

**REPORT ON THE FINDINGS OF THE NATIONAL SURVEY  
OF STATEWIDE REPORTING PRACTICES FOR  
OLDER AMERICANS ACT TITLE III-B LEGAL SERVICES**



**PENELOPE HOMMEL, CO-DIRECTOR  
LAUREN B. LISI, CONSULTING ATTORNEY  
THE CENTER FOR SOCIAL GERONTOLOGY (TCSG)  
2307 SHELBY AVENUE  
ANN ARBOR, MI 48103  
(734) 665-1126**

**SUPPORTED BY A GRANT FROM:  
THE BORCHARD FOUNDATION CENTER ON LAW AND AGING**

**JULY 2015**



REPORT ON THE FINDINGS OF THE NATIONAL SURVEY  
OF STATEWIDE REPORTING PRACTICES FOR  
OLDER AMERICANS ACT TITLE III-B LEGAL SERVICES

PENELOPE HOMMEL, CO-DIRECTOR  
LAUREN B. LISI, CONSULTING ATTORNEY  
THE CENTER FOR SOCIAL GERONTOLOGY (TCSG)  
2307 SHELBY AVENUE  
ANN ARBOR, MI 48103  
(734) 665-1126

SUPPORTED BY A GRANT FROM:  
THE BORCHARD FOUNDATION CENTER ON LAW AND AGING

© 2015 The Center for Social Gerontology (“TCSG”), Ann Arbor, Michigan.  
Contact TCSG for permission to reproduce this report in part or whole.

## **ACKNOWLEDGEMENTS**

Thank you to the Borchard Foundation Center on Law and Aging for recognizing the importance of this project and supporting not only the survey and report, but the creation of Guidelines for the development and implementation of uniform statewide reporting systems for Older Americans Act Title III-B legal assistance services.

We are indebted to the members of the Advisory Committee to this project. They have participated in conference calls, reviewed documents, garnered support among their networks, and been available for advice on any aspect of the project. They are:

Tom Bedall, Managing Attorney, Pro Seniors, Cincinnati, Ohio

Amy Gotwals, Chief, Public Policy and External Affairs, National Association of Area Agencies on Aging (n4a), Washington, D.C.

Bristow Hardin, Program Analyst (Evaluations and Final Reporting), Legal Services Corporation, Washington, D.C.

Fred Steele, Legal Services Developer, State Unit on Aging, Oregon Department of Human Services, Salem, Oregon

Natalie Thomas, Legal Services Developer, Georgia Division of Aging Services, Department of Human Services, Atlanta, Georgia

Kelsey Walter, Director of NCI-AD, National Association of States United for Aging and Disabilities (NASUAD), Washington, D.C.

William Wise, Supervising Attorney, Senior Citizens Legal Advocacy Program, Legal Aid of Orange County, Santa Ana, California

We also wish to acknowledge the guidance of Administration for Community Living/Administration on Aging staff who work closely with the law and aging networks throughout the country, and assistance from the ACL Office of Performance and Evaluation.

Finally, thank you to the individuals working in the law and aging network around the country – legal assistance providers and staff, AAA staff, and SUA directors and staff. We are especially grateful to the legal services developers (LSDs) and other survey respondents who took the time to answer the survey, shared reporting protocols and forms, and answered follow-up calls and emails. A special thank you to the legal services developers who pre-tested our survey form: Sarah Halsell, Legal Services Developer, Florida Department of Elder Affairs; Paige Thorson, Legal Services Developer, Iowa Department on Aging; and Laura Beck, Legal Services Developer, New York State Office for the Aging.

**REPORT ON THE FINDINGS OF THE NATIONAL SURVEY  
OF STATEWIDE REPORTING PRACTICES FOR  
OLDER AMERICANS ACT TITLE III-B LEGAL SERVICES**

<b>TABLE OF CONTENTS</b>
--------------------------

**ACKNOWLEDGEMENTS** ..... ii

**EXECUTIVE SUMMARY** ..... 1

**PART ONE: CONTEXT FOR THE REPORT AND SURVEY**..... 7

**INTRODUCTION: NEED FOR THE SURVEY**..... 7

**I. ABOUT THIS PROJECT**..... 8

**I.A About The Guidelines** ..... 9

**I.B About The Survey And This Report**..... 10

**II. CURRENT NATIONAL REPORTING REQUIREMENTS**..... 11

**II.A Older Americans Act Reporting-Specific Requirements**..... 11

**II.B AoA/ACL Reporting Requirements** ..... 12

**III. SURVEY METHODOLOGY AND DESIGN**..... 14

**III.A Survey Methodology** ..... 14

**III.B Survey Design** ..... 15

**III.C Survey Response Rates**..... 15

**PART TWO: SURVEY RESULTS**..... 15

**IV. SURVEY RESULTS – BACKGROUND ON STATE LEGAL SERVICES DELIVERY SYSTEMS** ..... 16

**IV.A. Support For Legal Services Delivery At The State Level** ..... 16

• *Chart 1: Number of LSD Respondents and Time Devoted to Development Work* ..... 17

**IV.B Existence of Statewide III-B Legal Services Reporting Systems Around The Country** ..... 17

• *Chart 2: Does your SUA require every III-B legal provider to collect additional data beyond the basic SPR data?*..... 18

<b>IV.C</b>	<b><u>The Legal Services Provider Networks</u></b> .....	18
	• <i>Chart 3: In your state how many contracts are there with III-B funded legal providers?</i> .....	20
	• <i>Chart 4: Which of the following types of agencies receive III-B legal services funds in your state?</i> .....	22
	• <i>Chart 5: If LSC-funded programs receive III-B legal services monies in your state, what percentage of the statewide annual total III-B legal services funds are allocated to services provided by LSC-funded programs.</i> .....	23
<b>V.</b>	<b><u>SURVEY RESULTS –STATES WITH STATEWIDE REPORTING SYSTEMS</u></b> .....	23
<b>V.A</b>	<b><u>Developing The Statewide Reporting System</u></b> .....	23
<b>V.A.1</b>	<b><u>MOTIVATION FOR DEVELOPING A STATEWIDE REPORTING SYSTEM AND KEY STRENGTHS OF THAT SYSTEM</u></b> .....	24
	• <i>Chart 6: What was the major motivation for developing and implementing statewide reporting?</i> .....	25
	• <i>Chart 7: What are the key strengths of your statewide reporting system?</i> .....	26
<b>V.A.2</b>	<b><u>THE PROCESS USED IN DEVELOPING REPORTING</u></b> .....	26
<b>V.A.2.a</b>	<b><u>Participants in the process</u></b> .....	27
	• <i>Chart 8: Which individuals, offices or agencies worked on the development of the statewide reporting system?</i> .....	28
	• <i>Chart 9: Breakdown of the stakeholder groups that worked on the development of the reporting system.</i> .....	29
<b>V.A.2.b</b>	<b><u>Support for the process of developing a statewide reporting system</u></b> .....	29
<b>V.A.2.c</b>	<b><u>Length of time required to develop a system</u></b> .....	29
	• <i>Chart 10: How long did it take to create the statewide reporting system – from development through implementation?</i> .....	30
<b>V.A.3</b>	<b><u>CHALLENGES</u></b> .....	30
	• <i>Chart 11: Describe the major challenges encountered in developing and implementing the statewide reporting system.</i> .....	31
<b>V.B</b>	<b><u>Uniform Application Of The Statewide Reporting System</u></b> .....	32
<b>V.C</b>	<b><u>Data Collected</u></b> .....	33
<b>V.C.1</b>	<b><u>SPR REQUIRED DATA</u></b> .....	33

