, participates in, or supports; how that involvement is financially supported; what level of services are provided at each clinic; and the third-party entities ULS may be partnering with or supporting through its clinic work. It was also recommended that ULS then determine for which clinics eligibility screening is required and implement practices and procedures in accordance with this determination that will ensure compliance with LSC requirements.

In the DR, LSC required ULS to provide an update on its progress in implementing this required corrective action in its comments to the DR. As requested, ULS provided a list of the clinics it runs or in which it participates. It also provided a summary of its evaluation of which clinics it expects to bring into compliance with LSC screening requirements by March 1, 2013, which

⁷ The team member did not participate in any discussion in which client confidences were disclosed.

clinics it expects it can bring into compliance by no later than by June 30, 2013, and which clinics ULS may choose to discontinue. *See* ULS' Comments to LSC's Draft Report and Attachment sent on January 31, 2013, attached hereto as Exhibit B. ULS' comments also indicate that LSC eligibility screening and/or eligibility screening training has commenced at all of these clinics.

OCE has evaluated this plan and finds it to be a positive start to ULS' efforts to bring its clinics into compliance with LSC requirements. However, OCE will require ULS to continue to report on its implementation of this plan and on issues relating to insurance purchased for some of its clinics through Required Corrective Actions 3(a), (b), and (c). A full discussion of these requirements is provided at end of this Final Report.

Case Acceptance Procedures

As explained above, if ULS' intake staff determines an applicant is eligible for ULS' services, they will transfer the applicant into a queue to speak with an advocate within the relevant substantive task force or specialty unit. After ascertaining sufficient information to identify the applicant's legal problem, the advocate will determine whether ULS will accept the applicant for services in accordance with the applicable case acceptance criteria.

Case acceptance criteria are developed by the statewide task forces (Domestic, Housing, Public Benefits and Consumer/Seniors) and specialty units (Migrant and Native American). The task forces and specialized units also develop their own criteria and procedures for agreeing to provide a client with extended service representation after they have already been accepted and provided with advice or brief services. Some task forces hold weekly meetings to discuss potential extended service cases, but others have a less formal process where advocates directly seek approval from the task force chair before informing a client they will receive extended representation.

At the time of OCE's review, ULS required that any client accepted for extended representation by any of the task forces or specialty units first complete a Client Information Sheet (CIS). The CIS asks for information relating to, among other things, the client's household size, income, assets, and contains a LSC-compliant citizenship attestation. If the client is not a citizen, the CIS contains a declaration stating "I declare that I am a LEGAL IMMIGRANT in the United States OR I am a NON-CITIZEN of the United States (if you are a legal immigrant, we must have copies of your immigration papers)" and a field for applicants to provide their alien number. *See* Client Information Sheet, attached to the DR as Exhibit 4. The form did not, however, contain a question about prospective income.

At the exit conference, ULS was informed that LSC only requires that applicants are effectively screened one (1) time, unless either a significant amount of time has passed between screening and acceptance, ULS has reason to doubt the veracity of the information provided by the client, ULS has reason to believe the client's eligibility status has changed, or there is some other reason to believe the client should be re-screened. *See e.g.*, 45 CFR §§ 1611.2(i), 1611.7(c), and 1611.8.

ULS has informed OCE that it no longer requires accepted clients who, as applicants, were screened for eligibility in accordance with ULS' intake practices and procedures, to complete a CIS before they receive extended level services. These clients are instead now required to complete a "Citizenship Attestation" form. OCE has reviewed this form and finds it to be compliant with LSC requirements. *See* Citizenship Attestation, attached to the DR as Exhibit 5. ULS has also revised the CIS to include a question on prospective income so that staff has a tool to conduct eligibility screening by using a comprehensive paper form when it may be warranted. *See* New Client Information Sheet, attached to the DR as Exhibit 6.

Case Management and Oversight Procedures

Each of ULS' substantive task forces and specialty units has their own procedures for case management and oversight. Interviews with four (4) substantive task force and specialty unit leaders, two (2) Managing Attorneys, three (3) staff attorneys, and five (5) intake specialists confirmed that ULS has case management and oversight procedures in place that vary in formality and application. Considering the limited scope of the review, the OCE team did not review a large enough number of cases to determine the sufficiency of these oversight procedures. The limited case review conducted, however, indicated sufficient case oversight.

The OCE team evaluated the oversight procedures of the SIU in detail and found it sufficient to support LSC compliance requirements. The SIU's Managing Attorney is responsible for training and daily oversight of eligibility screening and has implemented the following measures to ensure the quality and accuracy of ULS' intake process:

- The SIU is located in one large room where all SIU staff, including the Managing Attorney, sit in cubicles, making the Managing Attorney readily available to answer questions as they arise during intake hours;
- The Managing Attorney has implemented a peer review system, where each day intake staff are scheduled to review another intake staff member's intakes from the previous day;
- The Managing Attorney reviews intakes on a random basis and reviews every intake conducted by new staff members; and
- The SIU holds daily 8:30am meetings where staff can raise concerns or questions, peer review findings are discussed, and where the Managing Attorney introduces any new compliance requirements or procedures.

With the exception of the Required Corrective Actions relating to ULS' clinics, there are no recommendations or corrective actions pending at issuance of this Final Report.

Finding 3: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the income eligibility requirements of 45 CFR § 1611.4 and § 1611.5, CSR Handbook (2008 Ed., as amended 2011), § 5.3, and applicable LSC instructions for applicants whose income exceed 125% of the Federal Poverty Guidelines

(FPG). However, interviews evidenced that ULS' income screening at its clinics does not support these requirements.

Recipients may provide legal assistance supported with LSC funds only to individuals whom the recipient has determined to be financially eligible for such assistance. *See* 45 CFR § 1611.4(a). Specifically, recipients must establish financial eligibility policies, including annual income ceilings for individuals and households, and record the number of members in the applicant's household and the total income before taxes received by all members of such household in order to determine an applicant's eligibility to receive legal assistance.⁸ *See* 45 CFR § 1611.3(c)(1) and CSR Handbook (2008 Ed., as amended 2011), § 5.3. For each case reported to LSC, recipients shall document that a determination of client eligibility was made in accordance with LSC requirements. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.2.

In those instances in which the applicant's household income before taxes is in excess of 125% but no more than 200% of the applicable FPGs and the recipient provides legal assistance based on exceptions authorized under 45 CFR § 1611.5(a)(3) and 45 CFR § 1611.5(a)(4), the recipient shall keep such records as may be necessary to inform LSC of the specific facts and factors relied on to make such a determination. *See* 45 CFR § 1611.5(b) and CSR Handbook (2008 Ed., as amended 2011), § 5.3.

For CSR purposes, individuals financially ineligible for assistance under the LSC Act may not be regarded as recipient "clients" and any assistance provided should not be reported to LSC. In addition, recipients should not report cases lacking documentation of an income eligibility determination to LSC. However, recipients should report all cases in which there has been an income eligibility determination showing that the client meets LSC eligibility requirements, regardless of the source(s) of funding supporting the cases, if otherwise eligible and properly documented. *See* CSR Handbook (2008 Ed., as amended 2011), § 4.3.

Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the income eligibility requirements of 45 CFR § 1611.4 and § 1611.5, CSR Handbook (2008 Ed., as amended 2011), § 5.3, and applicable LSC instructions for applicants whose income exceed 125% of the FPGs. As discussed above, however, interviews evidenced that ULS' income screening at its clinics does not support LSC requirements. A detailed evaluation of ULS' income screening practices and procedures, and any corresponding recommendations and required corrective actions, are provided above under Finding 2 of this report.

With the exception of the Required Corrective Actions relating to ULS' clinics discussed under Finding 2 and at the end of this report, there are no recommendations or corrective actions pending issuance of this Final Report.

Finding 4: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the requirement that it maintains asset eligibility documentation as required by 45 CFR §§ 1611.3(c) and (d) and CSR Handbook (2008 Ed., as amended 2011),

⁸ A numerical amount must be recorded, even if it is zero. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.3.

§ 5.4. However, interviews evidenced that ULS’ asset screening at its clinics does not support this requirement.

As part of its financial eligibility policies, recipients are required to establish reasonable asset ceilings in order to determine an applicant’s eligibility to receive legal assistance. *See* 45 CFR § 1611.3(d)(1). For each case reported to LSC, recipients must document the total value of assets except for categories of assets excluded from consideration pursuant to its Board-adopted asset eligibility policies.⁹ *See* CSR Handbook (2008 Ed., as amended 2011), § 5.4.

In the event that a recipient authorizes a waiver of the asset ceiling due to the unusual circumstances of a specific applicant, the recipient shall keep such records as may be necessary to inform LSC of the reasons relied on to authorize the waiver. *See* 45 CFR § 1611.3(d)(2).

The revisions to 45 CFR Part 1611 changed the language regarding assets from requiring the recipient’s governing body to establish, “specific and reasonable asset ceilings, including both liquid and non-liquid assets,” to “reasonable asset ceilings for individuals and households.” *See* 45 CFR § 1611.6 in prior version of the regulation and 45 CFR § 1611.3(d)(1) of the revised regulation. Both versions allow the policy to provide for authority to waive the asset ceilings in unusual or meritorious circumstances. The older version of the regulation allowed such a waiver only at the discretion of the Executive Director. The revised version allows the Executive Director or his/her designee to waive the ceilings in such circumstances. *See* 45 CFR § 1611.6(e) in prior version of the regulation and 45 CFR § 1611.3(d)(2) in the revised version. Both versions require that such exceptions be documented and included in the client’s files.

Interviews, a review of ULS’ eligibility policy, and limited case review evidenced compliance with the requirement that it maintain asset eligibility documentation as required by 45 CFR §§ 1611.3(c) and (d) and CSR Handbook (2008 Ed., as amended 2011), § 5.4. As discussed above, however, interviews evidenced that ULS’ asset screening at its clinics does not support LSC requirements. A detailed evaluation of ULS’ asset screening practices and procedures, and any corresponding recommendations and required corrective actions, are provided above under Finding 2 of this report.

With the exception of the Required Corrective Actions relating to ULS’ clinics discussed under Finding 2 and at the end of this report, there are no recommendations or corrective actions pending at issuance of this Final Report.

Finding 5: Interviews and limited case review evidenced compliance with the restrictions of 45 CFR Part 1626 (Restrictions on legal assistance to aliens). However, interviews evidenced that ULS’ eligibility procedures at its clinics do not support compliance with the documentation requirement of this Part.

The level of documentation necessary to evidence citizenship or alien eligibility depends on the nature of the services provided. With the exception of brief advice or consultation by telephone,

⁹ A numerical total value must be recorded, even if it is zero or below the recipient’s guidelines. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.4.

which does not involve continuous representation, LSC regulations require that all applicants for legal assistance who claim to be citizens execute a written attestation. *See* 45 CFR § 1626.6. Aliens seeking representation are required to submit documentation verifying their eligibility. *See* 45 CFR § 1626.7. In those instances involving brief advice and consultation by telephone, which does not involve continuous representation, LSC has instructed recipients that the documentation of citizenship/alien eligibility must include a written notation or computer entry that reflects the applicant's oral response to the recipient's inquiry regarding citizenship/alien eligibility. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.5; *See also*, LSC Program Letter 99-3 (July 14, 1999). In the absence of the foregoing documentation, assistance rendered may not be reported to LSC. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.5.

Prior to 2006, recipients were permitted to provide non-LSC funded legal assistance to an alien who had been battered or subjected to extreme cruelty in the United States by a spouse or parent, or by a member of the spouse's or parent's family residing in the same household, or an alien whose child had been battered or subjected to such cruelty.¹⁰ Although non-LSC funded legal assistance was permitted, such cases could not be included in the recipient's CSR data submission. In January 2006, the Kennedy Amendment was expanded and LSC issued Program Letter 06-2, "Violence Against Women Act 2006 Amendment" (February 21, 2006), which instructs recipients that they may use LSC funds to provide legal assistance to ineligible aliens, or their children, who have been battered, subjected to extreme cruelty, is the victims of sexual assault or trafficking, or who qualify for a "U" visa. LSC recipients are now allowed to include these cases in their CSRs.

Interviews and limited case review evidenced compliance with the restrictions of 45 CFR Part 1626 (Restrictions on legal assistance to aliens). However, interviews evidenced that ULS' eligibility procedures at its clinics do not support compliance with the documentation requirements of 45 CFR § 1626.6. A detailed evaluation of ULS' citizenship screening practices and procedures, and any corresponding recommendations and required corrective actions, are provided above under Finding 2 of this report.

With the exception of the Required Corrective Actions relating to ULS' clinics discussed under Finding 2 and at the end of this report, there are no recommendations or corrective actions pending at issuance of this Final Report.

