

Status Report:
The LSC Matters Reporting System
August 8, 2002

Introduction

Starting on July 1, 2001, all LSC grantees began collecting information on non-case activities using the Matters Reporting System. LSC had long noted that grantee programs provide referrals and community legal education, that they engage in outreach, and that they work cooperatively with other groups to address the needs of the low income community. We recognized that this work often entails a great deal of effort and produces significant results. With the Matters Reporting System in place, an important tool has been created for use by legal services leaders at the national, state and local levels in describing the full scale and scope of legal services being delivered in communities across the nation.

Although the 2001 data reported in March of this year should be regarded as preliminary (it covered only half a year and reflected the usual kinds of startup problems one would expect of a new data system), it already has produced a wealth of information that allows the Corporation to provide a more complete picture of legal services practice than has ever before been possible on a nationwide basis. For example, we can already say that:

! *The total number of people being served annually by LSC grantees is several times the number of cases being reported on the Case Service Report (CSR). A conservative*

estimate of just the people receiving services that can be easily counted, such as referrals and legal education presentations, shows that more than two million people were provided with these services in the last six months of 2001 alone. Many more were provided with other services using delivery vehicles whose reach is more difficult to quantify, such as web sites, weekly radio and TV shows and legal information columns in newspapers.

“Matters” Are Non-Case Services.

The Matters Reporting System collects data on legal services provided to the low income community other than services provided as part of the work performed on accepted "cases." Matters are defined in 45 CFR 1620.2(b), and consist of the following:

- ! *Community legal education*, including such activities as presentations, workshops and the publication of brochures and newsletters on topics affecting low income people.
- ! *Pro se assistance*, including courthouse help desks, pro se workshops, self-help materials kits and web-based self-help services.
- ! *Referrals*, including direction of applicants to other legal services providers, private lawyers, social agencies and community organizations.
- ! *Outreach*, including informational notices published in print media, TV spots, radio PSAs and referral agreements with other agencies.
- ! *Indirect services*, including legal training to non-legal advocates who work with low income people, such as social workers, teachers and ministers.
- ! *Other services*, including mediation and ADR, and direct non-case services such as notarizing a document.

- ! *More than 75 percent of grantees are providing various forms of pro se assistance.* These include workshops, courthouse help desks, forms, pleadings, self-help packets and other resources for self-representation in simple legal matters. In addition to providing an important service to people who cannot afford lawyers, LSC grantees are playing a significant role in helping courts to deal with the flood of self-represented litigants appearing in courtrooms across the nation.
- ! *Increasingly, LSC grantees are important gatekeepers, or “hubs,” in referral networks of agencies and service providers serving low income people.* These are addressing a wide range of needs of the poor, including access to jobs, education, shelter and personal safety. Many LSC grantees operate intake systems that systematically diagnose each applicant’s problems and make referrals through a network of legal and non-legal service providers in the community who can provide the most appropriate types and levels of service.

With the implementation of the Matters Reporting System, the Corporation has created an asset offering significant dividends for stakeholders at all levels of the civil justice system. Along with the CSR system, which quantifies “case” services, the Matters Reporting System provides an expanded capacity to produce numerical and narrative data describing the full range of services provided by the core network of legal services programs serving communities across the nation. With further refinements underway to improve reliability, this system will enable program leaders at all levels to provide

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Congress, client groups, state legislatures, bar leaders, courts, funders and other stakeholders with a more accurate picture of how many people are being served by LSC-funded programs. It will help to identify innovative, best-practice models that point the way toward more efficient and effective methods of addressing the legal needs of low income people. It will inform LSC grantees about the range of methods being used by their fellow program managers to deliver more and better services and to assist people with the precise level and type of service appropriate to their legal situation. It will enable leaders to do a better job of marketing legal services by telling the “story” of what LSC grantees are contributing to their communities through the partnerships they have created and the wide range of solutions they have put in place.

In the next section of this report, we describe in more detail the picture that emerges from the 2001 Matters Service Reports. In addition, we outline some changes that the LSC “Results Group” (a working group of senior LSC professionals plus Ken Smith, an outside consultant, that designed, tested, and is currently evaluating and refining a system for reporting matters services) is considering for improving the reliability of the data obtained for 2002 and 2003.