V.C.1.a	<u>Hours/units of service provided</u> .....	33
V.C.1.b	<u>Number of unduplicated clients</u> .....	33
<b>V.C.2</b>	<b><u>DEMOGRAPHIC CHARACTERISTICS OF CLIENTS</u></b> .....	34
•	<i>Chart 12: Which of the following demographic categories are collected by the statewide system?</i> .....	36
<b>V.C.3.</b>	<b><u>NUMBER OF CASES OPENED OR CLOSED</u></b> .....	36
<b>V.C.4</b>	<b><u>LEVEL OF SERVICE PROVIDED</u></b> .....	37
<b>V.C.5</b>	<b><u>TYPES OF LEGAL ISSUES HANDLED</u></b> .....	38
•	<i>Chart 13: Does your state collect data on levels of service or types of legal issues handled?</i> .....	38
<b>V.C.6</b>	<b><u>OUTCOMES/INDICATORS OF IMPACT</u></b> .....	39
•	<i>Chart 14: Outcomes/indicators of impact used by III-B legal services statewide reporting systems.</i> .....	40
<b>V.C.7</b>	<b><u>OTHER DATA COLLECTED</u></b> .....	40
•	<i>Chart 15: Additional data collected by states with statewide reporting systems</i> .....	41
<b>V.C.8</b>	<b><u>PROBLEMATIC DATA COLLECTION, DATA COLLECTED OUTSIDE THE STATEWIDE REPORTING SYSTEM, AND WEAKNESSES IN CURRENT REPORTING SYSTEMS</u></b> .....	41
<b>V.D</b>	<b><u>Data Reporting Process</u></b> .....	42
<b>V.D.1</b>	<b><u>RECIPIENTS OF REPORTING DATA</u></b> .....	42
•	<i>Chart 16: When reporting on their own individual programs, to what agencies do III-B legal services providers submit the data required by the statewide reporting system?</i> .....	43
<b>V.D.2</b>	<b><u>FREQUENCY OF REPORTING SUBMISSIONS</u></b> .....	44
V.D.2.a	<u>Frequency of reporting to AAAs</u> .....	44
•	<i>Chart 17: Frequency with which reporting data is submitted to AAAs</i> .....	45
V.D.2.b	<u>Frequency of reporting to the SUA/LSD/state data management website</u> .....	45
▪	<i>Chart 18: Frequency with which reporting data is required to be submitted to SUA/LSD/State data management website....</i>	46

<b>V.D.3 DATA COLLECTION AND SUBMISSION PROCESS –TECHNOLOGICAL ISSUES</b> ....	46
V.D.3.a <u>Data collection –technological issues</u> .....	47
▪ <i>Chart 19: Survey responses to questions about the use of electronic case management systems.</i> .....	48
V.D.3.b <u>Data submission – technological issues</u> .....	48
• <i>Chart 20: In what form do providers submit III-B legal services data, required by your statewide reporting system, to the AAA or the SUA/LSD?</i> .....	49
<b>V.E <u>Data Analysis, Data Uses And Dissemination Of Reporting Data</u></b> .....	49
<b>V.E.1 DATA ANALYSIS</b> .....	49
<b>V.E.2 DATA USES</b> .....	50
• <i>Chart 21: Please describe how the AAAs and/or the SUA/LSD use the data collected with the statewide reporting system?</i> .....	52
<b>V.E.3 DISSEMINATION OF REPORTING DATA</b> .....	52
• <i>Chart 22: Does your SUA/LSD compile statewide legal services data into an annual or periodic report? Who gets the annual or periodic report?</i> .....	53
<b>V.F <u>Considerations For Improving III-B Legal Services Reporting Systems</u></b> .....	53
<b>VI. <u>CONCLUSION: ADVICE AND OBSERVATIONS OF SURVEY RESPONDENTS ABOUT STATEWIDE REPORTING</u></b> .....	54
 <b><u>APPENDICES</u></b> .....	A-1
<b>APPENDIX 1: <u>OPEN-ENDED COMMENTS TO THE SURVEY</u></b> .....	A-1
Appendix 1.1: Title and duties of non-developer respondents, especially as they pertain to supporting and developing Title III-B legal services. ....	A-1
Appendix 1.2: If you know, please explain the reasons that, having considered it, your state does not yet have a statewide reporting system? .....	A-2
Appendix 1.3: Is there anything else you would like us to know about Title III-B legal services reporting in your state?.....	A-3
Appendix 1.4: What was the major motivation in developing and implementing statewide reporting? .....	A-4



Appendix 1.5: What are the key strengths of your current statewide uniform reporting system? ..... A-5

Appendix 1.6: Please provide any additional description of the process your state went through in developing your statewide uniform reporting system that would help other states to develop a statewide Title III-B legal services reporting system. .... A-7

Appendix 1.7: What was/were the source(s) of the funds granted/allocated for developing a statewide reporting system? ..... A-8

Appendix 1.8: Briefly describe the major challenges that you encountered in developing and implementing your current statewide reporting system and how you overcame them?..... A-9

Appendix 1.9: Please provide the definition of "unduplicated client" used in your statewide reporting system..... A-10

Appendix 1.10: Please provide the definition of "case" used for purposes of your statewide reporting. .... A-13

Appendix 1.11: Please describe the outcome measures/indicators of impact used and how they are calculated..... A-14

Appendix 1.12: Are there particular kinds of data that are problematic to collect? Please describe briefly what those are and why they are problematic. .... A-16

Appendix 1.13: What are the key weaknesses/problems in your current statewide reporting system? ..... A-16

Appendix 1.14: Please provide us with any additional information about the technical aspects of your statewide Title III-B legal services reporting system that would be helpful to other states that want to develop a statewide uniform Title III-B legal services reporting system. .... A-18

Appendix 1.15: What is on your wish list for maintaining, reviewing or improving your current statewide reporting system? ..... A-19

Appendix 1.16: What other comments, insights, and recommendations do you have about the effective development, implementation or operation of your statewide reporting system or use of the data collected by that reporting system? ..... A-20