Finding 6: Interviews, a review of ULS' board approved priorities, and limited case review evidenced compliance with the requirements of 45 CFR § 1620.4 and § 1620.6(c) (Priorities in use of resources).

LSC regulations require that recipients adopt a written statement of priorities that determines the cases which may be undertaken by the recipient, regardless of the funding source. *See* 45 CFR § 1620.3(a). Except in an emergency, recipients may not undertake cases outside its priorities. *See* 45 CFR § 1620.6.

¹⁰ *See* Kennedy Amendment at 45 CFR § 1626.4.

Interviews, a review of ULS' board approved priorities, and limited case review indicated compliance with these requirements. There are no recommendations or corrective actions required.

IV. RECOMMENDATIONS¹¹

Consistent with the findings of this report, it is recommended that ULS:

1. Clarify and/or add to sections of its financial eligibility policy relating to the scope of the policy, authorized exceptions to LSC allowable income ceilings, and group eligibility screening.

LSC notes that, since OCE's review, ULS has revised its policy accordingly, and on November 27, 2012, ULS' board of directors approved and adopted the revised policy. ULS also confirmed this in its comments to the DR provided to OCE on January 31, 2013.

2. Implement procedures for intake staff to screen group applicants as allowed under ULS' board-approved eligibility policy.

LSC notes that ULS informed LSC, by email on December 6, 2012, that it created and implemented the use of a Group Eligibility Form to assist intake staff in screening potential group applicants. A review of the form indicates it supports LSC requirements. *See* Group Eligibility Form, attached to the DR as Exhibit 7.

¹¹ Items appearing in the "Recommendations" section are not enforced by LSC and therefore the program is not required to take any of the actions or suggestions listed in this section. Recommendations are offered when useful suggestions or actions are identified that, in OCE's experience, could help the program with topics addressed in the report. Often recommendations address potential issues and may assist a program to avoid future compliance errors.

By contrast, the items listed in "Required Corrective Actions" must be addressed by the program, and will be enforced by LSC.

V. REQUIRED CORRECTIVE ACTIONS

Consistent with the findings of this report, ULS is required to take the following corrective actions:

1. Ensure it screens applicants whose income is between 125-200% of the FPGs for LSC-allowable exceptions and reports the services provided to those clients to LSC in accordance with CSR Handbook (2008 Ed., as amended 2011), § 2.1 (“Cases that meet LSC eligibility criteria should be reported in the CSR irrespective of funding source.”)

ULS informed LSC at the exit conference that it would require intake staff to screen all applicants for LSC-allowable exceptions. On November 13, 2012, ULS provided LSC a form, which it planned to implement to document facts supporting LSC-allowable over-income exceptions and the accompanying approval process. *See* Financial Eligibility Exceptions Form, attached to the DR as Exhibit 8. On November 19, 2012, LSC informed ULS by email that a review of the form indicated that it supports LSC requirements.

In the DR, LSC requested that ULS indicate in its comments to the DR the date on which use of this form was initiated. In its comments to the DR, ULS informed LSC that they are currently “[s]creening cases of senior citizens and victims of domestic violence whose incomes are between 125-200% of the FPG’s for LSC-allowable exceptions and reporting the services provided to LSC regardless of Funding source.” *See* ULS’ Comments to LSC’s Draft Report and Attachment sent on January 31, 2013, attached hereto as Exhibit B, at 2. ULS also informed LSC that “[o]ur board amended the Financial Eligibility Guidelines to reflect this change on November 27, 2012 and form ([Draft] Report Exhibit 8) was effective January 2, 2013.” *See id.*

OCE finds ULS’ comments and actions responsive and considers Required Corrective Action No. 1 to be closed.

2. Obtain citizenship attestations or verify eligible alien status for applicants applying by telephone or online from the Salt Lake City office’s reception as required by LSC Advisory Opinion # AO-2009-1002.

LSC notes that ULS now requires that all walk-in applicants to the Salt Lake City office complete a citizenship attestation or provide the necessary documentation to support their eligible alien status. This was confirmed in ULS’ comments to the DR, in which ULS stated that they are currently “[h]aving the receptionist at our Salt Lake office ensure that all walk-in applicants complete a citizenship attestation or provide the necessary documentation to support their alien eligibility.” *See id.*

OCE finds ULS’ comments and actions responsive and considers Required Corrective Action No. 2 to be closed.

3. Ensure the services it provides at its clinics are done so in accordance with the applicable LSC regulations and guidelines, including, but not limited to 45 CFR Part 1611, 45 CFR Part 1626, and the CSR Handbook (2008 Ed., as amended 2011). As a part of this required corrective action, it is recommended that ULS identify, among other things: all clinics ULS leads, participates in, or supports; how that involvement is financially supported; what level of services are provided at each clinic; and identify the third-party entities ULS may be partnering with or supporting through its clinic work. It is also recommended that ULS then determine for which clinics eligibility screening is required and implement practices and procedures in accordance with this determination that will ensure compliance with LSC requirements.

In the DR, LSC required ULS to provide an update on its progress in implementing this required corrective action in its comments to the DR. As requested, ULS provided a list of the clinics it runs or in which it participates. It also provided a summary of its evaluation of which clinics it expects it can bring into compliance with LSC requirements by March 1, 2013, which clinics it expects it can bring into compliance by no later than June 30, 2013, and which clinics ULS may choose to discontinue. *See* ULS' Comments to LSC's Draft Report and Attachment sent on January 31, 2013, attached hereto as Exhibit B. ULS' comments also indicate that LSC eligibility screening and/or eligibility screening training has commenced at all of these clinics.

OCE has evaluated this plan and finds it to be a positive start to ULS' efforts to bring its clinics into compliance with LSC requirements. As follow up, OCE has determined to require ULS to take the following follow-up Required Corrective Actions:

Required Corrective Action 3(a): Report to OCE, by March 30, 2013, on the status of eligibility screening at those clinics ULS expects to bring into compliance by March 1, 2013. This report should include, but not be limited to, copies of all intake forms used and a description of the intake and compliance oversight procedures at each clinic or group of clinics. ULS should also report whether any additional work is still needed to ensure applicants are screened at these clinics in accordance with LSC requirements. If additional work is needed, ULS should also provide OCE with a description of that work and the expected completion date(s).

Required Corrective Action 3(b): Report to OCE, by June 30, 2013, the status of eligibility screening at clinics not discussed in response to Required Corrective Action 3(a). This report should include, but not be limited to, copies of all intake forms used and a description of the intake and compliance oversight procedures at each clinic or group of clinics. ULS should also report whether any additional work is still needed to ensure applicants are screened at these clinics in accordance with LSC requirements. If additional work is needed, ULS should also provide OCE with a description of that work and the expected completion date(s).

Additional follow-up actions may be required before OCE can close out Required Corrective Action 3(a) and (b), however, this will be determined based on OCE's evaluation of ULS' progress.

OCE understands, as ULS stated in its comments to the DR, that ULS has been providing malpractice or other insurance to some of its third-party clinic partnering organizations. OCE also understands that, over the next few months, ULS plans to discontinue its involvement with 5 (five) of these clinics where ULS believes it would be unfeasible to screen attendees for LSC eligibility. OCE appreciates that ULS would like to provide the organizations running these clinics with time to make arrangements for the maintenance of the clinics without ULS' support, and specifically, to find new insurance.

OCE notes that 45 CFR Part 1610 provides guidance on the permissible use of non-LSC funds and permissible transfers of LSC funds. *See e.g.*, 45 CFR §§ 1610.5 and 1610.8. Under 45 CFR § 1610.8, LSC recipients are also required to have objective integrity and independence from organizations that engage in restricted activity, and this will be found where “[t]he other organization receives no transfer of LSC funds, and LSC funds do not subsidize restricted activity.” Without more information, OCE cannot evaluate whether ULS' continued purchase of this insurance over the next few months poses a risk of non-compliance with 45 CFR Part 1610. As such, OCE also requires the following:

Required Corrective Action 3(c): Certify by letter to OCE, within 20 days of the receipt of this Final Report, that ULS has reviewed the requirements of 45 CFR Part 1610 and has evaluated whether ULS' purchase of insurance for partnering organizations poses any risk of non-compliance with that Part. The letter should include a description of the key facts used in this determination, such as the source of the funds used (LSC or non-LSC), the average monthly cost amount, whether the insurance is used for PAI or non PAI activities, the names of the partnering organizations, whether the relevant partnering organizations do any LSC restricted work and/or have done any restricted work covered by the insurance, and the basis for ULS' determination.

Additional follow-up actions may be required before OCE can close out Required Corrective Action 3(c), however, this will be determined based on OCE's evaluation of the additional information it receives from ULS.

List of Exhibits

Exhibit A – LSC’s Draft Report and Exhibits dated December 20, 2012

Exhibit B – ULS’ Comments to LSC’s Draft Report and Attachment dated January 31, 2013

Exhibit A



DRAFT REPORT
LEGAL SERVICES CORPORATION
Office of Compliance and Enforcement

Utah Legal Services, Inc.
Intake Review
October 23-24, 2012

Recipient No. 745000

I. EXECUTIVE SUMMARY

Finding 1: Interviews and an examination of ULS' automated case management system (ACMS) evidenced that the ACMS is sufficient to ensure that information necessary for the effective management of cases is accurately and timely recorded.

Finding 2: ULS' intake practices and procedures for eligibility screening conducted in person, by telephone, and online substantially support LSC compliance requirements, where only one (1) limited exception was noted for walk-in applicants. ULS' intake procedures for eligibility screening conducted at clinics, however, does not support LSC compliance requirements.

Finding 3: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the income eligibility requirements of 45 CFR § 1611.4 and § 1611.5, CSR Handbook (2008 Ed., as amended 2011), § 5.3, and applicable LSC instructions for applicants whose income exceed 125% of the Federal Poverty Guidelines (FPG). However, interviews evidenced that ULS' income screening at its clinics does not support these requirements.

Finding 4: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the requirement that it maintains asset eligibility documentation as required by 45 CFR §§ 1611.3(c) and (d) and CSR Handbook (2008 Ed., as amended 2011), § 5.4. However, interviews evidenced that ULS' asset screening at its clinics does not support this requirement.

Finding 5: Interviews and limited case review evidenced compliance with the restrictions of 45 CFR Part 1626 (Restrictions on legal assistance to aliens). However, interviews evidenced that ULS' eligibility procedures at its clinics do not support compliance with the documentation requirement of this Part.

Finding 6: Interviews, a review of ULS' board approved priorities, and limited case review evidenced compliance with the requirements of 45 CFR § 1620.4 and § 1620.6(c) (Priorities in use of resources).

II. BACKGROUND OF REVIEW

On October 23-24, 2012, staff of the Legal Services Corporation's (LSC) Office of Compliance and Enforcement (OCE) conducted an Intake Review of Utah Legal Services, Inc. (ULS). The purpose of the review was to assess the program's intake practices and procedures, and to evaluate their compliance with the LSC Act, regulations, the relevant sections of the CSR Handbook (2008 Ed., as amended 2011), and other applicable guidance.

The OCE team conducting the review was comprised of two (2) members: one (1) OCE staff attorney and one (1) temporary employee. During the course of the review, OCE visited ULS' main office located in Salt Lake City, Utah, the location of ULS' Statewide Intake Unit. ULS has three (3) branch offices located in Ogden, Provo, and St. George, Utah. However, close to 100% of ULS' intake is conducted by its Statewide Intake Unit in Salt Lake City.

ULS received grant awards from LSC in the amounts of \$2,292,102 for 2010, \$2,197,482 for 2011, and \$1,875,160 for 2012. In its 2010 and 2011 submissions to LSC, the program reported 6,710 and 6,090 closed cases, respectively. ULS' 2010 and 2011 self-inspection certifications revealed a 2.5% and 5% error rate, respectively, in CSR reporting.

The review team interviewed approximately five (5) members of upper and middle management and 10 ULS staff members. The OCE team also performed mock online intake applications and reviewed 42 case files. Case file review relied upon randomly selected files, which contained a mix of advice, brief service, and extended level service cases. The OCE team also observed, along with staff from LSC's Office of Program Performance and with ULS' permission, one (1) of ULS' clinics.¹

By letter dated September 5, 2012, OCE requested that ULS provide copies of its intake procedures, board approved eligibility guidelines and priorities, and a number of other documents providing information relating to ULS' intake practices. ULS was also advised that OCE would seek access to a limited number of case files consistent with Section 509(h), Pub.L. 104-134, 110 Stat. 1321 (1996), LSC Grant Assurance Nos. 10, 11, and 12, and the LSC *Access to Records* protocol (January 5, 2004). ULS was requested to notify OCE promptly, in writing, if it believed that providing the requested material in the specified format would violate the attorney-client privilege or would be otherwise protected from disclosure.

