



# Legal Services Corporation

Technologies That Should Be in  
Place in a Legal Aid Office Today

*May 2008*

## Technologies That Should be in Place In a Legal Aid Office Today

In LSC's *Strategic Directions 2006-2010*, adopted by the LSC Board of Directors in January 2006, LSC committed to "develop a strategic vision for technology" as part of its commitment to enhancing the quality of civil legal services. As a major part of that vision, LSC is defining the technology capacities that its grantees should have in place or have available to them through a vendor or a partner in the access to justice community. This document, *Technologies That Should be in Place in a Legal Aid Office Today*, represents the initial step in implementing the LSC strategic vision for technology development.

The technology capacities described herein are intended to be baseline technologies for any legal aid office that provides a full range of legal services. The baseline was developed initially at an LSC-sponsored conference of technology experts from the private bar, foundations, the judiciary, academia, IOLTA programs, and LSC-funded programs. We extend our grateful appreciation to all of the attendees listed below, and especially to John Tull, who served as facilitator for the conference and drafted the initial listing of technology capacities.

### **LSC Strategic Technology Conference Attendees**

Alfred Azen, Executive Director, Pennsylvania IOLTA Board  
Hugh Calkins, Director of Research and Development, Pine Tree Legal Assistance  
Gavin Clabaugh, Vice President, Information Services, C.S. Mott Foundation  
Thomas Clarke, Vice President, Research and Chief Information Officer, National Center for State Courts  
Debbie Close, Director of Information Services, Doris Duke Charitable Foundation  
Victoria Deak, Project Director, Access to Justice Technology Project, Indiana Legal Services  
Judge Michael Dennard, Senior Judge and Director of Court Assistance Services, Idaho Supreme Court  
William Guyton, Information Technology Manager, Legal Services Alabama  
Dave Hambourger, Chief Information Officer, Seyfarth Shaw LLP  
J. Mark Hendrick, Director of Information Technology, Baker Botts LLP  
Ed Marks, Litigation Director, Legal Aid of Western Ohio  
Alison Paul, Deputy Director, Montana Legal Services Association  
Ronald Staudt, Professor of Law and Associate VP for Law, Business & Technology, Chicago-Kent College of Law  
John A. Tull, Tull and Associates, Colorado  
Richard Winder, Deputy Director, Michigan State Bar Association  
Clara Woodburn, Information Systems Manager, K&L Gates  
Anthony Young, Executive Director, Southern Arizona Legal Aid

We also appreciate the assistance of an advisory group of executive directors and a representative of the National Technology Assistance Program who reviewed and commented on the baseline. The group represented a broad range of programs with a variety of experiences with technology.

### **Advisory Group Members**

Robert Barge, Rhode Island Legal Services  
Sam Buchanan, Mississippi Center for Legal Services  
Scott Crocker, Kentucky Legal Aid  
Tom Garrett, Legal Services Law Line of Vermont  
Gabrielle Hammond, National Technology Assistance Program  
Phyllis Holmen, Georgia Legal Services Program  
Brian Lawlor, Legal Services of Northern California  
Adrienne Worthy, Legal Aid of West Virginia

Following the conference and again following the review by the advisory group, modifications to the baseline were made by an LSC task force composed of Monica Evans, Mark Freedman, Bristow Hardin, Wendy Long, Jeff Morningstar, Joyce Raby, Glenn Rawdon, Karen Sarjeant, and Kamala Srinivasagam, under the leadership of Charles Jeffress. At the suggestion of the LSC Board of Directors, this task force has initiated a survey to identify the extent to which LSC programs already have the baseline technologies available to them. The task force will review the survey responses and will continue to review and modify as necessary the appropriate baseline technologies for legal aid offices.



Helaine M. Barnett  
President, Legal Services Corporation  
May 2008

## TECHNOLOGIES THAT SHOULD BE IN PLACE IN A LEGAL AID OFFICE TODAY

Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
<p><b>OVERALL PROGRAM CAPACITY</b></p>	<p><b>Planning</b></p>	<ul style="list-style-type: none"> <li>Technology planning should be ongoing and integrated into the overall planning of the program for effective service delivery. Technology planning should include an assessment of the program's current needs and capacities in an effort to effectively position the program to incorporate new technological advances as they evolve</li> </ul>	<ul style="list-style-type: none"> <li>Technology should serve the mission and vision of the legal aid program, rather than inadvertently defining or shaping that mission and vision. It is essential, therefore, that technology planning be part of a broader planning process that is itself strategically focused to identify the most significant issues facing the low income communities served by the program and to make deliberate choices about the best means to respond. (Hyperlink to the ABA Civil Standards, Standards 2.1 and 2.2.) In that context, the legal aid provider should consider how technology will most effectively assist it to respond to the low income communities it serves.</li> <li>LSC Performance Criteria: <ul style="list-style-type: none"> <li>Performance Area One. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs. Criterion 1, Criterion 2.</li> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>ABA <i>Standards for the Provision of Civil Legal Aid</i>, Standard 2.10 on Effective Use of Technology. Hyperlink to highlights of Standard and Commentary (Appendix 1) and to full text.</li> <li>Hyperlink to Selections of the <i>LSC Performance Criteria</i> (Appendix 2)</li> <li>An on-line technology planning tool is available at <a href="http://www.techatlas.org">www.techatlas.org</a></li> <li>See the National Technology Assistance Project Statewide Technology Planning Manual <a href="http://www.lsntap.org/node/508">http://www.lsntap.org/node/508</a></li> </ul>