**APPENDIX 2: LISTING OF STATEWIDE REPORTING DOCUMENTS COLLECTED .... A-23**

Appendix 2.1: Arizona ..... A-23

Appendix 2.2: California ..... A-23

Appendix 2.3: Colorado..... A-23

Appendix 2.4: Florida (In Process) ..... A-24

Appendix 2.5: Georgia ..... A-24

Appendix 2.6: Iowa .....	A-25
Appendix 2.7: Kansas.....	A-25
Appendix 2.8: Maryland.....	A-26
Appendix 2.9: Nebraska.....	A-26
Appendix 2.10: Nevada .....	A-27
Appendix 2.11: North Dakota.....	A-27
Appendix 2.12: South Carolina .....	A-27
Appendix 2.13: Tennessee.....	A-28
Appendix 2.14: Virginia .....	A-28

<b>APPENDIX 3: <u>STATEWIDE REPORTING FOR IIB LEGAL SERVICES – SURVEY</u></b>	
<b><u>INSTRUMENT</u></b> .....	A-29

## EXECUTIVE SUMMARY

### REPORT ON THE FINDINGS OF THE NATIONAL SURVEY OF STATEWIDE REPORTING PRACTICES FOR OLDER AMERICANS ACT TITLE III-B LEGAL SERVICES

#### PRINCIPAL RESEARCHERS:

PENELOPE HOMMEL, CO-DIRECTOR, THE CENTER FOR SOCIAL GERONTOLOGY  
LAUREN LISI, CONSULTING ATTORNEY, THE CENTER FOR SOCIAL GERONTOLOGY

#### FUNDING PROVIDED BY:

THE BORCHARD FOUNDATION CENTER ON LAW AND AGING

**Need For The Survey.** The Older Americans Act (OAA) is a primary vehicle for the provision of community-based services for older Americans. Legal assistance to the elderly through Title III-B of the OAA has long been designated as one of only three priority services in the Act which must be funded in all areas of the country. Despite this fact and the substantial investment of federal, state and local funds to provide critical legal services, there is little information collected at the federal level about these services, including no information collected about the characteristics of older persons receiving these services and what types of services are actually being provided. There is some reporting being done at the state level, but there are no guidelines on what state reporting systems should be capturing. The survey and this resulting report attempt to address these gaps.

**The Survey.** This report examines the findings of a study undertaken by The Center for Social Gerontology (TCSG), with support from The Borchard Foundation Center for Law and Aging, in the summer of 2014, to determine if states around the country had developed and implemented statewide reporting systems for OAA, III-B legal services. Where states had such systems in place, the study asked about the data reported out by those systems, the procedures for reporting, and how collected data was used.

**Survey Findings.** The status of statewide uniform reporting systems for III-B legal services throughout the country is as varied as the delivery systems they report on. Reporting systems vary in terms of the range of data collected, the frequency with which it is reported, to whom it is reported, how it is reported, the level of data analysis, and how that data is ultimately used. Important findings of the survey are summarized here.

- Fifty-one State Units on Aging (SUAs) were surveyed (all 50 states and the District of Columbia) and respondents from 45 states completed surveys -- a response rate of 88%.
- Twenty of 45 states responding to the survey have statewide reporting systems for III-B legal services that go beyond the reporting currently required by the Administration on Aging/Administration for Community Living (AoA/ACL). Another 3 states are in the process of implementing a statewide reporting system. Twenty-two states have no reporting system in place.
- Many legal services developers (LSDs), the individuals within each state responsible for coordinating and supporting the provision of legal services, have little time to devote to legal services delivery systems work. Almost 40% of LSDs from responding states spent a day or less per week on legal services delivery systems work. Only 3 LSDs that responded to the survey worked full time at legal services delivery systems work.
- Legal service provider networks are varied. However, 86% of responding states had at least one III-B legal services contract with an LSC office or non-profit legal aid office. In over half of the responding states, these same offices receive a large portion of the OAA dollars designated for III-B legal services. Such offices are more likely to have case management systems in place, and are more likely to already collect the kinds of information that would be collected by a statewide reporting system for III-B legal services.
- Forty-seven percent (47%) of responding states also had contracts with private attorneys. These smaller, independent providers are less likely to have other reporting mandates and case management systems in place to quickly adapt to new reporting requirements.
- Primary motivating factors for the development and implementation of a statewide reporting system were the need: (1) for accurate, complete and consistent data; (2) to assure quality/effectiveness in service delivery; and, (3) to know what effect legal services are having on clients' lives and to be able to tell that story.

- Respondents from the 23 states with statewide reporting systems<sup>1</sup> cited the following considerations as important in the development of their state's uniform reporting system:
  - Involvement of all stakeholders – Area Agencies on Aging (AAAs), the SUA and legal providers.
  - Selling the reporting system. Stakeholders must be convinced that what the system will deliver justifies the time and resources needed to implement statewide reporting.
  - Wherever possible, adopting or adapting existing data sets, protocols and technologies already in use in the state.
  - Using legal assistance standards to guide development of the reporting system.
  - Learning from other states that have already implemented systems.
  - Anticipating and planning for the long-term potential benefits of a statewide reporting system, even if circumstances require that you collect only a small number of data sets at the outset.
  - Using the impetus and additional funding provided by grants such as Model Approaches grants from AoA/ACL.
  - Ensuring the system is a single, uniform system that applies to all providers and AAAs within the state.
  - Piloting the system before implementing it statewide.
  - If necessary, implementing the system in phases.
  
- Most states, 14 of 18<sup>2</sup>, were able to develop and implement a statewide reporting system without additional funding, and just over half, 8 of 15, reported developing and implementing the system in less than one year.
  
- Technology issues, both at the collection and analysis phase, and gaining consensus among stakeholders were the most frequently cited challenges to developing and implementing reporting systems. More than three-quarters (82%) of the reporting systems were developed by building on existing case management systems

---

<sup>1</sup> Unless otherwise noted, the responses of the 3 states in the process of developing a reporting system were aggregated with the responses of states that already had reporting systems in place.

<sup>2</sup> The numbers and percentages of survey responses do not always add up to the total number of possible respondents or to 100%. Respondents were not required to answer each question before proceeding to the next. Accordingly, surveys may not have responses to a particular question. Some questions may also allow for more than one response. Throughout, unless otherwise specified, total respondents does not include respondents who answered with the response “Do Not Know.”

- Data collected by a majority of the 23 states with statewide reporting systems include:
  - Hours/Units of Service
  - Number of unduplicated clients
  - Demographic data, including more than 50% collecting data on age, factors indicating isolation, ethnicity, race, income, English language proficiency, and rural/urban location
  - Number of cases opened/closed
  - Level of service provided
  - Types of legal issues handled
  - Outcomes/Indicators of impact, in the form of illustrative stories representing the kinds of work done by legal services
  - Community education activities
  - Outreach efforts to targeted populations
  
- A smaller number of states also collect quantitative data about outcomes/indicators of impact. This includes calculating monetary benefits and tracking non-monetary benefits realized by clients.
  
- The most cited uses of III-B legal services data were:
  - To monitor compliance with contractual or legal requirements,
  - To demonstrate the significant value of legal assistance services,
  - To examine whether targeting and priority setting are occurring, and
  - To justify and/or expand funding
  
- Almost three-quarters of responding states used statewide reporting system data to create annual or periodic reports about the legal services provided in the state. AAAs were the most common recipients of these reports.