During the visit, access to case-related information was provided through staff intermediaries. Pursuant to the OCE and ULS agreement of September 26, 2012, ULS staff maintained possession of the files and discussed with the team the nature of the client's legal problem and the nature of the legal assistance rendered. In order to maintain confidentiality, in some instances, discussions were limited to the general nature of the problem and the nature of the assistance provided.²

¹ The team member did not participate in any discussion in which client confidences were disclosed.

² In those instances where it was evident that the nature of the problem and/or the nature of the assistance provided had been disclosed to an unprivileged third party, such discussion was more detailed, as necessary to assess compliance.

ULS' management and staff cooperated fully in the course of the review process. As discussed more fully below, ULS was made aware of compliance issues during the onsite visit. This was accomplished by informing intermediaries, as well as ULS' Executive Director and Deputy Directors, of any compliance issues uncovered during interviews and case review.

On October 24, 2012, OCE conducted an exit conference during which ULS was provided with OCE's initial findings and was made aware of the areas in which compliance issues were found. OCE noted that ULS' walk-in, telephone, and online intake practices and procedures substantially support LSC requirements. The limited exceptions to this finding are described in detail below, and ULS is currently working to address them. OCE noted, however, that ULS' eligibility screening procedures and the manner in which ULS is reporting legal assistance provided to applicants at its offsite clinics, is not sufficient to support LSC reporting or eligibility screening requirements. The program was very receptive to OCE's preliminary findings and recommendations.

III. FINDINGS

Finding 1: Interviews and an examination of ULS' automated case management system (ACMS) evidenced that the ACMS is sufficient to ensure that information necessary for the effective management of cases is accurately and timely recorded.

Recipients are required to utilize an ACMS and procedures which will ensure that information necessary for the effective management of cases is accurately and timely recorded in a case management system. At a minimum, such systems and procedures must ensure that management has timely access to accurate information on cases and the capacity to meet funding source reporting requirements. *See* CSR Handbook (2008 Ed., as amended 2011), § 3.1.

Since 2001, ULS has utilized the 2000 Sequel version of Kemps Case Works for Windows (Kemps) as its ACMS. Based on interviews with one (1) of ULS' Deputy Directors who is responsible for ACMS administration and running ULS' CSR reports and five (5) intake specialists, as well as an evaluation of ULS' Kemps system, the information yielded by the ACMS is sufficient to ensure that information necessary for the effective management of cases is accurately and timely recorded. A test of ULS' ability to recreate its 2010 and 2011 CSR numbers also evidenced the ability to recreate reliable CSR reporting numbers. The ACMS was also assessed for defaults in fields that are critical to the determination of eligibility.³ No defaults in fields critical to eligibility determination were identified.

Due to the limited nature of the review, an extensive comparison of case file information to that on automated case lists was not conducted.⁴ Limited case review conducted on-site, however,

³ Pursuant to Program Letter 02-6 and the CSR Handbook (2008 Ed., as amended 2011), § 3.6, a program's ACMS is prohibited from having a default in income, assets, number in household, citizenship/eligible alien status, and LSC-eligibility, to definitively demonstrate that an inquiry was made with respect to those eligibility-dependent fields.

⁴ Case lists were not requested in advance of the review as case review was a secondary priority to the assessment of intake processes and procedures. The limited case review was conducted from a random sample pulled on-site.

did not evidence inconsistencies between information contained in the case files and that contained in ULS' ACMS.

It should be noted that ULS has made a number of beneficial modifications to Kemps, including a timekeeping feature, improved reporting features, electronic document storage, and compliance error features. These modifications were intended to increase the accuracy of the information ULS reports to LSC. For example, at the time of the review, ULS required that each extended service case file contain a completed written Client Information Sheet (CIS) with a signed citizenship attestation. If a user indicated that a client had completed a CIS, but one was not attached to the electronic file, the system flagged it and the user had to determine whether there was a data entry or compliance error before closing the case. The series of possible errors programmed into the ACMS is extensive, and staff cannot make a determination of LSC reportability without completing the required duplicate and error checks.

There are no recommendations or corrective actions required.

Finding 2: ULS' intake practices and procedures for eligibility screening conducted in person, by telephone, and online substantially support LSC compliance requirements, where only one (1) limited exception was noted for walk-in applicants. ULS' intake procedures for eligibility screening conducted at clinics, however, does not support LSC compliance requirements.

Since 1996, ULS has operated a centralized Statewide Intake Unit (SIU) from its Salt Lake City Office. The vast majority (*i.e.*, 99%) of ULS' intake is done by staff in the SIU. Approximately 93% of ULS' intake is conducted by telephone, 5% to 6% is conducted through ULS' online application system, and a limited number of walk-in intakes are conducted. Currently, ULS documents the work done at its offsite clinics as "matters" under 45 CFR § 1620.2(b), however, it conducts some level of eligibility screening of most clinic applicants.

During OCE's review, the SIU's practices and procedures were assessed by interviewing ULS' Executive Director, two (2) Deputy Directors, SIU's Managing Attorney, and five (5) intake specialists. Advocates within, and heads of, ULS' statewide substantive task forces and specialty units were also interviewed. The interviews revealed that intake procedures performed by ULS' intake staff support the program's compliance requirements for in-person, telephone, and online intake, but not for intake at ULS' clinics. The limited sampled case files reviewed also indicated that eligibility-related information collected during intake is sufficiently documented in case files.

OCE and LSC's Office of Legal Affairs (OLA) also reviewed ULS' Financial Eligibility Guidelines in advance of the visit and found them to be compliant with LSC requirements. OCE and OLA, however, recommended that ULS clarify and/or add to sections relating to the scope of the policy, authorized exceptions to LSC allowable income ceilings, and group eligibility screening. ULS was very receptive to the recommendations, revised its policy accordingly, and on November 27, 2012, ULS' board of directors approved and adopted the revised policy.

OCE's assessment of ULS' walk-in, telephone, online, and clinic intake practices and procedures, and a description of ULS' case acceptance, management, and oversight procedures are detailed below.

Intake Practices and Procedures - Eligibility Screening

Walk-in (or In-Person) Intake Procedures

Walk-in applicants who, for example, do not otherwise have access to a telephone or computer, may apply for ULS' services using a telephone or computer station within ULS offices. As such, these applicants are screened for eligibility in accordance with either the telephone or online intake practices and procedures detailed below.

Interviews, however, indicated that ULS does not obtain citizenship attestations or verify eligible alien status for applicants applying by telephone or online from the Salt Lake City Office's reception area as required by Advisory Opinion # AO-2009-1002. See OLA Advisory Opinion # AO-2009-1002, available at <http://www.lsc.gov/about/office-legal-affairs-external-opinions>. The OCE team discussed this finding with ULS management at the exit conference on October 24, 2012. ULS was aware that it was required to obtain citizenship attestations from all walk-in applicants, and asserted that it does so in its other offices. However, ULS did not believe this requirement applied to walk-in applicants who speak only to the shared receptionist for the building in which their Salt Lake City office is housed. Nonetheless, ULS now requires that all walk-in applicants to the Salt Lake City office complete a citizenship attestation or provide the necessary documentation to support their eligible alien status.

Telephone Intake Procedures

As stated above, approximately 93% of ULS' intake is conducted by telephone and handled by staff in ULS' SIU in Salt Lake City. ULS' toll-free intake line is open Monday through Friday from 9:00am to 2:00pm. When an applicant phones ULS' SIU, they are directed to one (1) of four (4) intake queues: English; Spanish; online and seniors; or Pidgin (*i.e.*, an instant messaging program). ULS also has a separate toll-free number for the non-LSC funded ULS Senior Citizen's Legal Helpline.⁵

Calls are routed in the order they are received to intake staff who conduct eligibility screening, reject applicants who do not qualify, and connect eligible applicants to designated attorneys within the relevant subject matter task force. Until approximately one (1) month before OCE's visit, intake staff conducted eligibility screening by following ULS' Statewide Intake Scripts and Kemps fields. A review of ULS' Statewide Intake Scripts indicated they were sufficiently detailed to meet LSC compliance requirements.

At the time of the review, however, intake staff was using an automated intake script within an Access 2 Justice (A2J) guided interview program. A2J interviews allow a user to be guided

⁵ The senior helpline is open to residents of Utah who are 60 years or older and have a legal problem in Utah. There are no financial eligibility limits for the senior helpline and seniors are not required by the funding source to provide financial eligibility information.

though a computerized interview by a computer-created avatar. The program is based on branch logic, meaning that each question posed depends upon previous answers. Interviews indicated that intake staff ask the interview questions verbatim. A review of the A2J automated script, and interviews with the SIU's Managing Attorney and five (5) intake specialists indicated that the questions asked were sufficiently detailed to support LSC compliance requirements.

Applicants who are ineligible for ULS' services are so advised and referred to another legal assistance provider or resource if appropriate. If the applicant appears eligible for services, intake staff collects additional information regarding the applicant's legal problem, and transfers all information collected from the A2J guided interview program into Kemps.

Although OCE found ULS' telephone intake system to support LSC requirements, OCE notes the following relating to ULS' telephone screening practices:

- *"Deeming" Income:* ULS' A2J interview requires inquiry into five (5) specific income sources and an additional inquiry is made to identify "other" income sources. Intake staff is required to ask applicants who state they have no income, an additional set of questions designed to determine how the applicant's living expenses are being paid. If, after additional questioning, the applicant still appears to have no income, and the applicant has not been recently terminated from a public benefit, applied for a public benefit, or left a spouse and is seeking assistance with alimony or support and a divorce, intake staff "deems" \$225.00 per month in income to the applicant's household.

OCE informed ULS at the exit conference that LSC does not require recipients "deem" income to applicants who, after a reasonable inquiry, are determined not to have any income. ULS was receptive to OCE's comments and has since decided to abandon this practice.

- *Authorized Exceptions to Income Ceilings:* ULS has adopted authorized exceptions to its annual income ceilings as allowed under 45 CFR § 1611.5. In practice, however, ULS is not screening all applicants who could qualify for LSC-funded services under these authorized exceptions. Instead, ULS is choosing to fund the services provided to such clients with non-LSC funds and is not reporting these cases to LSC.

As such, OCE informed ULS that it is likely under-reporting cases for clients whose income is between 125-200% of the Federal Poverty Guidelines (FPG). See CSR Handbook (2008 Ed., as amended 2011), § 2.1 ("Cases that meet LSC eligibility criteria should be reported in the CSR irrespective of funding source.") ULS was receptive to OCE's comments, has revised its over-income approval form, and now requires intake staff to screen all applicants for LSC's authorized over income exceptions so it can report cases for those clients to LSC.

- *Reasonable Inquiry Regarding Income Prospects:* Recipients are required to make reasonable inquiry into each applicant's income prospects, pursuant to the requirements of 45 CFR § 1611.7(a). ULS' ACMS does not contain a specific "prospective income" field. Interviews and a review of ULS' eligibility scripts used by intake staff before they

used the A2J guided interview programs evidenced that staff was required to ask applicants whether they anticipate any significant changes in income over the next 12 months, and to document the answer in the case notes field. The A2J guided interview does not include this question. Instead, when staff inquires about different sources of income, they ask the applicant the following: "For these questions, please consider the next 12 months and let me know about any substantial changes that may occur (such as children turning 18, seasonal work, etc.)."

OCE finds this manner of inquiry about prospective income to be reasonable, compliant with 45 CFR § 1611.7(a), and consistent with LSC's OLA Advisory Opinion # AO-2009-1006.

- *Group Clients:* Although ULS' Financial Eligibility Guidelines allow ULS to provide legal assistance to groups in accordance with LSC regulations, interviews indicated that ULS does not, in practice, accept group clients. However, in the exit conference, OCE recommended that ULS implement procedures for intake staff to follow when screening potential group applicants. OCE also provided ULS with a sample Group Eligibility Worksheet which provides guidance on the type of information LSC-recipients should collect in order to effectively screen group applicants. In response to OCE's recommendation, ULS has created and implemented its own Group Eligibility Form, which it provided to OCE by email on December 6, 2012. A review of the form indicates it meets LSC requirements.

Online Intake Procedures

ULS also uses an A2J guided interview program to screen online applicants. Applicants can access ULS' online application from the first page of ULS' website. See ULS' Website, available at <http://www.utahlegalservices.org/>. After clicking on the link to "Apply for Help Online Now," the applicant is led to a page with a set of instructions and guidance for the online application process. The instructions provide, among other things, that "[a]t the end of the interview, if it appears that you have the type of problem we can help with and it appears that you financially qualify for our services, you will then need to talk to one of our intake workers, who will verify that we may indeed help you." See Online Eligibility Screening Welcome Page, attached as Exhibit 1.

