

Matters Service Report

Definitions of Key Terms

1. General

1. “Case”: See CSR Handbook
2. “Matter:” A legal service provided to the low income community *other* than services provided as part of the work performed on accepted “cases.” (Services such as legal information, advice or other assistance provided to an eligible “client” in connection with a “case” are covered in the Case Service Report (CSR) and would not be reported as “matters.”)

Matters are defined in 45 CFR 1620.2(b).

2. Types of Matters

1. Community legal education -- statistical and narrative reporting: This consists of activities aimed at informing members of the low income community about their legal rights and responsibilities connected with various situations they might encounter as consumers, tenants, parents, spouses, employees, citizens or other roles. Examples of these services include:
 1. Presentations to community groups on legal subjects such as landlord-tenant relations, domestic relations or elder law.
 2. Legal education brochures on such topics as consumers’ rights or bankruptcy.
 3. Legal education materials posted on web sites
 4. Newsletter articles addressing Legal Ed topics
 5. Video Legal Ed materials (videotapes, CD-ROMs, etc.)
2. Pro Se Assistance, not included in “case service” statistics -- statistical and narrative reporting: This category consists of generalized information and assistance provided to people wishing to handle simple legal matters themselves without extensive assistance from an attorney. Examples may include the following. (*Also see further definitional information below.*)
 1. Workshops or clinics
 2. Help desk at court
 3. Self-help printed materials (e.g., Divorce Kits)
 4. Self-help materials posted on web sites (e.g., forms)
 5. Self-help materials posted on kiosks (e.g., self-produced Orders of Protection):

Further definitional notes regarding pro se assistance:

1. Pro se workshops, clinics; self help desks. In some instances, pro se

assistance provided in workshops, clinics or court help desk settings may qualify as “case” services. If so, such services should be counted as “cases”, not “matters.” For example, if a clinic model is used to provide *individualized legal advice or assistance from a legal professional* to people who have been *qualified as client-eligible*, those services may qualify for reporting on the CSR as “advice” or “brief service” cases. Clear lines that determine whether an event is a “matter” and not a “case” include: (1) the information being provided is generalized, rather than individualized and fact-specific; and/or (2) client eligibility is difficult or impossible to determine given the circumstances of the delivery model (e.g., a help desk located in a housing court). Rather than impose a burdensome client eligibility screening process simply to count this assistance as a “case,” the grantee may report the services as a “matter.”

2. Pro se materials or forms. Often printed materials are provided to clients in connection with “cases.” In these instances there is potential overlap with reporting on “matters.” For example, an accepted client might be assisted in filling out a pro se form and given individualized advice on how to file her case *pro se*. This would be reported on the CSR as a “brief service” case, not a “matter.” In general, duplication of reporting on “cases” and “matters” should be avoided where possible, but a reasonableness standard should apply. Grantees are not being asked to put burdensome accounting systems in place to guarantee unduplicated counts of people provided with pro se materials or forms.
3. Referrals -- statistical and narrative reporting: This category consists of referrals that do not qualify as “cases.”

An example would be referrals by a free-standing telephone intake unit or hotline which provides no direct legal assistance itself that qualifies as “case” services but has the significant function of referring applicants to other appropriate providers of legal services. Its referrals would be counted as “matters” and its service would be described in the matters report.

Any referral in which no actual legal advice or other legal service is provided directly to the client is not a case and should be counted as a matter, irrespective of the amount of work done on it (See 1999 CSR Handbook -- Revised Section 7.2).

Another example of “matters” would consist of referrals of applicants seeking types of assistance excluded under a grantee’s priorities — for example, divorces not involving domestic violence or children where a grantee has decided not to handle these types of divorces.

Many grantees will make both “case” and “matter” referrals under certain circumstances. In this situation the grantee should have a system in place for avoiding duplication of numbers reported in the two categories.

An example of a “case” referral would be where a client is given actual legal advice or brief service and then referred to another source of legal assistance outside the program for more extensive legal assistance. Another example would be where a client receives counsel and advice or brief service and is then referred to a social service agency because his or her remaining problems are better handled by that organization.

An example of a “matter” in a hotline program would be a situation where an applicant is flagged by the intake worker as a perfect candidate for the local Mediation service and is referred rather than being sent forward for an interview with the hotline lawyer.

Categories of “referral” matters include:

1. Referrals to other providers of civil legal services to low income people (e.g., to a specialized housing legal assistance program)
 2. Referrals to the private bar (e.g., referrals to a bar association’s Lawyer Referral Service or to individual private attorneys not affiliated with the grantee’s pro bono or compensated panels)
 3. Referrals to providers of human or social services (e.g., referrals to a housing assistance agency or a community food kitchen)
 4. Referrals to other sources of assistance (e.g., to a legislator’s staff)
4. Outreach -- Narrative Reporting Only: This category consists of activities for informing potential clients about the availability of services for which they might be eligible. It includes the following types of outreach methods:
1. Informational notices published in print media
 2. TV spots or PSAs
 3. Radio spots or PSAs
 4. Newsletter(s) (other than internal to the program, e.g., staff/board newsletters)
 5. Referral agreements with other agencies
 6. “How to Reach Us” pages on web sites.

Further definitional note regarding outreach: This activity potentially overlaps with community legal education or other types of matters, but duplication in this instance is not a major concern. For example, legal education presentations at senior centers are sometimes used as an effective outreach vehicle for informing people about elder law services as well as conveying legal information. This potential duplication raises no issue of double-counting, since outreach matters require only narrative, not quantitative, reporting. The legal education and

outreach dimensions of a particular activity may be discussed in the place in the matters report where, in the grantee's judgement, it best fits.

5. Indirect services matters -- Narrative Reporting Only: This category consists of non-case activities that address legal problems of the low income community through models that are becoming increasingly important as legal services programs become more integrated with each other and with other community institutions. These supplement and complement traditional, more direct legal assistance activities. Examples include the following:
 1. Legal education for lay service providers. This includes workshops or individual trainings for social agency staff, law enforcement officials, educators, client representatives or other people who have contact with the low income population in the grantee's service area. These services equip these players with legal information they need in order to spot potential legal needs and to refer their clients to appropriate sources of legal help.
 2. Collaborative service delivery models. This includes participation in community task forces and other collaborative efforts seeking cost-effective solutions for problems representing significant portions of legal services caseloads, such as domestic violence, eviction and access to medical care. It might also include collaborative models in which teams lawyers work together with other professionals to address a client's interrelated needs, such as domestic violence, housing, employment and child care, in more holistic and effective ways.
6. Other matters -- narrative reporting only, except statistical for mediation/ADR: This category consists of non-case services not covered by the specific categories above. This "Other Than Above" category is included in this reporting process to provide an open-ended opportunity for grantees to describe innovative or unique service accomplishments that do not fall under models of service delivery that we have identified in advance.

Examples of services that might be reported under this category include the following:

1. Mediation or alternative dispute resolution services to the low income community that are not included in "cases" ongoing in a grantee's program.
2. Provision of video-conferencing facilities in domestic violence shelters to provide domestic violence victims with access to lawyers and judges without leaving the safe environment of the shelter.
3. Contributions (of content or expertise) by a grantee to a statewide legal services web site or other services to the low income community that don't quite fit into other categories of reporting.

New models are emerging constantly and are becoming increasingly important as the concept of integrated, comprehensive service delivery systems continues to be developed and refined in the legal services community. This “other” category will provide flexibility in the reporting process to capture these emerging services without an unreasonable burden on grantees.