**Statewide Reporting For Title III-B Legal Services: Looking Ahead.** Survey results suggest that more and more states recognize the importance of statewide reporting for III-B legal services and the ability of those systems to collect systematic, consistent and telling data about clients, cases, and the impact of legal services. Hopefully, this will translate to a better understanding of what legal services programs do, recognition of the importance of legal services, and enhancements to the quality and delivery of legal services to the elderly; for these must be the ultimate goals of statewide legal services reporting.

Although statewide reporting systems are being set up around the country, problems still exist in developing and implementing those systems and using the

data generated by them. First, there is the problem of insufficient funding at the SUA level to provide for the leadership necessary to guide the state's stakeholders in the development, implementation and use of a system. Most states do not have full time LSDs and many LSDs have little, if any time, to devote to legal services delivery system work. Several states reported that Model Approaches grants from AoA/ACL had been the impetus to their state's creation of a reporting system. However, there are only limited numbers of these grants and they do not provide long-term funding.

Related to funding is the issue of inadequate technology know-how and support throughout the legal services network, but perhaps most critically at the LSD/SUA level. The technology barriers affect not only the ability to collect and report data efficiently, but also the ability to analyze the data so that it "tells a story." Despite the technology barriers, many respondents were able to put together a statewide system using existing technology and existing case management systems. In some cases this has meant paper reports and self-taught expertise developed by the LSD. Many LSDs have found ways to put the foundations of a reporting system in place, with the expectation that systems will be upgraded and improved over time.

**Considerations for III-B Legal Services Reporting at the National Level.** The survey did not ask respondents' opinions about enhanced requirements for III-B legal services reporting at the national level. Nonetheless, researchers heard from respondents with both concerns and hopes for new national reporting requirements. Although the comments come from only three states, they are likely to be reflective of similar views in other states. On the one hand, one state declined to participate in the study for fear it would lead to more federally mandated reporting requirements for III-B legal services, without additional funding. On the other hand, two survey respondents expressed a desire for more federal guidance on legal services reporting, including specific legal assistance program reports at the federal level, and development of a case management system supported and maintained at the federal level to help states with uniform data collection. As of the writing of this report, TCSG is cooperating with AoA/ACL as it re-examines SPR requirements for the reporting of legal assistance services.





**REPORT ON THE FINDINGS OF THE NATIONAL SURVEY  
OF STATEWIDE REPORTING PRACTICES FOR  
OLDER AMERICANS ACT TITLE III-B LEGAL SERVICES**

PRINCIPAL RESEARCHERS:

PENELOPE HOMMEL, CO-DIRECTOR, THE CENTER FOR SOCIAL GERONTOLOGY  
LAUREN LISI, CONSULTING ATTORNEY, THE CENTER FOR SOCIAL GERONTOLOGY

FUNDING PROVIDED BY:

THE BORCHARD FOUNDATION CENTER ON LAW AND AGING

<b>PART ONE: CONTEXT FOR THE REPORT AND SURVEY</b>
--

**INTRODUCTION: NEED FOR THE SURVEY**

Title III of the Older Americans Act (OAA) is a primary vehicle for the provision, coordination and administration of services and supports for older Americans.<sup>3</sup> Supportive services are delivered under Title III-B of the OAA through a network of agencies that includes State Units on Aging (SUAs), Area Agencies on Aging (AAAs) and local service providers.<sup>4</sup> Legal assistance is one of the most critical of these III-B supportive services, and for this reason, legal assistance to the most needy elderly has long been designated a priority service under the Act, meaning that every AAA must fund legal services.

In 2011, over 51 million federal, state and local dollars were spent on providing almost 850,000 hours of legal assistance services to older Americans.<sup>5</sup> These services impact the most fundamental aspects of the lives of America’s most vulnerable elders. Every day, as a result of legal services, older Americans are saved from unnecessary guardianships; saved from the loss of their homes through

---

<sup>3</sup> The OAA is divided into seven titles. Title III is “Grants For State And Community Programs On Aging” and is divided into parts A-E. These are: Part A–General Provisions; Part B–Supportive Services and Senior Centers; Part C–Nutrition Services, Part D–Disease Prevention and Health Promotion Services, and Part E–National Family Caregiver Support Program. Legal assistance services are funded under Title III-B, Supportive Services.

<sup>4</sup> Each state receives a portion of federal funds appropriated for Part B, Parts C1 (congregate meals) and C2 (home delivered meals), and Part D, according to a formula based on each state’s share of the total U.S. population of Americans sixty years of age or older. SUAs serve as the state governmental agency for aging issues, and in the majority of states, SUAs also designate AAAs as the planning agency at the local level. The AAAs’ responsibilities include advocacy on behalf of older persons and administration of funds to support services, including legal services to the elderly. For a more in-depth explanation and discussion about the national aging network, see ROBBYN R. WACKER & KAREN A. ROBERTO, COMMUNITY RESOURCES FOR OLDER ADULTS: PROGRAMS AND SERVICES IN AN ERA OF CHANGE 25 (4th ed. 2014).

<sup>5</sup> Admin. on Aging, Admin. for Community Living, U.S. Dep’t of Health & Human Servs., 2011 Reports, 2011 National Tables, Tables 4b & 6b, *available at* [http://www.aoa.acl.gov/Program\\_Results/SPR/2011/Index.aspx](http://www.aoa.acl.gov/Program_Results/SPR/2011/Index.aspx).

eviction or foreclosure; given critical medical treatment when benefits that had been denied are obtained or reinstated; saved from impoverishment due to financial exploitation; and assisted in a myriad of other life/welfare-threatening situations.

Despite the substantial investment to provide these services and their importance in protecting essential rights and benefits for vulnerable elderly Americans, we have no system at the national level to gather meaningful information that would allow us to “tell the story” of legal services. That is, we have no national data on:

- characteristics of older persons benefitting from legal services – are legal services reaching the target groups required by the OAA?
- legal issues being addressed—do they reflect the most critical needs of the target populations as outlined in the OAA, e.g. income, housing, health care, elder abuse, neglect, and exploitation,
- the impact that legal services have on the lives and well being of the target populations

The absence of good information not only hampers oversight, evaluation of the effectiveness of services, and informed policy making, but all too often, prevents adequate appreciation of the value of those services by those outside the legal services community, including Area Agencies on Aging (AAAs), State Units on Aging (SUAs), federal policy makers and others responsible--directly or indirectly--for funding these services. Unlike the easily recognized need for, and value of, a home-delivered meal or ride to a doctor’s office, recognition of the need and value of legal services is more difficult. The need to be able to “tell the story” of legal services and make its value more tangible to funders and policy makers is especially pressing in a world of ever-decreasing public resources, if such services are to be adequately funded in the future.