After reading the instruction page, applicants may click on the link to "Begin Online Interview." The applicant is then lead though a series of detailed questions by a virtual avatar named Ayla about a series of items, including the following:

- The number of members of the applicant's household;⁶
- Gross income for each member of the household, considering the next 12 months and any substantial changes that may occur, including: disability benefits, income from unemployment, employment or self-employment, general assistance, alimony or child

⁶ The definition of household is explained in simple terms to the applicant.

support, veterans benefits, worker's compensation, SSI/SSDI, social security, pension, investments, and other income;

- Assets of all members in the household including: the value of all personal items such as TV's, computers, sofas, clothing, beds, etc., cash and money in bank or credit union accounts, a second home or other real estate, vehicles, cars, trucks or motorcycles, money in stocks, bonds and certificates of deposit, work-related tools, and any interest in a business;
- Whether the applicant has already applied for legal assistance from ULS, and if so, within how much time, and whether the applicant is already a client;
- Whether the applicant needs help with a criminal matter or traffic tickets, is currently in prison, or already has a lawyer for their legal issue;
- Whether the applicant is a citizen, a permanent legal resident (and if so, asks the applicant to provide their ID number), or neither;
- Whether the applicant's legal problem is due to domestic violence or trafficking;
- Whether the applicant has a hearing date approaching; and
- The applicant's legal problem type.

The interview takes approximately 10 to 15 minutes to complete, depending on the answers provided. The questions that follow each specific answer vary depending on the applicant's previous answer. For example, if an applicant indicates they own a car, Ayla will ask a series of questions designed to identify the equity value of any cars that do not fall under ULS' exception for one (1) vehicle per driver in the household used primarily for transportation and not used for recreational purposes. An applicant also has the opportunity to ask for additional information or guidance about any question posed and to revise any answer previously provided.

Approximately seven (7) mock attempts to apply for ULS' services online using various income and asset scenarios, citizenship and alien statuses, and legal types indicated that the A2J system accurately makes initial determinations as to whether an applicant may qualify for ULS' legal services. Specifically, the program successfully identified the mock applicant as one that, based on the information provided online, was not eligible for services where the applicant's income or asset level was over ULS' guidelines, the applicant was not a US citizen, could not provide an alien ID number and who was not a victim of domestic violence, or who had a legal problem outside of ULS' priorities.

Those applicants who complete the entire A2J guided interview without being informed that, based on information they provided, they do not appear to be eligible for ULS' services, are invited to submit their applicant for review. They are also instructed to contact intake staff by phone or online chat to complete their application. *See Online Eligibility Screening Final Page, attached as Exhibit 2.*

Interviews evidenced that the questions ULS' intake staff ask applicants after they have submitted an online application are sufficiently detailed to ensure that a "reasonable inquiry" has been made of each applicant, as required under 45 CFR § 1611.7(a)(1). Interviews indicated that

approximately 85% of online applicants deemed likely to be eligible by the A2J guided interview program are also found to be eligible after staff has had the opportunity to speak with them. Intake staff reports that most of the online applicants' errors occur when answering questions about household numbers, income and asset figures, and their legal problem type.

Clinic Intake Procedures

In evaluating ULS' clinic intake practices and procedures, the OCE team interviewed two (2) staff members who coordinate or participate in ULS clinics, ULS' Executive Director, and one (1) of ULS' Deputy Directors. On the evening of October 23, 2012, an OCE team member also observed, along with staff from LSC's Office of Program Performance (OPP) and with ULS' permission, one (1) ULS "street law" clinic.⁷

Interviews indicated that, before 2012, ULS found that a significant number of its clinic cases were not reportable to LSC due to incomplete eligibility screening and compliance-related documentation. Those clinic services for which the documentation did not meet LSC requirements, were documented as "matters" under 45 CFR § 1620.2(b). In 2012, ULS decided to document all of the work done at its offsite clinics as "matters." Notwithstanding this designation, interviews indicated that applicants for most of ULS' clinics are asked to provide some information regarding their income and assets and many, but not all, are asked to sign citizenship attestations or to provide documentation showing their alien eligibility. *See e.g.*, Sample ULS Clinic Intake Forms, attached as Exhibit 3.

Interviews also indicated that the type of legal assistance provided at clinics varies significantly by clinic and ranges from legal information to brief services. As such, the program's characterization of all legal services provided at these clinics as "matters" is incorrect. *See* 45 CFR § 1620.2(b) ("A matter is an action which contributes to the overall delivery of program services but does not involve direct legal advice or legal representation of one of more specific clients."), and CSR Handbook (2008 Ed., as amended 2011), §§ 2.1–2.3.

Interviews with ULS management also indicated that, due to the bottom-up manner by which ULS' clinic program has developed, ULS could not, at the time of the review, provide a complete list of all clinics it runs, participates in, or supports (financially or otherwise). ULS has allowed advocates, on their own initiative, to find opportunities to support (through partnerships or other collaborative efforts) legal clinics in Utah that serve ULS' target population. Advocates appear to have been successful in doing so and, as such, ULS supports a number of clinics across the state to varying degrees. However, ULS does not appear to have kept a centralized list of the clinics its staff supports or evaluated the compliance requirements that may apply to each clinic, partnership, or level and manner of support.

OCE staff informed ULS management during the visit that it must ensure that the services it provides at the clinics it supports are done so in accordance with the applicable LSC regulations and guidelines, including, but not limited to 45 CFR Part 1611, 45 CFR Part 1626, and the CSR Handbook (2008 Ed., as amended 2011). OCE recommended that ULS first identify, among other things: all clinics ULS leads, participates in, or supports; how that involvement is

⁷ The team member did not participate in any discussion in which client confidences were disclosed.

financially supported; what level of services are provided at each clinic; and the third-party entities ULS may be partnering with or supporting through its clinic work. It was also recommended that ULS then determine for which clinics eligibility screening is required and implement practices and procedures in accordance with this determination that will ensure compliance with LSC requirements.

Case Acceptance Procedures

As explained above, if ULS' intake staff determines an applicant is eligible for ULS' services, they will transfer the applicant into a queue to speak with an advocate within the relevant substantive task force or specialty unit. After ascertaining sufficient information to identify the applicant's legal problem, the advocate will determine whether ULS will accept the applicant for services in accordance with the applicable case acceptance criteria.

Case acceptance criteria are developed by the statewide task forces (Domestic, Housing, Public Benefits and Consumer/Seniors) and specialty units (Migrant and Native American). The task forces and specialized units also develop their own criteria and procedures for agreeing to provide a client with extended service representation after they have already been accepted and provided with advice or brief services. Some task forces hold weekly meetings to discuss potential extended service cases, but others have a less formal process where advocates directly seek approval from the task force chair before informing a client they will receive extended representation.

At the time of OCE's review, ULS required that any client accepted for extended representation by any of the task forces or specialty units first complete a Client Information Sheet (CIS). The CIS asks for information relating to, among other things, the client's household size, income, assets, and contains a LSC-compliant citizenship attestation. If the client is not a citizen, the CIS contains a declaration stating "I declare that I am a LEGAL IMMIGRANT in the United States OR I am a NON-CITIZEN of the United States (if you are a legal immigrant, we must have copies of your immigration papers)" and a field for applicants to provide their alien number. *See* Client Information Sheet, attached as Exhibit 4. The form did not, however, contain a question about prospective income.

At the exit conference, ULS was informed that LSC only requires that applicants are effectively screened one (1) time, unless either a significant amount of time has passed between screening and acceptance, ULS has reason to doubt the veracity of the information provided by the client, ULS has reason to believe the client's eligibility status has changed, or there is some other reason to believe the client should be re-screened. *See e.g.*, 45 CFR §§ 1611.2(i), 1611.7(c), and 1611.8.

ULS has informed OCE that it no longer requires accepted clients who, as applicants, were screened for eligibility in accordance with ULS' intake practices and procedures, to complete a CIS before they receive extended level services. These clients are instead now required to complete a "Citizenship Attestation" form. OCE has reviewed this form and finds it to be compliant with LSC requirements. *See* Citizenship Attestation, attached as Exhibit 5. ULS has also revised the CIS to include a question on prospective income so that staff has a tool to

conduct eligibility screening by using a comprehensive paper form when it may be warranted. *See* New Client Information Sheet, attached as Exhibit 6.

Case Management and Oversight Procedures

Each of ULS' substantive task forces and specialty units has their own procedures for case management and oversight. Interviews with four (4) substantive task force and specialty unit leaders, two (2) Managing Attorneys, three (3) staff attorneys, and five (5) intake specialists confirmed that ULS has case management and oversight procedures in place that vary in formality and application. Considering the limited scope of the review, the OCE team did not review a large enough number of cases to determine the sufficiency of these oversight procedures. The limited case review conducted, however, indicated sufficient case oversight.

The OCE team evaluated the oversight procedures of the SIU in detail and found it sufficient to support LSC compliance requirements. The SIU's Managing Attorney is responsible for training and daily oversight of eligibility screening and has implemented the following measures to ensure the quality and accuracy of ULS' intake process:

- The SIU is located in one large room where all SIU staff, including the Managing Attorney, sit in cubicles, making the Managing Attorney readily available to answer questions as they arise during intake hours;
- The Managing Attorney has implemented a peer review system, where each day intake staff are scheduled to review another intake staff member's intakes from the previous day;
- The Managing Attorney reviews intakes on a random basis and reviews every intake conducted by new staff members; and
- The SIU holds daily 8:30am meetings where staff can raise concerns or questions, peer review findings are discussed, and where the Managing Attorney introduces any new compliance requirements or procedures.

Finding 3: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the income eligibility requirements of 45 CFR § 1611.4 and § 1611.5, CSR Handbook (2008 Ed., as amended 2011), § 5.3, and applicable LSC instructions for applicants whose income exceed 125% of the Federal Poverty Guidelines (FPG). However, interviews evidenced that ULS' income screening at its clinics does not support these requirements.

Recipients may provide legal assistance supported with LSC funds only to individuals whom the recipient has determined to be financially eligible for such assistance. *See* 45 CFR § 1611.4(a). Specifically, recipients must establish financial eligibility policies, including annual income ceilings for individuals and households, and record the number of members in the applicant's household and the total income before taxes received by all members of such household in order

to determine an applicant's eligibility to receive legal assistance.⁸ See 45 CFR § 1611.3(c)(1) and CSR Handbook (2008 Ed., as amended 2011), § 5.3. For each case reported to LSC, recipients shall document that a determination of client eligibility was made in accordance with LSC requirements. See CSR Handbook (2008 Ed., as amended 2011), § 5.2.

In those instances in which the applicant's household income before taxes is in excess of 125% but no more than 200% of the applicable FPGs and the recipient provides legal assistance based on exceptions authorized under 45 CFR § 1611.5(a)(3) and 45 CFR § 1611.5(a)(4), the recipient shall keep such records as may be necessary to inform LSC of the specific facts and factors relied on to make such a determination. See 45 CFR § 1611.5(b) and CSR Handbook (2008 Ed., as amended 2011), § 5.3.

For CSR purposes, individuals financially ineligible for assistance under the LSC Act may not be regarded as recipient "clients" and any assistance provided should not be reported to LSC. In addition, recipients should not report cases lacking documentation of an income eligibility determination to LSC. However, recipients should report all cases in which there has been an income eligibility determination showing that the client meets LSC eligibility requirements, regardless of the source(s) of funding supporting the cases, if otherwise eligible and properly documented. See CSR Handbook (2008 Ed., as amended 2011), § 4.3.

Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the income eligibility requirements of 45 CFR § 1611.4 and § 1611.5, CSR Handbook (2008 Ed., as amended 2011), § 5.3, and applicable LSC instructions for applicants whose income exceed 125% of the FPGs. As discussed above, however, interviews evidenced that ULS' income screening at its clinics does not support LSC requirements. A detailed evaluation of ULS' income screening practices and procedures, and any corresponding recommendations and required corrective actions, are provided above under Finding 2 of this report.

Finding 4: Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the requirement that it maintains asset eligibility documentation as required by 45 CFR §§ 1611.3(c) and (d) and CSR Handbook (2008 Ed., as amended 2011), § 5.4. However, interviews evidenced that ULS' asset screening at its clinics does not support this requirement.

As part of its financial eligibility policies, recipients are required to establish reasonable asset ceilings in order to determine an applicant's eligibility to receive legal assistance. See 45 CFR § 1611.3(d)(1). For each case reported to LSC, recipients must document the total value of assets except for categories of assets excluded from consideration pursuant to its Board-adopted asset eligibility policies.⁹ See CSR Handbook (2008 Ed., as amended 2011), § 5.4.

⁸ A numerical amount must be recorded, even if it is zero. See CSR Handbook (2008 Ed., as amended 2011), § 5.3.