Overview of Matters Services Provided by LSC Grantees

A. More than two million people received significant Matters services from LSC grantees in the last half of 2001.

This figure is conservative. It only includes the counts that the LSC Results Group deemed reliable based on a review of the data and follow-up interviews with a sample of grantees. (See Exhibit 1 for a summary of “reliable” versus “soft” numbers.) The actual number of people provided various non-case services by LSC-funded programs is almost certainly several times higher. Refinements in the guidelines provided to grantees, planned for distribution in October 2002, will provide more reliable figures to be generated covering 2002 and 2003 services.

Exhibit 1: “Reliable” versus “Soft” Numbers

In arriving at the 2 million plus figure for the second half of 2001, we counted only recipients of services that because of their nature lend themselves to accurate counts or reasonably reliable estimates.

“Reliable” figures. These cover services that can be readily counted and tracked. For example, legal aid staff can accurately count people who come to their office and receive a legal materials package or are provided with a referral to another agency for help.

“Soft” figures. Some services are inherently difficult to measure. For example, legal aid staff cannot reliably count the number of people who actually read a legal education column published in the local newspaper. We excluded from the 2.2 million figure so-called “soft” numbers reported by grantees, which included:

- ! **Web site visits:** Legal aid web sites are becoming increasingly important vehicles for distributing community legal education materials, self-help forms and pro se assistance packets to low income people, often through intermediaries such as social workers serving low income people. Web site statistics are readily available, yet it is inherently difficult to distinguish between people who actually receive information and those who simply click on a page.
- ! **Media impacts:** Grantees provided estimates of the readership of newspapers in which they regularly publish legal information columns, and the numbers of people who tune in to legal talk shows on radio and TV. Currently there are no statistics on the percentage of the total audiences who were low-income or who actually received the information that was broadcast.
- ! **Third-party distribution:** Figures on numbers of legal services newsletters and brochures distributed through social agencies and other community agencies over which the LSC grantee has little control are inherently weak indicators of how many people actually receive the information.

Some types of services deemed “soft” for 2001— for example, counts of materials downloaded from web sites — will be converted to “reliable” through clearer and tighter guidelines to grantees that will be issued in October of 2002 and through the efforts by grantees to put systems in place that replace estimates with actual counts of people served.

B. “Matters” services were of six types.

1. Community legal education. 195 LSC grantees (99.5 percent) reported providing community legal education services to low income people in their communities. According to “matters” reports by grantees, in the second half of 2001, more than 1,450,000 people received these services. Among the services delivered were the following:

- ! Presentations at gatherings of low income people (for example, residents of a local senior center);
- ! Legal education brochures distributed at community centers, helping agencies and other community sites;
- ! Legal education videos distributed through libraries, courthouse kiosks, public access TV and community sites;
- ! Legal education materials downloaded over the Internet by people visiting web sites maintained by LSC grantees.

Community legal education is a crucial service provided by LSC grantees. It informs low income people about their legal rights and responsibilities connected with various situations they might encounter as consumers, tenants, parents, spouses, employees and citizens. It equips people to handle simple matters themselves, reducing the strain on already-overburdened courts and legal assistance programs. It is preventative, helping people to avoid mistakes that can lead to more serious legal problems and the need for representation in the future.

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These services equip people to handle simple matters themselves, reducing the strain on already-overburdened courts and legal assistance programs, and help people to avoid mistakes that might require more extensive legal representation in the future. Examples from the 2001 Matters reports include the following:

- ! **Help for grandparent care givers of minor children.** Responding to a recent trend of senior citizens assuming the primary care of their grandchildren, **The Center for Arkansas Legal Services**, an LSC grantee, provided legal education to grandparents on public benefits, guardianships, adoptions, juvenile court proceedings and how to get other services on behalf of the minor children in their care.
- ! **Community Legal Education via publications.** **Legal Services Corporation of Iowa** has one of the oldest and most successful CLE programs in the country. It publishes a newsletter entitled “Equal Justice Journal” that reaches 7,000 subscribers statewide. It includes articles on self-help, consumer protection, child support enforcement, etc. In addition, LSCI staff hold CLE presentations in the low income community on a host of legal subjects.
- ! **Legal ed messages while “on hold.”** Callers to the Holyoke office of the **Massachusetts Justice Project** heard a variety of topical messages while on hold waiting for an advocate. In 2001, these included how to apply for Section 8 housing under a newly opened waiting list and changes to a state-operated prescription drug program for low income people.
- ! **“Access to Justice” TV Program.** **Northwestern Legal Services** in Pennsylvania produced, taped and edited a monthly television program broadcast four times a week to over 35,000 households. The half-hour program covered topics including utility law, consumer protection, bankruptcy, medical assistance, food stamps, Earned Income Tax Credits and tax tips for low-income taxpayers. Copies were distributed to other agencies across the state.