There is some reporting being done at the state level, but there are no national guidelines on what state reporting systems should be capturing and how reporting systems can capture that data without unduly burdening the legal services delivery system, compromising the provision of services to clients. Thus, The Center for Social Gerontology (TCSG) with support from the Borchard Foundation Center on Law and Aging undertook this project to address these important gaps

## **I. ABOUT THIS PROJECT**

The primary goals of this project were:

1. To identify what is happening with statewide reporting on OAA legal services across the country by conducting a survey of all State Legal Services Developers (LSDs); and,

2. Based on findings from that survey, coupled with TCSG's long history assisting states in developing statewide reporting, to develop written Guidelines<sup>6</sup> to assist all states interested in developing meaningful statewide uniform reporting systems for III-B legal services<sup>7</sup> (hereafter "statewide reporting system," "statewide reporting," or "reporting system"), or revamping existing systems.

This report describes the results of the survey about statewide reporting practices for III-B legal services (#1 above), sent to LSDs/SUAs in all 50 states and the District of Columbia.<sup>8</sup>

The project's ultimate goal is to create the Guidelines (#2 above). The survey results serve as a baseline for the development of the Guidelines, revealing commonly reported data sets and reporting procedures, as well as highlighting particularly successful systems and potential problem areas or barriers to the development and implementation of reporting systems.

One other important component of this project is the use of an Advisory Committee made up of representatives from Legal Services Corporation (LSC), National Association of Area Agencies on Aging (n4a), National Association of States United for Aging and Disabilities (NASUAD), National Association of Legal Services Developers (NALSD), and III-B legal services providers. The Advisory Committee assisted in the development of the survey document, this report and the formulation of Guidelines. Before turning to the findings of the survey we briefly describe the Guidelines.

## **I.A About The Guidelines**

The Guidelines are intended for use by SUAs (particularly their legal services developers), AAAs and legal service providers as they work together to develop methods and systems to concretely report on the activities of legal services to the elderly locally, on a statewide basis, and hopefully, eventually nationally. The

---

<sup>6</sup> The Guidelines are part of a larger document, "Handbook on Development and Implementation of Uniform Statewide Reporting Systems for Older Americans Act Title III-B Legal Assistance to Older Individuals." In addition to the Guidelines, the Handbook provides background on the current OAA and AoA/ACL reporting requirements and supplemental materials to assist in the development and implementation process.

<sup>7</sup> We define "a statewide uniform reporting system for III-B legal services" as a system in which the State Unit on Aging requires all III-B legal services providers in the state to collect and submit the same prescribed data (beyond the State Program Report (SPR) data required by the National Aging Program Information System (NAPIS)) at the same time intervals. This means no AAA shall require a provider to submit additional data not required by the statewide reporting system or to submit that data at intervals and according to methods other than those intervals and methods prescribed by the statewide reporting system.

<sup>8</sup> See *supra* note 4 (explaining the national aging network and the role of SUAs and AAAs); *infra* note 9; *infra* Part Two, Section IV.A (discussing the role of the Legal Services Developer).

Guidelines are intended for states that currently have no uniform statewide reporting system for III-B legal services and for states wishing to evaluate and improve existing reporting systems.

The impetus for the creation of the Guidelines comes from TCSG's years of experience helping states improve the delivery of legal services to the elderly. The Guidelines describe the collaborative process that TCSG has successfully used in consulting with states on the development of statewide reporting. This process allows for developing reporting systems customized to the legal assistance delivery systems in individual states. The Guidelines also describe important components of a reporting system, including data collection methods and data sets.

Although the Guidelines are written with a focus on statewide systems of reporting, ultimately it is hoped that, with the input and cooperation of the Administration on Aging/Administration for Community Living (AoA/ACL), the Guidelines might be adapted for national use.

## **I.B About The Survey And This Report**

This report is the first step toward the creation of Guidelines. It details the findings of a survey sent to LSDs in 51 SUAs (50 states and the District of Columbia). LSDs are charged with coordinating and supporting III-B legal services in the state and the AAAs that fund them.<sup>9</sup> Therefore, in general, LSDs are the individuals within the state office most likely to be knowledgeable about III-B legal services reporting.<sup>10</sup>

The survey asked whether respondents' states had statewide reporting systems, and where reporting systems were in place, the survey gathered information about the development, and functioning of that system. States with statewide reporting systems were asked to provide copies of their reporting forms, instructions and definitions, and annual reports. Those documents are catalogued and archived with The Center for Social Gerontology (TCSG). Collected documents are listed in Appendix 2.

Where no statewide system for reporting was in place, the survey asked respondents why they thought no such system had yet been implemented.

---

<sup>9</sup> In the work that TCSG has done to help states with statewide reporting systems, it is generally the LSD who is pursuing the development of a reporting system and who oversees and manages the process, bringing all the stakeholders together and organizing the work. See the discussion of the role of the LSD in Section IV.A.

<sup>10</sup> In eight states, where the LSD position was vacant or another staff member was determined by the state office to be better equipped to answer survey questions, the survey was completed by someone other than the LSD.

While the authors of this report clearly believe that the collection and analysis of meaningful uniform statewide data is valuable in ensuring those services are as effective as possible and as a means of garnering additional support for those services, this report does not seek to measure the value of any one state's reporting system over that of another. Nor do we intend to disparage those states that do not currently have statewide reporting systems. This report is meant only to paint a picture of the current status of statewide reporting and to describe the processes used to develop and implement reporting systems, focusing on both the difficulties and the successes states have encountered.

Furthermore, we caution that reporting systems not be created in a vacuum. Collection and reporting of data takes effort on the part of the stakeholders, sometimes significant effort, especially from providers and the LSD. This raises the possibility that resources and time will be diverted from providing services to clients. For that reason, development and implementation of reporting systems requires a careful weighing of the benefits of incorporating particular elements into a reporting system against the time and effort required to obtain, report and analyze the data contemplated. Data should only be collected and reported if it will have some demonstrable benefit for the legal services system and therefore it's clients.

## **II. CURRENT NATIONAL REPORTING REQUIREMENTS**

At the current time, only minimal data is collected on III-B legal services nationally. To provide a context for report findings, we describe the OAA statutory mandates for reporting and the administrative requirements for reporting to AoA/ACL.

### **II.A Older Americans Act Reporting-Specific Requirements**

We trace the history of reporting requirements in the OAA back to the reauthorization of 1992 when Congress expressed serious concerns about the lack of reliable data made available to them<sup>11</sup> by the Administration on Aging (AoA).<sup>12</sup> These inadequacies made it impossible to do state-to-state comparisons or to aggregate data on specific services at the national level. Of particular concern to Congress was the unreliability of data on targeting of OAA services. The House Committee Report on the 1992 Amendments stated:

*In particular, it is critical that limited resources be targeted to serve those elderly citizens who are in greatest social and economic need, as mandated by*

---

<sup>11</sup> S. REP. NO. 102-151, at 86 (1991).

<sup>12</sup> In 2012, the Administration on Aging (AoA), the Office on Disability, and the Administration on Developmental Disabilities all became part of the Administration for Community Living (ACL). We refer to AoA throughout this document as AoA/ACL.