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<b>OVERALL PROGRAM CAPACITY</b>	<b>Planning (cont'd)</b>		Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 4, Criterion 6.	
	<b>Budgeting</b>	<ul style="list-style-type: none"> <li>• Adequate funds should be budgeted by the Board of Directors for:               <ol style="list-style-type: none"> <li>1. the ongoing maintenance and upgrade of hardware and software;</li> <li>2. the personnel necessary to support and maintain the system; and</li> <li>3. training in its use.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• LSC Performance Criteria:               <p>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</p> <p>Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Indicator (appropriate resources to establish/maintain technological infrastructure).</p> </li> </ul>	
	<b>Personnel</b>	<ul style="list-style-type: none"> <li>• Capacity for maintenance of equipment and networks</li> <li>• Capacity for maintenance of databases and software</li> </ul>	<ul style="list-style-type: none"> <li>• All three of these aspects, planning, budgeting and personnel, are important; however appropriate consideration of personnel is often overlooked or taken too lightly. It is important to consider the personnel required to maintain the system and provide training to persons who will use it.</li> <li>• An important ingredient of having "personnel" to support technology is the support of upper level management. Without support from senior management, many technology strategies will fail. Support is important in the form of a willingness to stand behind the integration of the technology into the operation of the law firm and the expenditure of funds for staff to support it and to train staff in its use.</li> <li>• Having adequate personnel does not necessarily mean having permanent</li> </ul>	

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<b>OVERALL PROGRAM CAPACITY</b>	Personnel (cont'd)		<p>and paid staff. Implementation, maintenance and support of technological capacities can be outsourced to a professional organization or to a legal services organization that takes on such a role on a statewide, regional, or national basis.</p> <ul style="list-style-type: none"> <li>LSC Performance Criteria <ul style="list-style-type: none"> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a.</li> <li>Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Indicator (appropriate resources to establish/maintain technological infrastructure).</li> </ul> </li> </ul>	
<b>MANAGEMENT OF CLIENT AND CASE DATA</b>	<b>Case management system</b>	<ul style="list-style-type: none"> <li>Capture and retain client eligibility, case type, and other appropriate data at intake</li> <li>Screens applicants for eligibility and appropriate case type</li> <li>Immediate conflict check</li> <li>Database that is available in all offices in real time</li> <li>Capacity to share client and case data among program offices, as appropriate</li> <li>The capacity to securely and ethically transfer client and case data electronically to and from other service providers, provided that they have the appropriate technologies.</li> </ul>	<ul style="list-style-type: none"> <li>Aggregated data provided at intake can be a source of insight into patterns of issues facing low income communities and can be useful to program planning.</li> <li>Ethical obligations require conflict checks</li> <li>LSC Performance Criteria: <ul style="list-style-type: none"> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> </ul> </li> <li>2008 Grant Assurances: 8 (a) by the end of the grant year, it [the grantee] will conduct program-wide conflicts checking contemporaneously with intake using a case management system with an electronic database. (Applies to bullets 1, 2, 3, and 4 in the Needed Capacities column.)</li> </ul>	<ul style="list-style-type: none"> <li>For tools on the features and selection of case management software, see <a href="http://www.lsnatp.org/bookshelf?tid=9&amp;name=Case%20Management">http://www.lsnatp.org/bookshelf?tid=9&amp;name=Case%20Management</a></li> </ul>

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<b>MANAGEMENT OF CLIENT AND CASE DATA</b>	<b>Case management system (cont'd)</b>	<ul style="list-style-type: none"> <li>Capacity to generate reports and extract meaningful data for strategic planning, program evaluation and other purposes</li> <li>Ability to assign the appropriate funding source to cases.</li> <li>CMS software should allow the end user to easily customize, without vendor assistance, various aspects of the application (e.g. changing reporting requirements, adding/deleting data fields as needed)</li> </ul>	<ul style="list-style-type: none"> <li>LSC Regulations, 45 CFR Chapter 16 <ul style="list-style-type: none"> <li>1610—Use of non-LSC Funds, Transfers &amp; Program Integrity.</li> <li>1611—Financial Eligibility.</li> <li>1626—Alien Eligibility.</li> <li>1630—Cost Standards.</li> </ul> </li> <li>LSC Act, 42 USC § 2996 <i>et. seq.</i> <ul style="list-style-type: none"> <li>§ 1006(b)(3). §2996e(b)(3) (relating to professional responsibilities)</li> <li>§ 1010, § 2996i, Financing.</li> </ul> </li> <li>CSR Handbook (2008 Ed.) <ul style="list-style-type: none"> <li>II—Key Definitions</li> <li>III—Case Management Systems</li> <li>IV—Reporting Requirements</li> <li>V—Documentation Requirements</li> <li>VI—Types of Case Services</li> <li>VII—Referrals</li> <li>VIII—Case Definitions and Closure Categories</li> <li>IX—Legal Problem Categories and Codes</li> <li>X—Private Attorney Involvement Cases</li> </ul> </li> </ul>	
<b>PRODUCTION AND SUPERVISION OF LEGAL WORK</b>	<b>Case management system</b>	<ul style="list-style-type: none"> <li>Case notes recorded electronically with a complete set of facts, advice and services offered and deadlines</li> <li>Capacity to generate reports and extract meaningful data for case planning</li> <li>Systems for above capacities are available in real time in all offices</li> </ul>	<ul style="list-style-type: none"> <li>Many features of case management software rely on consistent use by everyone in the office . Remote supervision, for instance, cannot readily be accomplished unless the case handler being supervised has entered notes into the system for remote review. Group calendaring depends upon full use of the system. Full utilization, however, requires training and support and that the advocates using the system under-</li> </ul>	