2. Pro se assistance. Legal services programs provide a broad range of generalized information and assistance to people wishing to handle simple legal matters themselves without extensive assistance from an attorney. 150 LSC grantees reported that in 2001 they provided pro se assistance services. They indicated that in the second half of 2001 more than 183,000 people were served. The numbers of grantees providing different types of services were as follows:

	<i>Number of Grantees</i>
! Self-help workshops or clinics	89
! Help desk at court	56
! Self help materials posted on web sites	44
! Other (e.g., self help materials posted on kiosks)	70

3. Referrals. People come to legal aid offices with a wide range of problems, some of them falling within the scope of the program’s priorities and others that do not. Referring people to other organizations that can help them is a crucial service that most legal aid programs provide.

Any referral which is not a “case” as defined by the CSR system can be counted as a matter. Examples of "matters" referrals would be criminal matters or civil problems excluded under a grantee's priorities — for example, divorces not involving domestic violence or children.

Pro Se Assistance Equips People to Help Themselves.

This assistance improves outcomes for clients, reduces the need for legal representation from lawyers and helps courts to deal more efficiently with the growing numbers of people wishing to represent themselves in legal matters. Examples from the 2001 Matters reports include the following:

- ! **Courthouse assistance projects.** *Legal Aid Service of Broward County* in Florida has established a Help Desk Room on the second floor of the Broward County Courthouse, manned by county and state employees and containing self-help forms, brochures and packages on a wide variety of legal subjects. The *Legal Aid Bureau* in Maryland operates four court-based pro se programs where individuals walk or call in for assistance with the family law process. In cooperation with the Maryland Legal Assistance Network (MLAN) the Bureau is in the process of installing document assembly programs to increase the efficiency and effectiveness of the services.
- ! **Pro se clinics.** *Neighborhood Legal Services of Los Angeles County* has taken a leadership role in the establishment of self-help centers in Southern California. In collaboration with other partners, NLS established three self-help centers, which assisted over 15,049 individuals in 2001, the majority of whom were indigent and monolingual, non-English speakers.
- ! **Self help kits and packets.** In the area of family law, *Essex-Newark Legal Services*, another New Jersey program, has developed a pro-se divorce kit, as well as motion packets for use by client eligible persons whom the program, for lack of sufficient resources, cannot represent.

In the second half of 2001, grantees reported providing “matters” referrals to 533,490 people. The table below indicates the kinds of help to which these people were referred:

	<i>Percent of Referrals</i>
! Other legal aid providers	25%
! Private bar (lawyer referral service or individual lawyers not affiliated with program)	43%
! Social or human service provider	19%
! Other sources of help	13%

4. Outreach. LSC grantees seek to increase visibility in the client community in several situations — for example, when launching new services (for example, a toll-free phone hotline), trying to reach special-needs populations (the elderly, homeless people, families reaching the end of their eligibility period for welfare, people in non-English speaking communities) or expanding services into hard-to-serve communities (for example, to small towns far from legal aid offices).

89 percent of LSC grantees reported that they conducted outreach efforts in 2001. The method used most often (by 61 percent of grantees) was referral agreements with other agencies. These are agreements made with other service providers, such as domestic violence shelters, to refer eligible clients to our grantees. This is a very effective way of letting the public know we are there.

Referrals Link Legal Services Providers into Networks Helping People.

- ! **Referral is an important community service.** Intake workers at **Community Legal Aid Services** in Ohio take pride in making appropriate and useful referrals. They routinely send clients to the public defender office for criminal problems or to the local bar association referral program when their concerns are not within the case acceptance criteria for that office. They network with local social service providers to assist clients in need of food, shelter, safety from violence and eligibility for various benefit programs. Some have been through local "case aid" training programs to familiarize them with community resources.

- ! **Referrals are made through diverse networks of helping agencies.** **MidPenn Legal Services** has close working relationships with human service agencies throughout its eighteen-county service area, including shelters, housing authorities, Head Start, schools, mental health/mental retardation organizations, senior centers, child care agencies, and local government entities, just to name a few. MidPenn distributes informational brochures to its collaborating partners which are then given to clients who may be in need of civil legal assistance.

- ! **Referral information is given out automatically by a telephone message system.** **Legal Aid Society (Kentucky):** In July 2001, LAS reconfigured its telephone and intake system to provide referral services and basic information during and after regular business hours. During business hours the LAS receptionist screens all calls for proper routing and response. The receptionist provides callers with information on other legal service providers or non-legal social service providers, including appropriate phone contacts. During peak periods of calls and after regular business hours, LAS uses an automated answering service that allows callers to self-select by the telephone touch pad the area in which the caller has questions or seeks assistance.