*the Act. Without reliable data on the clients being served and the nature of services provided, it is impossible to determine whether this mandate is being met.*<sup>13</sup>

At the same time however, Congress cautioned against burdensome reporting.

*The Commissioner<sup>14</sup> shall endeavor to ensure that the system which will be designed does not impose unnecessary burdens on network agencies. It is not the purpose of these provisions to require an additional level of reporting requirements on States and area agencies on aging and service providers. Rather, it is the intention of the committee that data collection procedures will be streamlined and that consideration will be given to collecting only that data which serves a useful purpose for planning, monitoring, and evaluating programs and by methods that are not cumbersome. . . .*<sup>15</sup>

The Act's reporting requirements today are much the same as they were in the 1992 Amendments. They are at 42 U.S.C. §3012(a)(16), and require the Assistant Secretary on Aging to collect, on each type of service provided with OAA funds, the following:

- aggregate amount of funds expended to provide each type of service;
- number of individuals who received such service;
- number of "units" of each service provided;
- extent to which each area agency ensured that an adequate proportion of Title III-B funds were expended for legal services and the other two priority services.<sup>16</sup>
- extent to which each area agency ensured that services were targeted to individuals with the greatest need.<sup>17</sup>

## **II.B AoA/ACL Reporting Requirements**

In response to the 1992 OAA amendments, AoA issued new reporting guidelines for states. For legal assistance programs and their funders, the State Program Report (SPR) is the relevant reporting component of AoA/ACL'S National Aging Program Information System (NAPIS). NAPIS is a coordinated data system supported and

---

<sup>13</sup> H. REP. NO. 102-199, at 44 (1991).

<sup>14</sup> In 1992 the Commissioner on Aging was elevated to Assistant Secretary on Aging. *Historical Evolution of Programs for Older Americans*, ADMIN. ON AGING, ADMIN. FOR COMMUNITY LIVING, U.S. DEP'T OF HEALTH & HUMAN SERVS., [http://www.aoa.gov/AOA\\_programs/OAA/resources/History.aspx](http://www.aoa.gov/AOA_programs/OAA/resources/History.aspx) (last visited May 13, 2015)

<sup>15</sup>H. REP. NO. 102-199, at 44 (1991) (emphasis added).

<sup>16</sup> 42 U.S.C. § 3012(a)(16)(C) (2012) (incorporating by reference 42 U.S.C. § 3026(a)(2) (2012)).

<sup>17</sup> 42 U.S.C. § 3012(a)(16)(C) (2012), (incorporating by reference 42 U.S.C. § 3026 (a)(4)(A) (2012)).

maintained by AoA/ACL.<sup>18</sup> State Units on Aging are responsible for compiling the requested data, completing the SPR, and submitting it to AoA/ACL.

The SPR collects information on two categories of services -- “registered” services and “non-registered” services.<sup>19</sup> For each of the registered services, states must report demographic data<sup>20</sup> as well as unduplicated client counts for each individual service and for the registered services in the aggregate. This requires the AAAs/SUAs to maintain a client registry on persons receiving registered services. Legal assistance services are in the category of unregistered services, which does not require registration and for which only limited information is gathered.<sup>21</sup>

The SPR was revised in 2013.<sup>22</sup> With respect to legal assistance, there are three major data sets that providers must collect and report out for the SPR.<sup>23</sup> These are:

1. An estimate of unduplicated persons served for all non-registered services as a whole, not solely for legal services, and a total estimate of the unduplicated count of persons served, both for registered and

---

<sup>18</sup> NAPIS reporting components include: State Program Reports (SPR), National Ombudsman Reporting Systems (NORS), Title VI OAA grants to tribal and native organizations, the Senior Medicare Patrol Projects, and Census data and other demographic information. *NAPIS Comprehensive Reporting and Data Systems (CARDS)*, ADMIN. ON AGING, ADMIN. FOR COMMUNITY LIVING, U.S. DEP’T OF HEALTH & HUMAN SERVS., [http://www.aoa.acl.gov/Program\\_Results/SPR/docs/NAPIS\\_CARDS.pdf](http://www.aoa.acl.gov/Program_Results/SPR/docs/NAPIS_CARDS.pdf) (last visited May 14, 2015).

<sup>19</sup> The SPR further divides services into three tiers or clusters. The nine services in Clusters 1 and 2 are registered and require client registration. Cluster 1 services include: Chore, Case Management, Personal Care, Home Delivered Meals, Homemaker, and Adult Day Care/Health Services. Cluster 2 includes Congregate Meals, Nutrition Counseling and Assisted Transportation. *Reporting Requirements For Title III And VII Of The Older Americans Act (not including LTC Ombudsman Program) for FY '10 and Subsequent Years*, ADMIN. ON AGING, ADMIN. FOR COMMUNITY LIVING, U.S. DEP’T OF HEALTH & HUMAN SERVS., (May 31, 2013), [http://www.aoa.acl.gov/Program\\_Results/docs/SPR\\_Form\\_2013.pdf](http://www.aoa.acl.gov/Program_Results/docs/SPR_Form_2013.pdf) [hereinafter *Reporting Requirements*]

<sup>20</sup> The demographic data includes age, poverty status, gender, whether the client lives in a rural area, whether the client lives alone, ethnicity and race. *Id.* at 4-8.

<sup>21</sup> Legal assistance services are not classified as a registered service because of concerns about client confidentiality. In the context of the current SPR these concerns are legitimate. Clients are registered by name so that data on clients can be aggregated across services. However, if the SPR collected demographic data for each service alone, without aggregating across services, e.g. data on legal assistance services was not combined with data on other services, confidentiality concerns could be addressed by either having legal providers aggregate the data before submitting it or by submitting the data without any client identifying information attached to the raw demographic information. Other unregistered services include Transportation, Nutrition Education, Information and Assistance, Outreach, Other Services, Health Promotion and Disease Prevention, and Self-Directed Care. See *Reporting Requirements*, *supra* note 19, at 9-10.

<sup>22</sup> For the current reporting requirements and form see *Reporting Requirements*, *supra* note 19.