⁹ A numerical total value must be recorded, even if it is zero or below the recipient's guidelines. See CSR Handbook (2008 Ed., as amended 2011), § 5.4.

In the event that a recipient authorizes a waiver of the asset ceiling due to the unusual circumstances of a specific applicant, the recipient shall keep such records as may be necessary to inform LSC of the reasons relied on to authorize the waiver. *See* 45 CFR § 1611.3(d)(2).

The revisions to 45 CFR Part 1611 changed the language regarding assets from requiring the recipient's governing body to establish, "specific and reasonable asset ceilings, including both liquid and non-liquid assets," to "reasonable asset ceilings for individuals and households." *See* 45 CFR § 1611.6 in prior version of the regulation and 45 CFR § 1611.3(d)(1) of the revised regulation. Both versions allow the policy to provide for authority to waive the asset ceilings in unusual or meritorious circumstances. The older version of the regulation allowed such a waiver only at the discretion of the Executive Director. The revised version allows the Executive Director or his/her designee to waive the ceilings in such circumstances. *See* 45 CFR § 1611.6(e) in prior version of the regulation and 45 CFR § 1611.3(d)(2) in the revised version. Both versions require that such exceptions be documented and included in the client's files.

Interviews, a review of ULS' eligibility policy, and limited case review evidenced compliance with the requirement that it maintain asset eligibility documentation as required by 45 CFR §§ 1611.3(c) and (d) and CSR Handbook (2008 Ed., as amended 2011), § 5.4. As discussed above, however, interviews evidenced that ULS' asset screening at its clinics does not support LSC requirements. A detailed evaluation of ULS' asset screening practices and procedures, and any corresponding recommendations and required corrective actions, are provided above under Finding 2 of this report.

Finding 5: Interviews and limited case review evidenced compliance with the restrictions of 45 CFR Part 1626 (Restrictions on legal assistance to aliens). However, interviews evidenced that ULS' eligibility procedures at its clinics do not support compliance with the documentation requirement of this Part.

The level of documentation necessary to evidence citizenship or alien eligibility depends on the nature of the services provided. With the exception of brief advice or consultation by telephone, which does not involve continuous representation, LSC regulations require that all applicants for legal assistance who claim to be citizens execute a written attestation. *See* 45 CFR § 1626.6. Aliens seeking representation are required to submit documentation verifying their eligibility. *See* 45 CFR § 1626.7. In those instances involving brief advice and consultation by telephone, which does not involve continuous representation, LSC has instructed recipients that the documentation of citizenship/alien eligibility must include a written notation or computer entry that reflects the applicant's oral response to the recipient's inquiry regarding citizenship/alien eligibility. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.5; *See also*, LSC Program Letter 99-3 (July 14, 1999). In the absence of the foregoing documentation, assistance rendered may not be reported to LSC. *See* CSR Handbook (2008 Ed., as amended 2011), § 5.5.

Prior to 2006, recipients were permitted to provide non-LSC funded legal assistance to an alien who had been battered or subjected to extreme cruelty in the United States by a spouse or parent, or by a member of the spouse's or parent's family residing in the same household, or an alien

whose child had been battered or subjected to such cruelty.¹⁰ Although non-LSC funded legal assistance was permitted, such cases could not be included in the recipient's CSR data submission. In January 2006, the Kennedy Amendment was expanded and LSC issued Program Letter 06-2, "Violence Against Women Act 2006 Amendment" (February 21, 2006), which instructs recipients that they may use LSC funds to provide legal assistance to ineligible aliens, or their children, who have been battered, subjected to extreme cruelty, is the victims of sexual assault or trafficking, or who qualify for a "U" visa. LSC recipients are now allowed to include these cases in their CSRs.

Interviews and limited case review evidenced compliance with the restrictions of 45 CFR Part 1626 (Restrictions on legal assistance to aliens). However, interviews evidenced that ULS' eligibility procedures at its clinics do not support compliance with the documentation requirements of 45 CFR § 1626.6. A detailed evaluation of ULS' citizenship screening practices and procedures, and any corresponding recommendations and required corrective actions, are provided above under Finding 2 of this report.

Finding 6: Interviews, a review of ULS' board approved priorities, and limited case review evidenced compliance with the requirements of 45 CFR § 1620.4 and § 1620.6(c) (Priorities in use of resources).

LSC regulations require that recipients adopt a written statement of priorities that determines the cases which may be undertaken by the recipient, regardless of the funding source. *See* 45 CFR § 1620.3(a). Except in an emergency, recipients may not undertake cases outside its priorities. *See* 45 CFR § 1620.6.

Interviews, a review of ULS' board approved priorities, and limited case review indicated compliance with these requirements. There are no recommendations or corrective actions required.

¹⁰ *See* Kennedy Amendment at 45 CFR § 1626.4.

IV. RECOMMENDATIONS¹¹

Consistent with the findings of this report, it is recommended that ULS:

1. Clarify and/or add to sections of its financial eligibility policy relating to the scope of the policy, authorized exceptions to LSC allowable income ceilings, and group eligibility screening.

LSC notes that, since OCE's review, ULS has revised its policy accordingly, and on November 27, 2012, ULS' board of directors approved and adopted the revised policy.

2. Implement procedures for intake staff to screen group applicants as allowed under ULS' board-approved eligibility policy.

LSC notes that ULS informed LSC by email on December 6, 2012, that it created and implemented the use of a Group Eligibility Form to assist intake staff in screening potential group applicants. A review of the form indicates it supports LSC requirements. *See Group Eligibility Form, attached as Exhibit 7.*

¹¹ Items appearing in the "Recommendations" section are not enforced by LSC and therefore the program is not required to take any of the actions or suggestions listed in this section. Recommendations are offered when useful suggestions or actions are identified that, in OCE's experience, could help the program with topics addressed in the report. Often recommendations address potential issues and may assist a program to avoid future compliance errors.

By contrast, the items listed in "Required Corrective Actions" must be addressed by the program, and will be enforced by LSC.

V. REQUIRED CORRECTIVE ACTIONS

Consistent with the findings of this report, ULS is required to take the following corrective actions:

1. Ensure it screens applicants whose income is between 125-200% of the FPGs for LSC-allowable exceptions and reports the services provided to those clients to LSC in accordance with CSR Handbook (2008 Ed., as amended 2011), § 2.1 (“Cases that meet LSC eligibility criteria should be reported in the CSR irrespective of funding source.”)

LSC notes that ULS informed LSC at the exit conference that it would now require intake staff to screen all applicants for LSC-allowable exceptions. On November 13, 2012, ULS provided LSC a form, which it plans to implement to document facts supporting LSC-allowable over-income exceptions and the approval process. *See* Financial Eligibility Exceptions Form, attached as Exhibit 8. LSC informed ULS that the form appeared to support LSC requirements.

ULS, in its comments to the Draft Report, should indicate the date on which use of this form was initiated.

2. Obtain citizenship attestations or verify eligible alien status for applicants applying by telephone or online from the Salt Lake City office’s reception as required by LSC Advisory Opinion # AO-2009-1002.

LSC notes that ULS now requires that all walk-in applicants to the Salt Lake City office complete a citizenship attestation or provide the necessary documentation to support their eligible alien status.

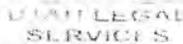
3. Ensure the services it provides at its clinics are done so in accordance with the applicable LSC regulations and guidelines, including, but not limited to 45 CFR Part 1611, 45 CFR Part 1626, and the CSR Handbook (2008 Ed., as amended 2011). As a part of this required corrective action, it is recommended that ULS identify, among other things: all clinics ULS leads, participates in, or supports; how that involvement is financially supported; what level of services are provided at each clinic; and identify the third-party entities ULS may be partnering with or supporting through its clinic work. It is also recommended that ULS then determine for which clinics eligibility screening is required and implement practices and procedures in accordance with this determination that will ensure compliance with LSC requirements.

LSC requires ULS to provide an update on its progress in implementing this required corrective action in its comments to this draft report.

List of Exhibits

- Exhibit 1 - Online Eligibility Screening First Page
- Exhibit 2 - Online Eligibility Screening Final Page
- Exhibit 3 - Sample ULS Clinic Intake Forms
- Exhibit 4 - Client Information Sheet
- Exhibit 5 - New Citizenship Attestation Form
- Exhibit 6 - New Client Information Sheet
- Exhibit 7 - New Group Eligibility Form
- Exhibit 8 - New Financial Eligibility Exceptions Form

Exhibit 1



UTAH LEGAL
SERVICES

Online Eligibility Screening

[If you have already completed the online interview, click here.](#)

The Online Eligibility Screening allows you to determine whether you financially qualify for Utah Legal Services (ULS). This is a secure site. Any information transmitted over this site is secure and confidential. However, if you are using a public computer or any computer that does not belong to you, remember to completely close out of the internet browser when you are finished. **If you don't, you might accidentally share your personal information with someone else.**

You must have an email address to use this service.

[See information about free email accounts here.](#)

Before we take you to the actual interview, let's explain the process. The screening process consists of potentially 3 steps and may take up to an hour to complete as follows:

1. You must **complete an online interview** that will ask you questions mainly about the type of problem you have, your gross monthly household income and assets. If you do not have that information for all members of your household, please gather it and then return. **This interview is available 24/7.** Unfortunately, it is currently only available in English. Also, Adobe Flash Player is required. If you do not have Adobe Flash Player installed on your computer, download it [here](#). This interview will probably take anywhere from *10 - 20 minutes* to complete.
2. At the end of the interview, if it appears that you have the type of problem we can help with and it appears that you financially qualify for our services, you will then need to **talk to one of our intake workers**, who will verify that we may indeed help you. You will have the option of talking to us by phone or by online chat. However, the option of online chat is currently only available in English. We can handle other languages on the phone via our translator service. This step is only available Monday thru Friday, from 9:00 am until 2:00 pm and will probably take somewhere between *10 - 20 minutes* to complete. However, if you complete the interview outside of those times, you may have the opportunity to make an appointment during those times for our office to call you to complete the process or you may fill out the interview and then either call us or return to chat with an intake worker during those times.
3. Finally, if the intake worker verifies that you may qualify for our services, you will be able to **talk to an advocate**. Generally, this will occur at the same time that you are talking to the intake worker in that you will be directly transferred to an attorney or experienced paralegal. This step will take somewhere between *15 and 30 minutes* to complete.



Adobe Flash Player required!

If you have already completed the online interview, [click here.](#)

If you scheduled an appointment for us to call you back and need to cancel it, [click here.](#)

Exhibit 2



Online Eligibility Screening

Thank you for submitting an online application for services. To complete the application, you must talk to our intake workers. Please follow the instructions below:

If you have not yet completed the online interview, please click here.

If it is currently Monday through Friday between 9:00 am and 2:00 pm, please choose one of the following options:

Chat Online
(English Only)

Talk by Phone
1-800-662-1563
(Utah phone numbers ONLY)

To Chat, click on picture above.
If it shows offline between 9 and 2, it may be a holiday or our office may be closed or the online chat queue may be full.
Please try again later. Sorry for any inconvenience.

This number gives you priority status.
But, tell the intake worker you have completed the online interview.

If it is NOT currently Monday through Friday between 9:00 am and 2:00 pm, you may do one of the following:

1. *Chat online* with an intake worker by coming back to this page anytime, Monday through Friday, between 9:00 am and 2:00 pm and clicking on the "Chat Online" button above;
2. *Call the above number (1-800-662-1563)* Monday through Friday, between 9:00 am and 2:00 pm to get priority status (Utah phone numbers ONLY);
3. *Schedule an Appointment.* You may schedule an appointment below. **Note:** The scheduled time is for Utah (currently Mountain Daylight Time);

If you need to cancel a scheduled appointment, click here.

Pick a date -- Select a Date --

Exhibit 3



UTAH LEGAL SERVICES

CLIENT INFORMATION SHEET

NAME		OTHER NAMES USED			
ADDRESS					
CITY	STATE	ZIP	GENDER F M		
HOME PHONE	WORK PHONE		OTHER PHONE		
SOCIAL SECURITY #	BIRTH DATE		RACE	MARITAL STATUS	

<input type="checkbox"/> I declare that I am a <u>CITIZEN</u> of the United States.	OR	<input type="checkbox"/> I declare that I am a <u>LEGAL IMMIGRANT</u> in the United States OR I am a <u>NON-CITIZEN</u> of the United States (if you are a legal immigrant, we must have copies of your immigration papers).
<input type="checkbox"/> SIGNATURE: _____ DATE: _____		<input type="checkbox"/> SIGNATURE: _____ DATE: _____ Alien #: _____

INCOME AND ASSET INFORMATION: Please list all income and assets for each person in your household. "Household" means those who live with you (or from whom you are separated temporarily for economic reasons but intend to live with long term) and who are related to you by blood or by law as relatives for whom you have legal responsibility. If you need space for more than 3 people, please use the back of this form.