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<b>PRODUCTION AND SUPERVISION OF LEGAL WORK</b>	<b>Case management system (cont'd)</b>	<ul style="list-style-type: none"> <li>Remote access to the system, including databases as needed</li> </ul>	<p>stand and experience the benefits of the system.</p> <ul style="list-style-type: none"> <li>LSC Performance Criteria: <ul style="list-style-type: none"> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> </ul> </li> <li>CSR Handbook (2008 Ed.) <ul style="list-style-type: none"> <li>II—Key Definitions</li> <li>III—Case Management Systems</li> <li>V—Documentation Requirements</li> <li>VI—Types of Case Services</li> <li>VIII—Case Definitions and Closure Categories</li> <li>IX—Legal Problem Codes Categories and Codes</li> <li>X—Private Attorney Involvement Cases</li> </ul> </li> </ul>	
	<b>Calendaring</b>	<ul style="list-style-type: none"> <li>Capacity for a calendaring/tickler function for deadlines and appointments</li> <li>Program-wide calendaring system</li> </ul>	<ul style="list-style-type: none"> <li>The program-wide calendaring system is intended to provide calendaring for program events, not for each individual's appointments, which should be separately available through an electronic calendaring function.</li> </ul>	



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<b>PRODUCTION AND SUPERVISION OF LEGAL WORK</b>	<b>Document production</b>	<ul style="list-style-type: none"> <li>• Effective use of productivity software such as word processing, spread sheets and presentation software and training in their use</li> <li>• Capacity for staff to work jointly on the production of large projects, such as major briefs and pleadings</li> <li>• Document assembly (capacity to automatically create documents and forms) and training in its use</li> <li>• Capability of creating PDF documents as well as converting them to editable files</li> <li>• Capacity for electronic filing of pleadings when required or allowed by court systems</li> </ul>	<ul style="list-style-type: none"> <li>• Several factors affect the degree to which document assembly software is useful to advocates and is used by them. <ul style="list-style-type: none"> <li>○ Advocates must be fully trained in its use</li> <li>○ The content needs to be accurate and kept up-to-date and responsive to the needs of the advocate in serving clients.</li> </ul> </li> <li>• Consider as part of document assembly the effective use of substantive law software, such as child support calculation tools, and bankruptcy calculation tools.</li> <li>• LSC Performance Criteria: Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> <li>• 2008 Grant Assurances: 8 (c) it [the grantee] has the capacity to convert paper documents into Portable Document Format (PDF) and the capacity to transmit those documents as electronic files. (Applies to bullet 4 in the Needed Capacities column)</li> </ul>	<ul style="list-style-type: none"> <li>• See, LexisNexis Hotdocs at <a href="http://www.hotdocs.com">www.hotdocs.com</a></li> <li>• See, Nonprofit Automated Documents Online (NPADO), <a href="http://www.npado.org">www.npado.org</a></li> <li>• See, Chicago-Kent College of Law, A2J, <a href="http://www.kentlaw.edu/cajt/A2JAuthor.html">www.kentlaw.edu/cajt/A2JAuthor.html</a></li> <li>• For general information on document assembly, see: <a href="http://www.lsnatp.org/lilbookshelf?tid=49&amp;name=Document%20Assembly">http://www.lsnatp.org/lilbookshelf?tid=49&amp;name=Document%20Assembly</a></li> <li>• See also, the Forms library of SelfhelpSupp Ort.Org <a href="http://www.selfhelpsupport.org/library.cfm?fa=detail&amp;id=123113&amp;appView=folder">http://www.selfhelpsupport.org/library.cfm?fa=detail&amp;id=123113&amp;appView=folder</a> and the</li> <li>• ABA Law Practice Management Section <a href="http://www.abanet.org/lpm/resources/technology.shtml">http://www.abanet.org/lpm/resources/technology.shtml</a></li> </ul>
	<b>Online legal research</b>	<ul style="list-style-type: none"> <li>• On-line tools for conducting legal research using up-to-date primary sources, including laws, regulations and cases, available from every advocate's desktop with staff training regarding its use.</li> <li>• Access to statewide materials, including forms and pleadings,</li> </ul>	<ul style="list-style-type: none"> <li>• LSC Performance Criteria: Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> </ul>	<ul style="list-style-type: none"> <li>• Statewide websites supported by Pro Bono Net and Kaivo support access to statewide materials; <ul style="list-style-type: none"> <li>○ <a href="http://www.kaivo.com">www.kaivo.com</a></li> <li>○ <a href="http://www.probono.net">www.probono.net</a></li> </ul> </li> </ul>