Other outreach methods used were informational notices printed in local media (53 percent), TV spots or public service announcements (32 percent), radio spots or announcements (39 percent), newsletters of other organizations (44 percent), "how to reach us" information on web sites (59 percent) and other methods (49 percent).

Increasingly, grantees are using *targeted* outreach methods rather than shotgun approaches like general media advertising. These are designed to reach people specifically having critical legal needs addressed by special legal aid projects such as domestic violence clinics, eviction prevention programs and disability advocacy units. An example of targeted outreach is the posting of an advertisement for order-of-protection clinics in domestic violence shelters and family counseling agencies.

5. Indirect services.

*Number
of Grantees*
169

Some legal aid programs tap the significant resources of other community organizations in an effort to expand their reach. They are doing this by providing legal training and support to non-lawyer "helping" personnel such as social workers, ministers, teachers and shelter staff who apply this new knowledge to help their clients find appropriate legal information and advice when they have a legal problem. One hundred sixty nine grantees reported they used such "indirect" service delivery models in 2001.

**Outreach Efforts
to People Who Have
Nowhere Else to Turn.**

- ! **Outreach to populations having special needs.** *Prairie State Legal Services* in Illinois reaches out to groups who have special difficulties accessing legal services by phone. These include the elderly, people with disabilities, victims of domestic abuse and homeless people. Two senior citizen outreach workers who work part-time ensure that eligible people are aware of the legal help available to them and distribute legal information to various sites in the counties they serve.
- ! **Finding homeless veterans.** Staff of *Legal Services of Northwest Minnesota* participate in the Veteran's Administration Stand-down for Homeless Veterans which provides badly needed services to low-income veterans. The VA furnishes transportation to bring veterans to a large central location where they can get showers, haircuts, medical care, and a variety of other services, including legal aid. LSNM staff have helped these veterans to overcome bad credit and rental histories, find housing, access public benefits, and qualify for disability income.
- ! **Using multiple outreach channels.** *Monroe County Legal Assistance Corporation* uses a wide range of outreach models to make sure that eligible people are aware of its services. For example, its Fair Housing Enforcement Project uses bus and newspaper advertisements, billboards, TV and radio spots, referral agreements with other agencies, and "How to reach us" pages on the program web site. In Rochester, Spanish-speaking staff appear on Telemundo Television for outreach in the Hispanic community.
- ! **Publishing an In-house newspaper.** *Puerto Rico Legal Services* has its own newspaper, "El Cucubano" that is published every three months. Approximately 90,000 copies were distributed in the second half of 2001 to audiences including clients, all the City Halls, the bar associations, the law schools, Puerto Rico Legislature, San Juan Municipal Assembly, and elders' organizations.

This has a multiplier effect: one lawyer trains 20 social workers, each of whom helps 50 clients, resulting in 1,000 people and families getting legal information, materials or referrals they might otherwise not have had.

Applying this principle, legal aid programs are beginning to form collaborations with other agencies to provide holistic solutions for complex problems such as domestic violence that raise other issues such as the need for income support, health care and child care services. Legal aid lawyers and paralegals increasingly are partnering with social workers, medical people, job counselors and other specialists to provide the right mix of legal and non-legal services people need to get back on their feet.

6. Other services. In addition to the above, there are a number of newer kinds of services that grantees reported as “matters” in 2001. These include the following:

	<i>Number of Grantees</i>
! Mediation / alternative dispute resolution	38
! Other	58

In the last six months of 2001 LSC programs reported providing such “other “ Matters services to over 49,000 people.

C. Significance: “Matters” services have major impacts on our communities, courts and low income population.

- ! Community legal education prevents small problems from getting worse and reduces the strain on our legal system.
- ! Pro se assistance empowers people to help themselves and makes our court system work better.
- ! Referrals help people find the help they need.

**“Indirect Services”
Multiply Impact Through Partnerships.**

- ! **A technology-based service delivery model.**
The Legal Aid Bureau in Maryland partnered with the Maryland Legal Assistance Network in developing, advertising and maintaining the People's Law Library (www.peoples-law.org), a comprehensive legal information and referral service geared towards legal issues important to low and middle income people.
- ! **Partnerships with other helping agencies.**
Monroe County Legal Assistance Corporation in Upstate New York has developed a holistic service delivery approach that joins legal services casehandlers with other professionals in a team to serve clients' overall needs. In order to integrate legal assistance into the case management system of local human service agencies, MCLAC provides training to agency staff and has collaborative service contracts with a senior center, a drug/alcohol rehab center, a teen parent health clinic, and an employment and training project.