NUMBER OF ADULTS (18+) IN MY HOUSEHOLD: NUMBER OF CHILDREN IN MY HOUSEHOLD:

PERSONAL, INCOME AND ASSET INFORMATION	YOU (REQUIRED)	PERSON #2	PERSON #3
NAME - you must name all other household members who have income or assets	(as above)		
RELATIONSHIP TO YOU	(as above)		
BIRTH DATE	(as above)		
WORK INCOME - current monthly amount before taxes	\$	\$	\$
DISABILITY and RETIREMENT INCOME - current monthly amount	\$	\$	\$
WELFARE and UNEMPLOYMENT BENEFITS - current monthly amount (DO NOT include Food Stamps)	\$	\$	\$
CHILD / SPOUSAL SUPPORT RECEIVED - current monthly amount	\$	\$	\$
OTHER INCOME - Any other income such as rental income, etc. - total monthly amount	\$	\$	\$
EQUITY IN HOUSE OR LAND - NOT INCLUDING ONE HOME YOU LIVE IN. Equity means what would be left if you sold the property and paid off all the debts.	\$	\$	\$
EQUITY IN VEHICLES (INCLUDING boats, 4-wheelers, ATVs, snowmobiles, etc. but EXCLUDING 1 car per driver) - amount from sale of vehicles after debts are paid	\$	\$	\$
SAVINGS / CHECKING / LOANS / CASH ON HAND - List any cash, money in a bank account or loans/grants that do not have to be repaid for each person	\$	\$	\$
STOCKS / BONDS / CERTIFICATES OF DEPOSIT - current amounts	\$	\$	\$
HOUSEHOLD ITEMS - cash value of EVERYTHING in your home, including TV's, computers, sofas, clothing, washer, refrigerator, etc.	\$	\$	\$
WORK-RELATED TOOLS AND/OR EQUIPMENT - total value ABOVE \$3,500	\$	\$	\$
INTEREST IN ANY BUSINESS - fair market value of the interest	\$	\$	\$
ANY OTHER ASSETS OF EXTRAORDINARY VALUE - total amount	\$	\$	\$

OPPOSING PARTY: Please provide information about the person or entity with whom you are having a problem.

NAME		OTHER NAMES USED			
ADDRESS					
CITY	STATE	ZIP	GENDER F M		
PHONE #s	BIRTH DATE				
SOCIAL SECURITY #	ATTORNEY'S NAME				

VERIFICATION: By signing below, I verify that this information is true & complete. I will immediately inform ULS of changes. I understand that this information is held confidential, except required disclosures to ULS' funding sources and I authorize the release of information for this limited purpose.

<input type="checkbox"/> SIGNATURE: _____	DATE: _____
---	-------------

If we cannot contact you, please give us a NAME and PHONE for someone who will always be able to contact you:

MORE HOUSEHOLD MEMBERS: You can add information about 3 more household members here.

PERSONAL, INCOME AND ASSET INFORMATION	PERSON #4	PERSON #5	PERSON #6
NAME - you must name all other household members who have income or assets			
RELATIONSHIP TO YOU			
BIRTH DATE			
WORK INCOME - current <i>monthly</i> amount <i>before</i> taxes	\$	\$	\$
DISABILITY and RETIREMENT INCOME - current <i>monthly</i> amount	\$	\$	\$
WELFARE and UNEMPLOYMENT BENEFITS - current <i>monthly</i> amount (do NOT include Food Stamps)	\$	\$	\$
CHILD / SPOUSAL SUPPORT RECEIVED - current <i>monthly</i> amount	\$	\$	\$
OTHER INCOME - Any other income such as rental income, etc. - <i>total monthly</i> amount	\$	\$	\$
EQUITY IN HOUSE OR LAND - NOT INCLUDING ONE HOME YOU LIVE IN. Equity means what would be left if you sold the property and paid off all the debts.	\$	\$	\$
EQUITY IN VEHICLES (INCLUDING boats, 4-wheelers, snowmobiles, etc. but EXCLUDING 1 car per driver) - amount from sale of vehicles after debts are paid	\$	\$	\$
SAVINGS / CHECKING / LOANS / CASH ON HAND - List any cash, money in a bank account or loans/grants that do not have to be repaid for each person	\$	\$	\$
STOCKS / BONDS / CERTIFICATES OF DEPOSIT - current amounts	\$	\$	\$
HOUSEHOLD ITEMS - cash value of EVERYTHING in your home, including TV's, computers, sofas, clothing, washer, refrigerator, etc.	\$	\$	\$
WORK-RELATED TOOLS AND/OR EQUIPMENT - total value ABOVE \$3,500	\$	\$	\$
INTEREST IN ANY BUSINESS - fair market value of the interest	\$	\$	\$
ANY OTHER ASSETS OF EXTRAORDINARY VALUE - total amount	\$	\$	\$

▼ ▼ ▼ **OPTIONAL INFORMATION ** FILL THIS PORTION OUT ONLY IF SPECIFICALLY REQUESTED** ▼ ▼ ▼

WAIVER OF FILING FEES: This is the legal form that may be accepted by a judge in order to avoid having to pay filing fees and court costs, such as the cost of having a sheriff serve court papers. You need not fill out this information unless a Utah Legal Services staff member asks you to do so.

RENT / MORTGAGE PAYMENT - monthly	\$	FOOD - monthly	\$
CHILD CARE EXPENSE - monthly	\$	INSURANCE (health, car) - monthly	\$
UNREIMBURSED MEDICAL EXPENSES - monthly	\$	AUTOMOBILE (gas, maint., payments) - monthly	\$
TELEPHONE - monthly	\$	OTHER UTILITIES (gas, electric, water) - monthly	\$
OTHER EXPENSES - monthly	\$	DEBTS OWED TO ME - total due & payable	\$

ASSETS OWNED: If you own a home, any real property (such as farm land), or any valuable personal property, please describe it on the lines below and state your equity value (sale price minus outstanding debt and costs of sale) in it.

INTEREST IN A BUSINESS: Do you have an interest in any business or commercial venture? YES NO
If you circled YES, please describe the interest(s) below.

Ogden
298 24th St., #110
84401
801-394-9431
Fax: 801-394-0430

Salt Lake City
205 N. 400 W.
84103
801-328-8891
Fax: 801-328-8898

Provo
455 N. University #100
84601
801-374-6766
Fax: 801-374-0960

St. George
229 E. St. George Blvd. #103
84770
435-628-1604
Fax: 435-628-1693



Toll Free (outside of Salt Lake County): 1-800-662-4245



Southern Utah Bar Association's Talk to a Lawyer

The program "Talk to a Lawyer," is sponsored by the Southern Utah Bar Association ("SUBA"). This program provides legal assistance to residents of Southern Utah who are unable to afford the services of an attorney. The program is designed to provide you with preliminary counseling and general legal information. It is not intended to create an ongoing attorney-client relationship between you and the Southern Utah Community Legal Center, SUBA, the volunteer attorney who assists you and/or the firm that the volunteer attorney works for (if any).

The volunteer attorney assisting you this evening has various types of practices. Therefore, your volunteer attorney may or may not be experienced in the area of your need. The attorney will attempt to provide some preliminary guidance – according to his/her limited experience in that particular field.

As a result of the "Talk to a Lawyer" program, a limited number of cases will be referred to SUBA attorneys to provide additional *pro bono* services. However, due to the number of requests for *pro bono* services, SUBA will only be able to assist in a small percentage of cases referred to it. Therefore, please keep in mind that it is unlikely that SUBA and Southern Utah Community Legal Center will be able to offer any further legal services beyond this initial consultation.

- I understand that neither the Southern Utah Community Legal Center, SUBA, the volunteer attorney and/or the volunteer attorney's firm will represent me on this legal matter, nor will they be providing me any additional ongoing legal services.
- I have read the above and understand all terms.

Name

Date



SOUTHERN UTAH BAR ASSOCIATION LEGAL CLINIC

Southern Utah Community Legal Center, 229 E. St. George Blvd. #103, St. George UT 84770
435-628-1604 ext. 3662 • Fax: 435-628-1693

CLIENT INFORMATION SHEET

NAME			OTHER NAMES USED		
ADDRESS					
CITY		STATE	ZIP	GENDER F M	
HOME PHONE		WORK PHONE		OTHER PHONE	
SOCIAL SECURITY #		BIRTH DATE		RACE MARITAL STATUS	

I declare that I am a CITIZEN of the United States.

I declare that I am a LEGAL IMMIGRANT in the United States OR I am a NON-CITIZEN of the United States (if you are a legal immigrant, we must have copies of your immigration papers).

SIGNATURE:

SIGNATURE:

DATE:

Allen #:

DATE:

INCOME AND ASSET INFORMATION: Please give us information about yourself and any other person in your household who has income or assets. "Household" means everyone living in one place who shares all expenses. If you need space for more than 3 people, please use the back of this form.

NUMBER OF ADULTS (18+) IN MY HOUSEHOLD:

NUMBER OF CHILDREN IN MY HOUSEHOLD:

PERSONAL INCOME AND ASSET INFORMATION	YOU (REQUIRED)	PERSON #2	PERSON #3
NAME - you must name all other household members who have income or assets	AS REQUIRED (Self)		
RELATIONSHIP TO YOU			
BIRTH DATE	AS REQUIRED		
WORK INCOME - current <i>monthly</i> amount before taxes	\$	\$	\$
DISABILITY and RETIREMENT INCOME - current <i>monthly</i> amount	\$	\$	\$
WELFARE and UNEMPLOYMENT BENEFITS - do NOT include Food Stamps	\$	\$	\$
CHILD / SPOUSAL SUPPORT RECEIVED - current <i>monthly</i> amount	\$	\$	\$
OTHER INCOME - Any other income such as rental income, etc. - total <i>monthly</i> amount	\$	\$	\$
EQUITY IN HOUSE OR LAND - NOT INCLUDING ONE HOME YOU LIVE IN. Equity means what would be left if you sold the property and paid off all the debts.	\$	\$	\$
EQUITY IN VEHICLES EXCLUDING ONE CAR PER DRIVER WITH INCOME; (amount from sale after debts are paid) of any other vehicle	\$	\$	\$
SAVINGS / CHECKING / LOANS / CASH ON HAND - List any cash, money in a bank account or loans/grants that do not have to be repaid for each person	\$	\$	\$
STOCKS / BONDS / CERTIFICATES OF DEPOSIT - current amounts	\$	\$	\$
CASH VALUE OF LIFE INSURANCE - amount you could get today	\$	\$	\$
RETIREMENT ACCOUNTS - amount you could get today	\$	\$	\$
HOUSEHOLD ITEMS - cash value of EVERYTHING in your home, including TVs, computers, sofas, clothing, washer, refrigerator, etc.	\$	\$	\$
ANY OTHER ASSETS OF EXTRAORDINARY VALUE - total amount	\$	\$	\$

OPPOSING PARTY: Please provide information about the person or entity with whom you are having a problem.

NAME			OTHER NAMES USED		
ADDRESS					
CITY		STATE	ZIP	GENDER F M	
PHONE #s				BIRTH DATE	
SOCIAL SECURITY #		ATTORNEY'S NAME			

VERIFICATION: By signing below, I verify that this information is true & complete. I understand that SUBA will keep this information confidential, except required disclosures to its funding sources and I authorize the release of information for this limited purpose.

SIGNATURE:

DATE:



Southern Utah Bar Association's Talk to a Lawyer

The program "Talk to a Lawyer," is sponsored by the Southern Utah Bar Association ("SUBA"). This program provides legal assistance to residents of Southern Utah who are unable to afford the services of an attorney. The program is designed to provide you with preliminary counseling and general legal information. It is not intended to create an ongoing attorney-client relationship between you and the Southern Utah Community Legal Center, SUBA, the volunteer attorney who assists you and/or the firm that the volunteer attorney works for (if any).

The volunteer attorney assisting you this evening has various types of practices. Therefore, your volunteer attorney may or may not be experienced in the area of your need. The attorney will attempt to provide some preliminary guidance — according to his/her limited experience in that particular field.

As a result of the "Talk to a Lawyer" program, a limited number of cases will be referred to SUBA attorneys to provide additional *pro bona* services. However, due to the number of requests for *pro bona* services, SUBA will only be able to assist in a small percentage of cases referred to it. Therefore, please keep in mind that it is unlikely that SUBA and Southern Utah Community Legal Center will be able to offer any further legal services beyond this initial consultation.

I understand that neither the Southern Utah Community Legal Center, SUBA, the volunteer attorney and/or the volunteer attorney's firm will represent me on this legal matter, nor will they be providing me any additional ongoing legal services. I have read the above and understand all terms.