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<b>PRODUCTION AND SUPERVISION OF LEGAL WORK</b>	<b>Online legal research (cont'd)</b>	legal education materials, brief banks, and topical listservs <ul style="list-style-type: none"> <li>• Updates on changes in the law and new cases from legal support centers</li> </ul>		
	<b>Supervision</b>	<ul style="list-style-type: none"> <li>• Data to support the supervision of legal work, including case lists, activity</li> <li>• As necessary, remote access to case files for review by supervisors</li> </ul>	<ul style="list-style-type: none"> <li>• LSC Performance Criteria: Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> <li>• CSR Handbook (2008 Ed.) § 2.5—Who Can Provide Legal Assistance</li> </ul>	<ul style="list-style-type: none"> <li>• One tool for legal work supervision is LegalMeetings. See <a href="http://www.lstech.org/aboutlegalmeetings">www.lstech.org/aboutlegalmeetings</a></li> </ul>
	<b>Timekeeping</b>	<ul style="list-style-type: none"> <li>• Capacity for automated timekeeping is available and is utilized</li> </ul>	<ul style="list-style-type: none"> <li>• LSC Performance Criteria: Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3.</li> <li>• LSC Regulations, 45 CFR Part 1635—Timekeeping.</li> <li>• CSR Handbook (2008 Ed.) § 2.5—Who Can Provide Legal Assistance</li> </ul>	
<b>RECORDS MANAGEMENT</b>	<b>Electronic records</b>	<ul style="list-style-type: none"> <li>• Capacity for filing all electronic records, retaining them, assuring their accessibility and properly disposing of them when appropriate. Potential records in question include:               <ul style="list-style-type: none"> <li>○ All data files associated with program software</li> <li>○ Email messages</li> <li>○ Instant messaging (where used)</li> <li>○ Transcribed or recorded telephone messages and conversations</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Records management should be undertaken with an awareness of the growing convergence between records management (all records), case management (data associated with a case or matter) and knowledge management (specific content that needs to be identified and made accessible on demand)</li> <li>• Instant messaging is an increasingly important means of interacting about legal work in law offices and may involve information and analysis relevant to a case. Such messages need to be made a part of the electronic case file.</li> </ul>	<ul style="list-style-type: none"> <li>• See for example, <a href="http://www.windowstpro.com/articles/print.cfm?articleid=49896">http://www.windowstpro.com/articles/print.cfm?articleid=49896</a></li> </ul>

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<b>RECORDS MANAGEMENT</b>	<b>Electronic records (cont'd)</b>	<ul style="list-style-type: none"> <li>• Policies that govern permissions or access rights to electronic files, including the right to view, edit, move or rename files</li> <li>• The records management system must be compliant with LSC and all other legal requirements in the maintenance of records, including the confidentiality of client records</li> </ul>	<ul style="list-style-type: none"> <li>• Grant Assurances require retention of case records for 5 years and grant related information for 6 years</li> <li>• LSC Performance Criteria: Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3.</li> <li>• LSC Act, 42 USC § 2996 <i>et. seq.</i> § 1008, § 2996g, Records and Reports. § 1009, § 2996h, Audits.</li> <li>• CSR Handbook (2008 Ed.) Chapter III—Case Management Systems</li> <li>• Dec 8, 1997 Program Letter—Recordkeeping (listing major regulatory recordkeeping requirements and providing some reporting forms).</li> </ul>	
<b>KNOWLEDGE MANAGEMENT</b>	<b>Pleading and brief banks, and other electronically stored data and information</b>	<ul style="list-style-type: none"> <li>• Capacity to store and retrieve sample pleadings, briefs, motions and other documents based on content</li> <li>• Electronic access to internal forms and procedures</li> <li>• Program-wide accessible and searchable contacts management system</li> <li>• Electronic access to practice guides</li> </ul>	<ul style="list-style-type: none"> <li>• Effective knowledge management requires adequate staff time to identify appropriate content for inclusion in the system and to tag it appropriately for easy accessibility. Staff who produce the materials that become part of the knowledge to be made available need to be committed to identifying and submitting documents, such as briefs and pleadings. To that end, there should be appropriate training and visible support for the system from the program's senior management.</li> <li>• Programs may use the contacts management system to store information on contacts, such as pro bono and PAI attorneys, courts, judges, and adversarial counsel.</li> <li>• LSC Performance Criteria:</li> </ul>	<ul style="list-style-type: none"> <li>• See Techsoup.org regarding databases, and information management <a href="http://www.techsoup.org/learningcenter/databases/index.cfm">http://www.techsoup.org/learningcenter/databases/index.cfm</a></li> <li>• See also <a href="http://www.abanet.org/lpm/lpt/articles/ftr06042.html">http://www.abanet.org/lpm/lpt/articles/ftr06042.html</a></li> </ul>