It is clear from the Matters Service Reports that LSC grantees have dramatically expanded the range of strategies available for addressing the legal needs of low income people. The data collection system provides LSC with the capacity to track the expansion of these methods and to better describe their scale and impacts as this expansion continues.

The Matters data includes some people who were not eligible clients. It is impractical to restrict grantees to counting only matters handled on behalf of client-eligible people. However, we believe that the number is a small proportion of the total. LSC grantees go to considerable lengths to focus services on the client-eligible population. In the first instance, this is done by presenting the services as being for the poor, including the targeting of outreach efforts on groups and areas in which poor people congregate and live. The subject matter of written materials and of events (for example, legal education workshops is on issues of particular concern to our clients). The sponsorship and location of events and location of grantee offices contributes to this targeting. And where ineligible persons participate anyway, the great majority of them are near-poor, often those who are eligible under non-LSC funding programs such as IOLTA and Administration on Aging.

Even with web-based services, which are notoriously difficult to target exclusively to a particular segment, there is some evidence that the majority of users are client-eligible people. For example, web visitor survey data from Pinetree Legal Services in Maine indicates that two-thirds of its site visitors are low income people or persons seeking information on behalf of low income people.

Implementation of the System: A Status Report

Planning for the matters service reports process was several months in the making. In designing the instrument, consultant Ken Smith and the LSC Results Group examined existing data collection models that state IOLTA funders and individual programs had used. The group then drafted an instrument and pilot tested it with a volunteer group of 22 programs in January 2001. Their experience led to the version that was implemented in all LSC grantee programs in July, 2001.

What's working, what issues need to be addressed.

The general concept of matters is working well. The data system seems to have been well accepted by field programs; The system includes a narrative component as well as statistical reporting, providing the Corporation with a strong capacity for describing the character as well as the volume of services and delivery models in use.

The 2001 reports have enabled the LSC Results Group to identify adjustments for improving reliability of the numerical data being provided by grantees. These include

- ! *Clarification of definitions.* For example, "web hits" were counted in the 2001 version of the system, but this proved to be a vague concept that produced huge numbers but little useable information. Definitions will be clarified for measures to be used in 2003 for quantifying the reach of web-based legal education and pro se assistance models.

- ! *Additional questions.* Considering the difficulty of changing data collection systems in mid-stream, few changes are being considered that would require grantees to revise their forms or procedures. However, in a few areas, small changes will be proposed that are relatively easy to implement. For example, in 2002 grantees will be asked to report the number of newspaper articles published rather than the number of people reached by newspaper articles, which is nearly impossible to quantify in a useful way.
- Small changes will be proposed that are relatively easy to implement.*
- ! *Improved guidelines.* For example, more guidance will be provided to grantees on quantifying the numbers of brochures and materials packets they have distributed. Clearer distinctions will be drawn between *newsletter* articles, which are targeted to well-defined audiences, and *newspaper* articles, which are broadcast to the general population. Additional guidelines will be provided for estimating numbers that cannot be directly counted.

These changes are expected to lead to greater reliability in the matters data for 2002 and 2003. Some of the figures which grantees estimated in 2001 will be measured in 2002 as data collection systems become better established and guidelines get wider distribution to program staff. Figures which the Results Group deemed too “soft” to be used in 2001 will eventually be moved to the “reliable” column.

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Conclusion

The data from the Matters Reporting System can be used for a variety of important purposes. These include:

- ! Producing materials that provide Congress, bar leaders and other stakeholders with a more accurate picture of how many people are being served by LSC-funded programs.
- ! Describing the benefits that services such as community legal education, pro se assistance and referrals to community agencies provide to the communities served by LSC grantees.
- ! Identifying programs that have developed innovative, best-practice models, pointing the way toward more efficient and effective methods of addressing the legal needs of low income people.
- ! Informing grantees about the range of methods being used by their fellow program

managers to deliver more and better services and to reach more people with the precise level and type of service appropriate to their legal situation.

- ! Doing a better job of marketing legal services by telling the “story” of what LSC grantees are contributing to their communities through the partnerships they have created and the wide range of solutions they have put in place.

The Matters Reporting System represents an important asset now in place in LSC-funded programs. It will provide a stream of information about legal services practice serving the civil justice community well into the future.