<sup>23</sup> In this report, we do not discuss SPR data that is only or primarily collected by the SUA or the AAAs rather than legal providers. This includes data on expenditures for legal assistance and the source of those funds, data on numbers of legal assistance providers, whether any legal assistance providers are AAAs, and data on funding for legal assistance development. See *Reporting Requirements*, *supra* note 19.

unregistered services.<sup>24</sup> (See Section V.C.1.b. for definition/discussion of *unduplicated count of persons served.*) For unregistered services, there is no need to break this estimate down by client characteristics. Therefore, for legal assistance services, legal providers are not required to report demographic data on clients.<sup>25</sup>

2. A count of total service units provided during the year. (1 hour = 1 unit) Total service units include not only service units paid for with III-B funds but also all service units provided to III-B eligible clients no matter the funding source.<sup>26</sup>
3. The amount of program income received. Because means testing is prohibited by the OAA and cost sharing is not allowed for legal assistance programs, the income for legal assistance would consist solely of voluntary contributions or donations.<sup>27</sup>

### **III. SURVEY METHODOLOGY AND DESIGN**

#### **III.A Survey Methodology**

In advance of mailing the survey to the 51 SUAs, project researchers contacted each SUA Director, explaining the project, its goals, and the reasons for undertaking the survey. LSDs received copies of those emails.<sup>28</sup>

Following the letter to state directors, the survey was disseminated using the FluidSurveys software program in early August 2014. An on-line link to the survey was sent to each LSD or other appropriate recipient, and separate emails were again sent to directors to notify them that the survey had been mailed.<sup>29</sup>

---

<sup>24</sup> Although the SPR does not require an estimate of the unduplicated number of persons receiving III-B legal assistance specifically, it is logical that an estimate of the number of persons served by each service in the non-registered service category is needed to arrive at the estimate of all persons served with non-registered services. **NOTE:** Although some AAAs do fund legal services as a caregiver service under Title III-E, we do not address the reporting requirements for Title III-E in this report.

<sup>25</sup> *Reporting Requirements, supra* note 19, at 3.

<sup>26</sup> *Reporting Requirements, supra* note 19, at 9.

<sup>27</sup> *Reporting Requirements, supra* note 19, at 9. Statutory prohibitions against means testing are found at 42 U.S.C. §3030c-2(b)(3) (2012). Statutory prohibitions against cost sharing while allowing voluntary contributions are at 42 U.S.C. § 3030c-2(a)(2), (b)(1) (2012).

<sup>28</sup> The email was intended not only to inform the State Directors of the forthcoming survey, but also to ensure that we had correctly identified the state's current LSD or other appropriate recipient of the survey. The email asked State Directors if someone other than the current LSD should be receiving the survey.

<sup>29</sup> It is important to reiterate that the survey was generally distributed to LSDs, as they are the individuals within the state most likely to be able to answer questions about a statewide system for reporting on III-B legal services. This is especially true for factual questions, e.g. What data do you collect? How often do you collect data? How many legal providers are there in your state? However, the survey also asked respondents for opinions or perspectives on the development, implementation and current operation of the statewide reporting system, e.g., What are the key strengths and weaknesses of your reporting system? Why having considered implementing a reporting system, has your state not done so? What is on your wish list



### **III.B Survey Design**

After preliminary questions about respondents and their state’s network of providers, the survey branched into two tracks, a track for states without statewide reporting and one for states with statewide reporting.<sup>30</sup>

Respondents were given two weeks to complete the survey. After two weeks, researchers followed up with emails and phone calls to non-responding states. The last survey response was received in early October 2014.

A final component of the survey was a request to respondents from states with statewide reporting to send us any copies of written documentation related to reporting in their state. This included reporting forms, instructions for reporting, definitions used in reporting, and statewide annual reports. A list of pertinent documents we received and a brief description of their contents is included as Appendix 2.

### **III.C Survey Response Rates**

**Of the 51 respondents to whom surveys were sent, forty-five completed the survey** for a final response rate of 88%. All respondents fully completed the survey.

Two states declined to participate. One state was concerned that the survey would lead to more federally mandated reporting requirements without additional funding. Another declined to participate because the study was not being done at the request of AoA/ACL.

<b>PART TWO: SURVEY RESULTS</b>
---------------------------------

*Note: The numbers and percentages of the responses do not always add up to the total number of possible respondents or to 100%. Respondents were not required to answer each question before being allowed to proceed to the next. Accordingly, surveys may not have responses to a particular question. Some questions may also allow for more than one response.*

---

for the future of statewide legal services reporting? It is important to acknowledge that we did not solicit opinions or perspectives from other stakeholders, AAAs or the legal services providers, when collecting responses to these questions.

<sup>30</sup> The survey contained 15 questions for states without reporting, with four questions (27%) allowing for open-ended responses. The survey was much longer for states with reporting systems, requiring respondents to answer up to 51 questions, with 16 of those questions (31%) allowing or requiring an open-ended response. The survey software did allow respondents to begin the survey, stop and save the survey, and then return to it at a later date.

#### **IV. SURVEY RESULTS – BACKGROUND ON STATE LEGAL SERVICES DELIVERY SYSTEMS**

This discussion of “Survey Results – Background on State Legal Services Delivery Systems” is organized in three parts. They are:

1. Support for Legal Services Delivery at the State Level;
2. Existence of Statewide III-B Legal Services Reporting Systems Around the Country; and
3. The Legal Services Provider Networks

All survey respondents were asked to provide the basic information described in this Section IV

##### **IV.A Support For Legal Services Delivery At The State Level**

Under Title III, every state agency must provide in the State Plan “. . . assurances that each State will assign personnel (one of whom shall be known as a legal assistance developer) to provide State leadership in developing legal assistance programs for older individuals throughout the State.”<sup>31</sup> Further, under Title VII of the OAA, every state agency “shall provide the services of an individual who shall be known as a state legal assistance developer.”<sup>32</sup> He or she is the point person at the state office charged with ensuring the state can secure and maintain the legal rights of older individuals, coordinate the provision of legal assistance, and improve the quality and quantity of legal services provided to older individuals.<sup>33</sup> **Of the 45 respondents to our survey, 37 were LSDs and eight were not.** (*Chart 1*)<sup>34</sup>

Although the developer position is required in two places in the OAA, and although funding has been authorized,<sup>35</sup> funds have never been appropriated for the position. Consequently many developers are part-time employees or as full-time employees handle other duties at the state office. Many are unable to devote even half of their time to supporting legal services in their state. **Thirty-nine percent (14) of the developers who replied to the survey spent a day or less per week on legal services development work and 58% (21) worked two days a week or less on development work.** Only six developers reported working over four days a week

---

<sup>31</sup> 42 U.S.C. § 3027(a)(13) (2012).