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<b>KNOWLEDGE MANAGEMENT</b>	<b>Pleading and brief banks, and other electronically stored data and information (cont'd)</b>		<p>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Inquiry Area re: knowledge management strategy.</p> <p>Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3.</p>	
<b>INTAKE AND TELEPHONIC ADVICE</b>	<b>Telephone systems</b>	<ul style="list-style-type: none"> <li>• Adequate lines to handle volume</li> <li>• Call routing by language, substantive and/or geographic area</li> <li>• Ability to serve persons with speaking or hearing disabilities through access to TTY or relay service</li> <li>• Capacity to review wait times, dropped calls, etc.</li> <li>• Automated call-back</li> <li>• Ability to provide recorded information to caller while waiting or after hours</li> </ul>	<ul style="list-style-type: none"> <li>• Telephone systems should be designed to meet the needs of relevant client populations. This includes language proficiency and sensory impairment issues, as well as consideration of difficulties seniors may have with automated attendant systems, the cultural differences that may deter new immigrants from understanding automated advice, etc.</li> <li>• LSC Performance Criteria: <ul style="list-style-type: none"> <li>Performance Area Two. Effectiveness in engaging and serving the low-income population throughout the service area. Criterion 1.</li> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> </ul> </li> </ul>	

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INTAKE AND TELEPHONIC ADVICE	Telephone systems (cont'd)		<ul style="list-style-type: none"> <li>LSC Regulations, 45 CFR § 1624—Disability Discrimination.</li> <li>LSC Act, 42 USC § 2996 <i>et. seq.</i> § 1006(b)(6), § 2996e(b)(6), (related to languages other than English). § 1007(a)(2)(C), § 2996f(a)(2)(C) (related to special needs populations).</li> <li>Program Letter 04-2—Limited English Proficiency.</li> </ul>	<ul style="list-style-type: none"> <li>See <a href="http://www.lsnatp.org/lilbook-shelf?tid=50&amp;name=Hotlines%20and%20Intake">http://www.lsnatp.org/lilbook-shelf?tid=50&amp;name=Hotlines%20and%20Intake</a></li> <li><a href="http://www.lri.lsc.gov/intake/intake.asp">http://www.lri.lsc.gov/intake/intake.asp</a></li> </ul>
	Electronic desk manual	<ul style="list-style-type: none"> <li>Readily available guide for intake workers to provide appropriate information, advice or referral</li> </ul>		<ul style="list-style-type: none"> <li>See, <a href="http://www.lri.lsc.gov/management/reference.asp">http://www.lri.lsc.gov/management/reference.asp</a></li> <li>Virginia Legal Aid Society integrated their desk manual into their case management system. <a href="http://www.vlas.org/">www.vlas.org/</a></li> </ul>
	Case management system	<ul style="list-style-type: none"> <li>Capacity to enter data in real time into the case management system as intake is being accomplished including eligibility and appropriate case type data.</li> </ul>	<ul style="list-style-type: none"> <li>LSC Performance Criteria: Performance Area Two. Effectiveness in engaging and serving the low-income population throughout the service area. Criterion 1. Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</li> <li>2008 Grant Assurances: 8 (a) by the end of the grant year, it [the grantee] will conduct program-wide conflicts checking contemporaneously with intake using a case management system with an electronic database.</li> </ul>	<ul style="list-style-type: none"> <li>See links above regarding case management systems</li> </ul>

Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
INTAKE AND TELEPHONIC ADVICE	Case management system (cont'd)		<ul style="list-style-type: none"> <li>• CSR Handbook (2008 Ed.)               <ul style="list-style-type: none"> <li>II—Key Definitions</li> <li>III—Case Management Systems</li> <li>V—Documentation Requirements</li> </ul> </li> </ul>	
DIRECT ASSISTANCE TO LOW INCOME PERSONS	Web-based legal information and self help support	<ul style="list-style-type: none"> <li>• A statewide website with the following:               <ul style="list-style-type: none"> <li>○ Current web-based information regarding the program and its services</li> <li>○ Accurate and current community legal education/pro se related materials and referral information written in plain language</li> <li>○ Capacity to serve persons with limited English proficiency</li> <li>○ Website designed and maintained in compliance with <u>Section 508 of the Rehabilitation Act of 1973</u> as amended regulatory standards regarding services to persons with disabilities</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• TIG grants require content maintenance protocol with periodic reviews</li> <li>• The program should assure that the program's content on the statewide website is up-to-date and accurate. To that end, the program needs to assure that resources are dedicated to the writing and updating of web content, including assuring that it is written in simple language that can be understood by persons using the website.</li> <li>• To the extent possible, a program should be certain that the content of websites to which it refers people is accurate and up-to-date. For frequently used websites, it may wish to confirm that the website has quality control measures and spot check the contents.</li> <li>• Pleadings and other forms for use by pro se litigants should be developed as much as possible in partnership with the courts in which they will be used.</li> <li>• The program should also have a policy regarding whether it records and protects the confidentiality of information provided by users of websites and kiosks in the course of preparing self help pleadings and other documents</li> <li>• LSC Performance Criteria: Performance Area Two. Effectiveness in engaging and serving the low-income population throughout the service area. Criterion 2.</li> </ul>	<ul style="list-style-type: none"> <li>• See:               <ul style="list-style-type: none"> <li>○ <a href="http://www.selfhelpsupport.org">www.selfhelpsupport.org</a></li> <li>○ <a href="http://www.lsntap.org/node/311">http://www.lsntap.org/node/311</a></li> <li>○ <a href="http://www.lri.lsc.gov/prose/prose.asp">http://www.lri.lsc.gov/prose/prose.asp</a></li> </ul> </li> </ul>