_____ Name _____

CLIENT INFORMATION: (Please fill in this form, and then bring it to the table.)

Name _____

Phone _____

Address _____

Date _____

How many people in your household or family: ADULTS _____ CHILDREN _____

What is the household's gross income: \$ _____ (check one: Monthly ___ Annual ___)

Does your household hold any assets and if so, what is the approximate value? (checking & savings, equity value of assets including second home, vehicles, etc.) \$ _____

How can we help you? What questions do you have?

Describe what has happened. What have you done so far?

What papers have you brought with you?

For VOLUNTEER Use Only

NOTES: Advice/Information Given. (what paperwork do they need to file? How to serve? How to represent self in court?)

Exhibit 4



UTAH LEGAL SERVICES

Committed to Equal Justice

CLIENT INFORMATION SHEET

NAME		OTHER NAMES USED	
ADDRESS			
CITY	STATE	ZIP	GENDER F M
HOME PHONE	WORK PHONE	OTHER PHONE	
SOCIAL SECURITY #	BIRTH DATE	RACE	MARITAL STATUS

I declare that I am a CITIZEN of the United States.

OR

I declare that I am a LEGAL IMMIGRANT in the United States OR I am a NON-CITIZEN of the United States (if you are a legal immigrant, we must have copies of your immigration papers).

SIGNATURE: _____ SIGNATURE: _____

DATE: _____ Alien #: _____ DATE: _____

INCOME AND ASSET INFORMATION: Please list all income and assets for each person in your household. "Household" means those who live with you (or from whom you are separated temporarily for economic reasons but intend to live with long term) and who are related to you by blood or by law as relatives for whom you have legal responsibility. If you need space for more than 3 people, please use the back of this form.

NUMBER OF ADULTS (18+) IN MY HOUSEHOLD: NUMBER OF CHILDREN IN MY HOUSEHOLD:

PERSONAL INCOME AND ASSET INFORMATION	YOU (REQUIRED)	PERSON #2	PERSON #3
NAME - you must name all other household members who have income or assets	YES (above)		
RELATIONSHIP TO YOU	YES (above)		
BIRTH DATE	YES (above)		
WORK INCOME - current monthly amount before taxes	\$	\$	\$
DISABILITY and RETIREMENT INCOME - current monthly amount	\$	\$	\$
WELFARE and UNEMPLOYMENT BENEFITS - current monthly amount (DO NOT include Food Stamps)	\$	\$	\$
CHILD / SPOUSAL SUPPORT RECEIVED - current monthly amount	\$	\$	\$
OTHER INCOME - Any other income such as rental income, etc. - total monthly amount	\$	\$	\$
EQUITY IN HOUSE OR LAND - NOT INCLUDING ONE HOME YOU LIVE IN. Equity means what would be left if you sold the property and paid off all the debts.	\$	\$	\$
EQUITY IN VEHICLES (INCLUDING boats, 4-wheelers, ATVs, snowmobiles, etc. but EXCLUDING 1 car per driver) - amount from sale of vehicles after debts are paid	\$	\$	\$
SAVINGS / CHECKING / LOANS / CASH ON HAND - List any cash, money in a bank account or loans/grants that do not have to be repaid for each person	\$	\$	\$
STOCKS / BONDS / CERTIFICATES OF DEPOSIT - current amounts	\$	\$	\$
HOUSEHOLD ITEMS - cash value of EVERYTHING in your home, including TV's, computers, sofas, clothing, washer, refrigerator, etc.	\$	\$	\$
WORK-RELATED TOOLS AND/OR EQUIPMENT - total value ABOVE \$3,500	\$	\$	\$
INTEREST IN ANY BUSINESS - fair market value of the interest	\$	\$	\$
ANY OTHER ASSETS OF EXTRAORDINARY VALUE - total amount	\$	\$	\$

OPPOSING PARTY: Please provide information about the person or entity with whom you are having a problem.

NAME		OTHER NAMES USED	
ADDRESS			
CITY	STATE	ZIP	GENDER F M
PHONE #s	BIRTH DATE		
SOCIAL SECURITY #	ATTORNEY'S NAME		

VERIFICATION: By signing below, I verify that this information is true & complete. I will immediately inform ULS of changes. I understand that this information is held confidential, except required disclosures to ULS' funding sources and I authorize the release of information for this limited purpose.

SIGNATURE: _____ DATE: _____

If we cannot contact you, please give us a NAME and PHONE for someone who will always be able to contact you:

MORE HOUSEHOLD MEMBERS: You can add information about 3 more household members here.

PERSONAL INCOME AND ASSET INFORMATION	PERSON #4	PERSON #5	PERSON #6
NAME - you must name all other household members who have income or assets			
RELATIONSHIP TO YOU			
BIRTH DATE			
WORK INCOME - current <i>monthly</i> amount <i>before</i> taxes	\$	\$	\$
DISABILITY and RETIREMENT INCOME - current <i>monthly</i> amount	\$	\$	\$
WELFARE and UNEMPLOYMENT BENEFITS - current <i>monthly</i> amount (do NOT include Food Stamps)	\$	\$	\$
CHILD / SPOUSAL SUPPORT RECEIVED - current <i>monthly</i> amount	\$	\$	\$
OTHER INCOME - Any other income such as rental income, etc. - <i>total monthly amount</i>	\$	\$	\$
EQUITY IN HOUSE OR LAND- NOT INCLUDING ONE HOME YOU LIVE IN. Equity means what would be left if you sold the property and paid off all the debts.	\$	\$	\$
EQUITY IN VEHICLES (INCLUDING boats, 4-wheelers, snowmobiles, etc. but EXCLUDING 1 car per driver) - amount from sale of vehicles after debts are paid	\$	\$	\$
SAVINGS / CHECKING / LOANS / CASH ON HAND - List any cash, money in a bank account or loans/grants that do not have to be repaid for each person	\$	\$	\$
STOCKS / BONDS / CERTIFICATES OF DEPOSIT - current amounts	\$	\$	\$
HOUSEHOLD ITEMS - cash value of EVERYTHING in your home, including TV's, computers, sofas, clothing, washer, refrigerator, etc.	\$	\$	\$
WORK-RELATED TOOLS AND/OR EQUIPMENT - total value ABOVE \$3,500	\$	\$	\$
INTEREST IN ANY BUSINESS - fair market value of the interest	\$	\$	\$
ANY OTHER ASSETS OF EXTRAORDINARY VALUE - total amount	\$	\$	\$

▼▼▼ **OPTIONAL INFORMATION ** FILL THIS PORTION OUT ONLY IF SPECIFICALLY REQUESTED** ▼▼▼

WAIVER OF FILING FEES: This is the legal form that may be accepted by a judge in order to avoid having to pay filing fees and court costs, such as the cost of having a sheriff serve court papers. You need not fill out this information unless a Utah Legal Services staff member asks you to do so.

RENT / MORTGAGE PAYMENT - monthly	\$	FOOD - monthly	\$
CHILD CARE EXPENSE - monthly	\$	INSURANCE (health, car) - monthly	\$
UNREIMBURSED MEDICAL EXPENSES - monthly	\$	AUTOMOBILE (gas, maint., payments) - monthly	\$
TELEPHONE - monthly	\$	OTHER UTILITIES (gas, electric, water) - monthly	\$
OTHER EXPENSES - monthly	\$	DEBTS OWED TO ME - total due & payable	\$

ASSETS OWNED: If you own a home, any real property (such as farm land), or any valuable personal property, please describe it on the lines below and state your equity value (sale price minus outstanding debt and costs of sale) in it.

INTEREST IN A BUSINESS: Do you have an interest in any business or commercial venture? YES NO
If you circled YES, please describe the interest(s) below.

Ogden
298 24th St., #110
84401
801-394-9431
Fax: 801-394-0430

Salt Lake City
205 N. 400 W.
84103
801-328-8891
Fax: 801-328-8898

Provo
455 N. University #100
84601
801-374-6766
Fax: 801-374-0960

St. George
229 E. St. George Blvd. #103
84770
435-628-1604
Fax: 435-628-1693



Toll Free (outside of Salt Lake County): 1-800-662-4245

Exhibit 5



CITIZEN ATTESTATION

NAME		OTHER NAMES USED	
ADDRESS	CITY	STATE	ZIP
HOME PHONE	WORK PHONE	OTHER PHONE	

I declare that I am a <u>CITIZEN</u> of the United States.	OR	I declare that I am a <u>LEGAL IMMIGRANT</u> in the United States OR I am a <u>NON-CITIZEN</u> of the United States (if you are a legal immigrant, we must have copies of your immigration papers).
SIGNATURE:	►	SIGNATURE:
DATE:	►	Alien #: _____ DATE: _____

If we cannot contact you, please give us a NAME and PHONE for someone who will always be able to contact you:



If you are a victim of Domestic Violence and/or a Senior (60+) or otherwise asked, please fill out the following:

RENT / MORTGAGE PAYMENT - monthly	\$	FOOD - monthly	\$
CHILD CARE EXPENSE - monthly	\$	INSURANCE (health, car) - monthly	\$
UNREIMBURSED MEDICAL EXPENSES - monthly	\$	NON-MEDICAL expenses related to age or disability - monthly	\$
TELEPHONE - monthly	\$	OTHER UTILITIES (gas, electric, water) - monthly	\$
FIXED DEBTS (loan payments, etc.) - monthly	\$	TAXES PAID (food, non-food) - monthly	\$
AUTOMOBILE (gas, maint., payments) - monthly	\$	OTHER - monthly	\$

For Staff Use Only

<input type="checkbox"/>	If non-citizen, I verified/saw proof of legal status. (Attach copy)
--------------------------	---

Exhibit 6

MORE HOUSEHOLD MEMBERS: You can add information about 3 more household members here.

PERSONAL, INCOME AND ASSET INFORMATION	PERSON #4	PERSON #5	PERSON #6
NAME – you must name all other household members who have income or assets			
RELATIONSHIP TO YOU			
BIRTH DATE			
WORK INCOME – current <i>monthly</i> amount <i>before</i> taxes	\$	\$	\$
DISABILITY and RETIREMENT INCOME – current <i>monthly</i> amount	\$	\$	\$
WELFARE and UNEMPLOYMENT BENEFITS – current <i>monthly</i> amount (do NOT include Food Stamps)	\$	\$	\$
CHILD / SPOUSAL SUPPORT RECEIVED – current <i>monthly</i> amount	\$	\$	\$
OTHER INCOME – Any other income such as rental income, etc. – <i>total monthly amount</i>	\$	\$	\$
EQUITY IN HOUSE OR LAND – NOT INCLUDING ONE HOME YOU LIVE IN. Equity means what would be left if you sold the property and paid off all the debts.	\$	\$	\$
EQUITY IN VEHICLES (INCLUDING boats, 4-wheelers, snowmobiles, etc. but EXCLUDING 1 car per driver) – amount from sale of vehicles after debts are paid	\$	\$	\$
SAVINGS / CHECKING / LOANS / CASH ON HAND – List any cash, money in a bank account or loans/grants that do not have to be repaid for <i>each</i> person	\$	\$	\$
STOCKS / BONDS / CERTIFICATES OF DEPOSIT – current amounts	\$	\$	\$
HOUSEHOLD ITEMS – cash value of EVERYTHING in your home, including TV's, computers, sofas, clothing, washer, refrigerator, etc.	\$	\$	\$
WORK-RELATED TOOLS AND/OR EQUIPMENT – total value ABOVE \$3,500	\$	\$	\$
INTEREST IN ANY BUSINESS – fair market value of the interest	\$	\$	\$
ANY OTHER ASSETS OF EXTRAORDINARY VALUE – total amount	\$	\$	\$



If you are a victim of Domestic Violence and/or a Senior (60+) or otherwise asked, please fill out the following:

RENT / MORTGAGE PAYMENT – monthly	\$	FOOD – monthly	\$
CHILD CARE EXPENSE – monthly	\$	INSURANCE (health, car) – monthly	\$
UNREIMBURSED MEDICAL EXPENSES – monthly	\$	NON-MEDICAL expenses related to age or disability – monthly	\$
TELEPHONE – monthly	\$	OTHER UTILITIES (gas, electric, water) – monthly	\$
FIXED DEBTS (loan payments, etc.) – monthly	\$	TAXES PAID (food, non-food) – monthly	\$
AUTOMOBILE (gas, maint., payments) – monthly	\$	OTHER – monthly	\$

Ogden
298 24th St., #110
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Fax: 801-394-0430

Salt Lake City
205 N. 400 W.
84103
801-328-8891
Fax: 801-328-8898

Provo
455 N. University #100
84601
801-374-6766
Fax: 801-374-0960

St. George
229 E. St. George Blvd. #103
84770
435-628-1604
Fax: 435-628-1693

TSC

Toll Free (outside of Salt Lake County): 1-800-662-4245

Exhibit 7

Check here if the group's membership, or if not a membership organization, its operating body, is primarily composed of individuals who would be financially eligible for LSC-funded legal assistance. **OR**

If Checked:

Number of Members: _____ Membership qualifications: _____

State financial or other socioeconomic characteristics showing that members may be considered as persons who would be financially eligible for LSC-funded legal assistance, such as average income or other factors:

Check here if the group have as a principal activity the delivery of services to those persons in the community who would be financially eligible for LSC-funded legal assistance and does the assistance sought relate to such activity. **OR**

If Checked:

- i. Activities: _____
- ii. Indicators that the financial or other socioeconomic characteristics of the persons served are consistent with those of persons who are financially eligible for LSC-funded legal assistance: _____
- iii. Indicators that the assistance sought relates to the activities on behalf of eligible persons: _____

Check here if neither of the above apply. **STOP! The group is NOT Eligible**

I have reviewed the information contained in this form and the statements of the group, and determined that representation of the group is appropriate in this instance and I approve assistance in this case.