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<p><b>DIRECT ASSISTANCE TO LOW INCOME PERSONS</b></p>	<p><b>Web-based legal information and self help support (cont'd)</b></p>		<ul style="list-style-type: none"> <li>• Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 3.</li> <li>• 2008 Grant Assurances: 9. It [the grantee] will work with other LSC and non-LSC-funded legal services providers in the State to ensure that there is a statewide Website that publishes a full range of community legal education/pro se related materials and referral information, at least covering the common topics facing the client communities on the subject matters that are the Applicant's priorities. (Applies to bullets 1 and 2 in the Needed Capacities column)</li> <li>• 2008 Grant Assurances: 9. As a member of the (Stakeholders) Committee it [the grantee] will work to ensure that: . . . 2) the Website is periodically evaluated and updated for ease of use and accessibility, and . . . (Applies to bullets 3 and 4 in the Needed Capacities column)</li> <li>• LSC Regulations, 45 CFR § 1624—Disability Discrimination.</li> <li>• LSC Act, 42 USC § 2996 <i>et. seq.</i>  § 1006(b)(6), § 2996e(b)(6) (relating to languages other than English).  § 1007(a)(2)(C), § 2996f(a)(2)(C) (relating to special needs populations).</li> <li>• Program Letter 04-2—Limited English Proficiency.</li> </ul>	

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<b>DIRECT ASSISTANCE TO LOW INCOME PERSONS</b>	<b>Community legal education</b>	<ul style="list-style-type: none"> <li>Community legal education presentations are supported by effective use of technology, i.e., not just speeches and pamphlets</li> </ul>	<ul style="list-style-type: none"> <li>LSC Performance Criteria: Performance Area Two. Effectiveness in engaging and serving the low-income population throughout the service area. Criterion 2</li> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 3</li> </ul>	<ul style="list-style-type: none"> <li>Example of video CLE on IllinoisLegalAidOnline: <a href="http://www.illinoislegalaid.org/index.cfm?fuseaction=home.dsp_content&amp;contentID=1870">http://www.illinoislegalaid.org/index.cfm?fuseaction=home.dsp_content&amp;contentID=1870</a></li> </ul>
<b>SUPPORT FOR USE OF PRIVATE ATTORNEY</b>	<b>Support for program efforts to accept, refer and track PAI cases</b>	<ul style="list-style-type: none"> <li>Technology to recruit volunteer attorneys (via web, email, etc.)</li> <li>The ability to securely and ethically transmit client and case data to pro bono programs and volunteer attorneys who have the ability to receive such data electronically</li> <li>Case management software to track referred cases and work accomplished, eligibility screening, oversight, and timely case closure</li> <li>Case management software to track PAI fiscal allocation, and timekeeping.</li> </ul>	<ul style="list-style-type: none"> <li>LSC Performance Criteria: Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b., and Criterion 3 are applicable</li> <li>LSC Regulations, 45 CFR Part 1614—Private Attorney Involvement.</li> <li>CSR Handbook (2008 Ed.) Chapter X—Private Attorney Involvement Cases</li> </ul>	<ul style="list-style-type: none"> <li>See <a href="http://www.lri.lsc.gov/probono/probono.asp">http://www.lri.lsc.gov/probono/probono.asp</a></li> <li>For an article on CMS transfer using LSXML See, <a href="http://www.lsntap.org/legalAid-Tech_xml_CMS">http://www.lsntap.org/legalAid-Tech_xml_CMS</a></li> </ul>
	<b>Direct support for volunteer attorneys</b>	<ul style="list-style-type: none"> <li>Capacity for assistance and support in representation, including electronic pleading and brief banks</li> <li>Capacity for provision of training through use of technology, such as web, DVD, video conferencing.</li> </ul>	<ul style="list-style-type: none"> <li>The extent to which private attorneys are able to avail themselves of technologically supported assistance is obviously a function of the degree to which they have technological capacity to do so, a factor that varies considerably by location and size of office.</li> </ul>	<ul style="list-style-type: none"> <li>Statewide websites supported by Pro Bono Net and Kaivo support private attorney volunteers; <ul style="list-style-type: none"> <li><a href="http://www.kaivo.com">www.kaivo.com</a></li> <li><a href="http://www.probono.net">www.probono.net</a></li> </ul> </li> </ul>



Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
<b>SUPPORT FOR USE OF PRIVATE ATTORNEY</b>	<b>Direct support for volunteer attorneys (cont'd)</b>		<ul style="list-style-type: none"> <li>LSC Performance Criteria: Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a. , Criterion 1.b., and Criterion 3 are applicable.</li> </ul>	
<b>SECURITY</b>	<b>Firewalls, antivirus, anti-spam, and anti-spyware applications, back-up and appropriate policies regarding use of data and computers</b>	<ul style="list-style-type: none"> <li>Operating systems and anti-virus software have the most current patches and definition updates.</li> <li>Maintenance of backup and recovery systems pursuant to grant assurances</li> <li>Security policies and procedures for protecting client and case data, sensitive, personal and personnel data, and all communications from loss or unauthorized intrusion.</li> <li>Disaster recovery plans</li> <li>Policies regarding the use of the Internet</li> <li>Policies regarding the retention and deletion of data.</li> <li>If an external instant messaging system is used, encrypt it.</li> </ul>	<ul style="list-style-type: none"> <li>A legal aid organization has a significant amount of confidential information, both about its clients and its operations. As more of client and operational data is stored electronically, the risk of outside intrusion into the program's network increases as does the potential damage of such an intrusion. There are a variety of potential risks: <ul style="list-style-type: none"> <li>Direct hacking into the program's network;</li> <li>Potential loss or improper access to portable technology, such as laptops, PDAs and cell phones that are used outside the office;</li> <li>Inappropriate use of the web by staff who may access high risk websites, exposing the firm to malicious software.</li> </ul> </li> <li>A program should have policies, procedures and systems in place to help avoid such losses.</li> <li>Legal aid law offices that use instant messaging should either encrypt the instant messaging or create internal instant messaging systems so that employees do not rely on external systems with attendant security and privacy issues</li> </ul>	<ul style="list-style-type: none"> <li>See, techsoup at <a href="http://www.techsoup.org/learnin/gcen-ter/software/page5500.cfm?cg=searchterms&amp;sg=security">http://www.techsoup.org/learnin/gcen-ter/software/page5500.cfm?cg=searchterms&amp;sg=security</a></li> </ul>

Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
<b>SECURITY</b>	Firewalls, antivirus, anti-spam, and anti-spyware applications, back-up and appropriate policies regarding use of data and computers (cont'd)		<ul style="list-style-type: none"> <li>It is possible to outsource some responsibility for assuring the security level of a provider's information technology and communication system is adequate. Programs may have an outside firm conduct a security audit every year.</li> <li>LSC Performance Criteria. Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3.</li> <li>2008 Grant Assurances: 8(b) it [the grantee]has a plan for backing up case management data, financial data, documents and other critical data. It [the grantee] performs these backups at least weekly and checks their integrity by restoring test files. Further, it [the grantee] stores copies of these backups in a safe, offsite location. (Applies to bullet 2 in the Needed Capacities column)</li> <li>LSC Act § 1006(b)(3), 42 USC § 2996e(b)(3) (relating to professional responsibilities).</li> </ul>	
<b>TRAINING</b>	<b>Training and technology</b>	<ul style="list-style-type: none"> <li>Assessment of organization-wide and individual technology training needs</li> <li>Training and support for all personnel in use of systems and software</li> <li>On-going training for IT staff to maintain technology capacity</li> <li>Effective use of technology to deliver training</li> </ul>	<ul style="list-style-type: none"> <li>Grantees are encouraged to take advantage of national training venues for legal services and non-profits</li> <li>LSC Performance Criteria. Performance Area One. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs. Criterion 2.</li> </ul>	<ul style="list-style-type: none"> <li>See Legal meetings <a href="http://www.lsnatp.org/aboutlegalmeetings">http://www.lsnatp.org/aboutlegalmeetings</a></li> <li><a href="http://www.lsnatp.org/event">http://www.lsnatp.org/event</a></li> <li>For a site with many videos to train attorneys, see, <a href="http://www.illinoislegaladvocate.org/">http://www.illinoislegaladvocate.org/</a></li> </ul>

Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
TRAINING	Training and technology (cont'd)		<p>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</p> <p>Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 4, Criterion 6.</p>	
	Use of technology to deliver training on substantive law, legal skills, and administrative policies and procedures	<ul style="list-style-type: none"> <li>Technologically supported skills, substantive, and administrative training, such as access to on-demand training packages, including on-line trainings, DVDs and podcasts</li> </ul>	<ul style="list-style-type: none"> <li>LSC Performance Criteria:               <p>Performance Area One. Effectiveness in identifying the most pressing civil legal needs of low-income people in the service area and targeting resources to address those needs. Criterion 2.</p> <p>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Criterion 1.b.</p> <p>Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 4, Criterion 6.</p> </li> <li>CSR Handbook (2008 Ed.) Chapters II—X</li> </ul>	
COMMUNICATION	Email, listservs and other technologically supported communication methods	<ul style="list-style-type: none"> <li>Universal capacity to communicate through email</li> <li>Policy for proper use of email and other electronic communication tools</li> <li>Listservs by substance and administrative function, as appropriate</li> </ul>	<ul style="list-style-type: none"> <li>Increased use of technologies, such as Wikis, blogs, instant messaging and collaborative work spaces as well as email give rise to issues regarding privacy expectations. The program should have clear policies that govern appropriate use of such technologies and notify employees and others of the</li> </ul>	<ul style="list-style-type: none"> <li>See, <a href="http://www.techsoup.org/search/moreresults.cfm?query=email%20listservs&amp;type=community&amp;pr_o_number=0&amp;howto_number=58&amp;comm_number=123&amp;other_number=16&amp;toolkits_number=0">http://www.techsoup.org/search/moreresults.cfm?query=email%20listservs&amp;type=community&amp;pr_o_number=0&amp;howto_number=58&amp;comm_number=123&amp;other_number=16&amp;toolkits_number=0</a></li> </ul>

Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
<b>COMMUNICATION</b>	<b>Email, listservs and other technologically supported communication methods (cont'd)</b>	<ul style="list-style-type: none"> <li>Awareness of capacity to develop and use blogs, wikis, and other collaborative work environments</li> </ul>	<p>degree to which the information shared in them is private</p> <ul style="list-style-type: none"> <li>LSC Performance Criteria: <ul style="list-style-type: none"> <li>Performance Area Three. Effectiveness of legal representation and other program activities intended to benefit the low-income population in the service area. Criterion 1.a., Inquiry area re: knowledge management strategy</li> <li>Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 6.</li> </ul> </li> <li>2008 Grant Assurances: 8(d) each casehandler has a computer at her or his work area that can perform all of the following functions: . . . , and email capability with the capacity to send and receive messages and attachments both internally and externally. (Applies to bullet 1 in the Needed Capacities column)</li> <li>CSR Handbook (2008 Ed.) Chapters II—X</li> </ul>	
	<b>Intranet</b>	<ul style="list-style-type: none"> <li>An intranet that provides staff with the ability to develop and use blogs, wikis, and other tools to work collaboratively with colleagues.</li> </ul>	<ul style="list-style-type: none"> <li>Program management should investigate adding this capacity by using the capabilities of their statewide website. It is likely that the site can provide the program with a password protected section that can be used to host its Intranet at no additional expense to the program.</li> </ul>	
<b>ADMINISTRATION</b>	<b>Accounting</b>	<ul style="list-style-type: none"> <li>General ledger, payables, receivables and fixed assets</li> <li>Payroll</li> </ul>	<ul style="list-style-type: none"> <li>To the extent that such opportunities exist, program management should seek to have its administrative personnel attend pertinent technology train-</li> </ul>	

Purpose served	What should be in place	Needed capacities or functions	Important Considerations	Useful websites, resources and other tools
ADMINISTRATION	Accounting (cont'd)	<ul style="list-style-type: none"> <li>• Maintain client trust accounts</li> <li>• Capacity to track and report budgeting and expenditures</li> <li>• Generate all needed internal and external reports</li> </ul>	<p>ing and become involved in support networks that address the use of technology in program administration.</p> <ul style="list-style-type: none"> <li>• LSC Performance Criteria: Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 4.</li> <li>• LSC Audit Guide</li> <li>• LSC Accounting Guide</li> <li>• LSC Act § 1006(b)(3), 42 USC § 2996e(b)(3), (relating to professional responsibilities).</li> </ul>	
	Human resources management	<ul style="list-style-type: none"> <li>• Capacity to maintain all appropriate personnel records, including <ul style="list-style-type: none"> <li>o payroll,</li> <li>o timekeeping,</li> <li>o benefits administration</li> <li>o individual employee records.</li> </ul> </li> <li>• Capacity to maintain confidentiality of personnel data</li> <li>• Capacity to advertise positions and accept applications electronically</li> <li>• Capacity to generate appropriate and necessary personnel reports</li> </ul>	<ul style="list-style-type: none"> <li>• Personnel, procedural and administrative manuals can be made available and constantly updated on a Wiki.</li> <li>• The ease with which staff members can obtain information such as available health benefits or remaining vacation days of sick leave can impact on their receptivity to other forms of technology.</li> <li>• LSC Performance Criteria:</li> <li>• Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 4.</li> </ul>	

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ADMINISTRATION	Grant maintenance	<ul style="list-style-type: none"> <li>• To track each grant including               <ul style="list-style-type: none"> <li>○ information on grant requirements, restrictions and commitments;</li> <li>○ tracking of expenditures and activities;</li> <li>○ management of reimbursables;</li> <li>○ indirect cost calculations;</li> <li>○ control of expenditures against budget;</li> <li>○ generation of reports and tracking of deadlines</li> </ul> </li> <li>• Maintenance of contact information</li> </ul>	<ul style="list-style-type: none"> <li>• LSC Performance Criteria: Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 4.</li> <li>• LSC Regulations, 45 CFR Chapter 16 1610—Use of non-LSC Funds, Transfers &amp; Program Integrity. 1630—Cost Standards.</li> <li>• LSC Act § 1010, 42 USC § 2996i, Financing.</li> </ul>	
	Fundraising and resource development	<ul style="list-style-type: none"> <li>• Donor lists and information</li> <li>• Generation of letters, reports, and other appropriate documents.</li> <li>• Ability to accept on-line donations</li> </ul>	<ul style="list-style-type: none"> <li>• LSC Performance Criteria: Performance Area Four. Effectiveness of governance, leadership and administration. Criterion 3, Criterion 4.</li> <li>• LSC Regulations, 45 CFR § 1610.5 (donor notification letters).</li> </ul>	<ul style="list-style-type: none"> <li>• For an online solution see, eTapestry <a href="http://www.etapestry.com">www.etapestry.com</a></li> <li>• For an interesting report, see, <a href="http://www.techsoup.org/learningcenter/databases/page5957.cfm?forum=2022&amp;forumtopicid=58353&amp;mid=228559&amp;showcomment&amp;">www.techsoup.org/learningcenter/databases/page5957.cfm?forum=2022&amp;forumtopicid=58353&amp;mid=228559&amp;showcomment&amp;</a></li> </ul>