DIRECTOR (OR DESIGNEE) SIGNATURE _____ DATE _____

****A copy of this form must be kept in the client's file****

Exhibit 8



FINANCIAL ELIGIBILITY EXCEPTIONS FOR APPLICANTS WITH INCOME ABOVE 125%

This Form must be completed and approval received before services beyond intake are provided.

CLIENT NAME _____ ID # _____

TODAY'S DATE ____/____/____ STAFF REQUESTING EXCEPTION: _____

HOUSEHOLD SIZE: _____ TOTAL GROSS HOUSEHOLD INCOME: \$ _____ /MONTH

POVERTY LEVEL AS DETERMINED ON ELIGIBILITY SLIP IN CFW: _____ %

Explain why this applicant should be considered financially eligible (i.e., why an exception should be made and how this case fits ULS priorities):

INCOME EXCEPTIONS

Check here if this person seeks our help to **MAINTAIN** benefits provided by a governmental program for the poor. (If checked, this income exception factor applies even if income is over 200%.)

Check here if this person's income is primarily committed to medical or nursing home expenses. (If checked this income exception factor applies even if income is over 200%)
Describe the expenses and the amount committed to them below AND attach appropriate documentation:

Complete the following sections ONLY IF this person's income* is between 125 and 200% of poverty.

Check here if this person seeks our help to **OBTAIN** benefits provided by a governmental program for low income individuals or families, OR

Check here if this person seeks our help to **OBTAIN OR MAINTAIN** benefits provided for persons with disabilities, OR

Check here if this person should be considered eligible based on the following factors (complete all information below):

Will your household income likely diminish in the near future? (seasonal, going to be laid-off)? YES NO
_____ / _____

If yes, why? _____

**Note: Asset Exceptions are on page 2*

Other factors to be considered in making an exception:

Gross monthly income: \$ _____

Unreimbursed Medical expenses and premiums each month: \$ _____

Monthly payments on fixed debts & obligations (loan payments, taxes) \$ _____

Dependent care costs (child care) each month \$ _____

Employment costs (clothing and equipment, transportation) each month \$ _____

Non-medical expenses related to age or disability each month \$ _____

Current taxes paid each month (food, non-food) \$ _____

Total of financial factors for consideration \$ _____

Other significant factors: _____

ASSET EXCEPTIONS

Total Assets: _____ ULS Asset Ceiling: _____

Do this person's assets exceed the ULS Asset Ceiling? Yes No

If yes, Do unusual circumstances exist that warrants a waiver of the asset guideline? Yes No

(Possibly: applicant is elderly, institutionalized, disabled or particular "access" to asset issues)

Explain: _____

Other Information Important to this Eligibility Analysis: _____

I approve this request and exception.

MANAGING ATTORNEY/TASK FORCE CHAIR _____ DATE _____

Forward this form to SSU for final approval BEFORE providing services beyond intake.

I have determined that based upon the factors contained in this form and the statements of this client, an exception is appropriate in this instance and I approve assistance in this case.

DIRECTOR (OR DESIGNEE) SIGNATURE _____ DATE _____

****A copy of this form must be kept in the client's file and in a separate file maintained by SSU****

Exhibit B



205 NORTH 400 WEST, SALT LAKE CITY, UTAH 84103 * 801-328-8891 * FAX: 801-924-3194 * WWW.UTAHLEGALSERVICES.ORG

January 31, 2013

Lora M. Rath, Director
Office of Compliance and Enforcement
3333 K. Street, NW 3rd Floor
Washington DC 20007-3522

Re: Utah Legal Services Response to the LSC Draft Report for the On-site Intake Review

Ms. Rath:

Thank you for the opportunity to comment on the findings of the Office of Compliance and Enforcement visit last October. We very much appreciate the team's professionalism and their assistance in identifying solutions as they found issues we needed to address. Consequently most of the recommendations were in place before the team left our offices.

In response to the first two required corrective actions we now are:

Screening cases of senior citizens and victims of domestic violence whose incomes are between 125-200% of the FPG's for LSC-allowable exceptions and reporting the services provided to LSC regardless of funding source. Our board amended the Financial Eligibility Guidelines to reflect this change on November 27, 2012, and form (Report Exhibit 8) was effective January 2, 2013.

Having the receptionist at our Salt Lake office ensure that all walk-in applicants complete a citizenship attestation or provide the necessary documentation to support their eligible alien status.

The final required action is more complex and a work in progress. We have done a thorough inventory of the 32 clinics and identified five where the most likely resolution is ending our participation, 17 are staff run and we will require them to be in compliance by March 1, 2 are staff and volunteer run and 12 are volunteer run and we will try to train volunteers on compliance. Evaluating, bring into compliance and possibly winding down these clinics while maintaining the services for low-income Utahns and our excellent working relationships with our many community partners will require both time and substantial staff effort. We have attached our proposed plan for accomplishing this.

Ogden
298 24th St., #110
84401
801-394-9431
Fax: 801-394-0430

Salt Lake City
205 N. 400 W.
84103
801-328-8891
Fax: 801-328-8898

Provo
455 N. University #100
84601
801-374-6766
Fax: 801-374-0960

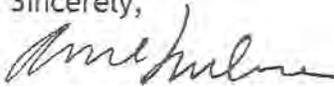
St. George
229 E. St. George Blvd. #103
84770
435-628-1604
Fax: 435-628-1693



Toll Free (outside of Salt Lake County): 1-800-662-4245

Please let me know if you have any questions or suggestions about how we solve the clinic challenge and how you would like to be updated on our progress.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Milne". The signature is fluid and cursive, with the first name "Anne" being more prominent than the last name "Milne".

Anne Milne
Executive Director

801-924-3381

fax 801-924-3194

amilne@utahlegalservices.org

Attachment

Analysis of ULS Clinics and Plan for Compliance

ULS is involved in a myriad of clinics designed to provide some service to clients who due to our limited resources don't receive all the help they need from us "in-house." The clinics evolved over years through distinct local partnerships and give ULS a presence throughout Utah and as a result there are nearly as many solutions to the issues as there are clinics. Due to the high volume at many clinics and the resulting difficulty in getting properly completed forms as well as the time required to enter that information in our database we performed a cost/benefit analysis and decided to simply count these activities as matters (4,622 individuals in 2012) rather than cases. Because of the OCE visit we understand this was in error and that because legal services are in fact provided those cases should be made reportable to LSC. We will take the necessary steps to make that the standard for any clinic receiving any support from ULS.

To achieve this there are some clinics with which ULS will sever all support and involvement. We understand this wasn't the aim of OCE, but given the size and scope of some of the clinics, and looking at the capability of the other partners involved to carry on without our involvement, it makes more sense to use our limited resources elsewhere, and to not subject those partners and the clients to the LSC guidelines and paperwork. Our initial review indicates that there are five clinics in this category. These clinics represent an important resource in the client community and so we want to take steps to ensure they will continue on after our departure. To this end we propose a "winding down" period over the first 6 months of 2013 so that the partners there can make arrangements for maintenance of the clinics, particularly insurance. For the clinics that are largely ULS staff run, or where staff are present along with volunteers, we will require that all the usual client paperwork is completed (either prior to or on site) and reviewed by staff before services are provided. The resulting information will be entered in our case management system and those cases will be reported to LSC. For the remaining clinics, those which are mainly run by volunteers, usually a combination of law students and private attorneys, we propose using the first few months of 2013 to train the volunteers to gather the necessary paperwork, and for us to monitor the results of those efforts. By June 30th we will make a determination of whether we can get reliable paperwork back from these volunteers. If we cannot do so we will identify them by that deadline and have a plan in place for winding those down as well.

In summary our plan is while most of the clinics (as identified in the chart below) will be fully compliant almost immediately, we will identify a few we will no longer be supporting in any way and give our involved partners time to make necessary arrangements, and a few others will be test sites to see if it is possible to train volunteers to take on the role staff will be fulfilling at clinics. If the results are positive we will continue to do the necessary screening there to report those activities as cases to LSC. If there are difficulties we will make a determination on any future involvement in those clinics by June 30, 2013 and if necessary wind those clinics down not later than September 30, 2013.

By that date any clinic receiving any support from any funding source at ULS will include systems to ensure that the cases handled there are reported to LSC. Our hope is not only to be accurately reporting a greater number of cases as a result of these changes, but also to be

making a better use of our limited resources while maintaining the same level of service to the community through the continuing efforts of our partners.

Proposed Timeline

Staff Run clinics gather required paperwork/cases reported to LSC	3/1/13
ULS meets with partners and starts them on the path of independence, informing them of the end date of the winding down period and the end of ULS involvement	3/1/13
Training and testing underway for volunteer run clinics	February-April 2013
Training and testing of compliance	April 2013
Decision on continuing support and notice to partners	May-June 2013
Involvement ends for identified clinics	6/30/13
Decision made on remaining clinics	6/30/13
Any clinic receiving any support from any of ULS' funding sources in full compliance	9/30/13

As part of our *initial review* of clinics, we include here the list of all clinics currently receiving support from ULS, and the *initial indication* of which of the categories mentioned they fall into:

Location Frequency	Type of Clinic	Proposed Solution
Brigham City -Monthly	Staff Run	Compliant by 3/1/13
Logan -Twice Monthly	Staff Run	Compliant by 3/1/13
Price -Twice Monthly	Staff Run	Compliant by 3/1/13
Kaysville/Safe Harbor -Monthly	Staff Run (via Skype)	Compliant by 3/1/13
Farmington -Twice Monthly	Staff Run	Compliant by 3/1/13
Layton -Twice Monthly	Staff Run	Assess for compliance by 6/30/13. Either wind down or compliant by 9/30/13.
Moab -Weekly	Staff Run (via Skype)	Compliant by 3/1/13
Nephi -Monthly	Staff Run	Compliant by 3/1/13 *exploring moving to Skype
Fillmore -Monthly	Staff Run	Compliant by 3/1/13 *exploring moving to Skype

Location Frequency	Type of Clinic	Proposed Solution
Manti -Monthly	Staff Run	Compliant by 3/1/13 *exploring moving to Skype
Ogden -Twice Weekly	Staff Run	Compliant by 3/1/13
Park City -ULS Courthouse Clinic -ULS Community Clinic	Volunteer Run Volunteer Run	Assess for compliance by 6/30/13. Either wind down or compliant by 9/30/13. Assess here also, and also investigate the possibility of transferring this to a staff run effort.
Richfield -Weekly	Staff Run (via Skype)	Compliant by 3/1/13
Salt Lake Area -For the Deaf and Hard of Hearing -Monthly -Family Justice Center -Weekly -Family Law Legal Clinic -Weekly -Debtor's Counseling Clinic -Monthly -Street Law Clinic -Weekly -Medical/Legal Clinic -Monthly -Immigration Clinic -Monthly -Employment Clinic -Monthly	Staff Run Staff Run Volunteer Run Volunteer Run Volunteer Run Volunteer Run Volunteer Run Volunteer Run	Compliant by 3/1/13 Compliant by 3/1/13 Make independent by 6/30/13 Assess for compliance by 6/30/13. Either wind down or compliant by 9/30/13. Make independent by 6/30/13 Make independent by 6/30/13 Make independent by 6/30/13 Assess here also, and also investigate the possibility of transferring this to a staff run effort.

Location Frequency	Type of Clinic	Proposed Solution
-Rainbow Clinic (LGBT) -Monthly	Volunteer Run	Assess for compliance by 6/30/13. Either wind down or compliant by 9/30/13.
-American Indian Clinic -Monthly	Volunteer Run	Assess here also, and also investigate the possibility of transferring this to a staff run effort.