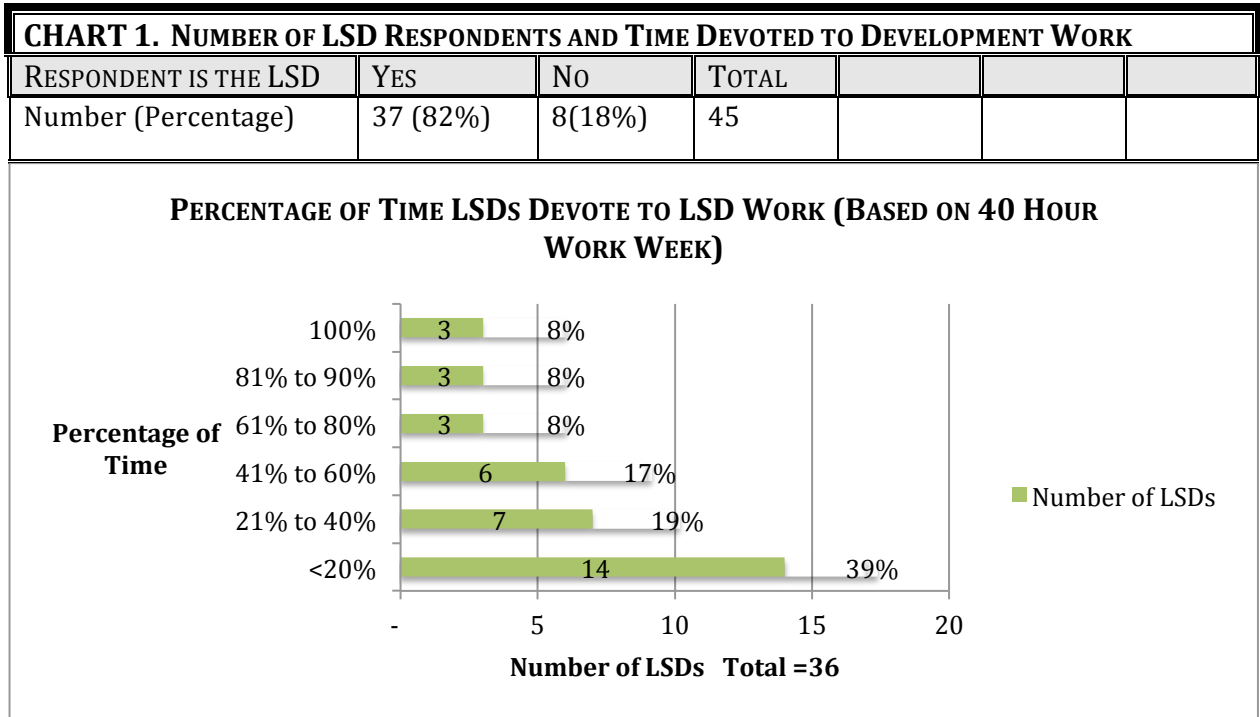
<sup>32</sup> 42 U.S.C. § 3058j (2012).

<sup>33</sup> 42 U.S.C. § 3058j(1), (2), (6) (2012).

<sup>34</sup> The job titles and self-described duties of non-developer respondents are found in Appendix 1.1. They include directors and deputy directors to the SUA, legal assistance providers and SUA staff with oversight of III-B programs. In some states the LSD position was vacant. In other states the LSD was new to the job. Finally, in some states another member of the State Office staff or even someone outside of the state office, for example a legal services provider, was more knowledgeable about statewide reporting. In at least one state, the developer cooperated with providers to answer the survey.

<sup>35</sup> 42 U.S.C. § 3058a(c) (2012).

on legal services development work, with only three working full-time on development work. Developer respondents' estimates of the average amount of time they spend during the workweek on legal services development are found in *Chart 1*.



#### **IV.B Existence Of Statewide III-B Legal Services Reporting Systems Around The Country**

Survey respondents were asked if there was a statewide reporting system in their state.<sup>36</sup> *Chart 2* shows that **20 states (44%) had statewide reporting systems** in place, and **three states (7%) were in the process of implementing** a system. Just less than half of respondents, 22 states (49%) had no reporting system.

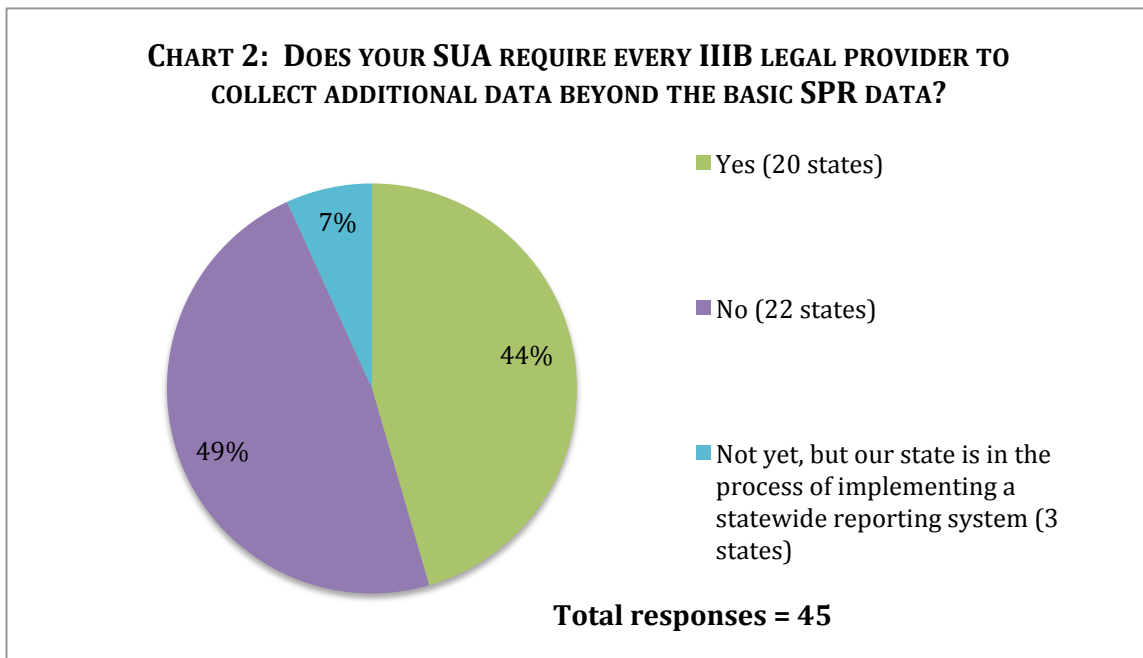
Where statewide reporting was in place, **all respondent indicated that the system was applied consistently to all providers.**<sup>37</sup>

<sup>36</sup> This question was asked in two parts: (1) Does your SUA require every Title III-B legal services provider/grantee in the state to collect and submit additional data beyond the basic SPR data, required for reports to the AoA/ACL's National Aging Program Information System (NAPIS); and, if yes, then (2) Is every Title III-B legal services grantee/provider required to provide the same additional data? Every state that answered the first question affirmatively, also said that all grantees/providers were required to provide the same additional data.

<sup>37</sup> Consistency and systematic application of the reporting systems are discussed in greater detail in Section V.B.

Comments to the survey indicate that, among respondents in states that have implemented reporting systems, there is an appreciation for the consistent and systematic information collected by those systems. As one respondent said, “[The reporting system] is uniform, consistent, meaningful and helps assess whether limited IIIB legal services are being effectively targeted. The . . . Quarterly reports . . . and the Annual report . . . provide a complete picture of the legal services program.”<sup>38</sup>

*Note:* Respondents in the process of implementing a reporting system were asked to complete the survey as if that system, as currently contemplated, were fully functioning. Therefore, throughout the rest of the report, the 3 respondents in the process of implementing reporting will be included in our discussion of existing statewide reporting systems.



#### **IV.C. The Legal Services Provider Networks**

The number and types of grantees providing III-B legal services within a state varies.<sup>39</sup> In our experience, it is easier to institute a new statewide reporting system

<sup>38</sup> Appendix 1.5, Response 18. Similar comments about the value of reporting are found in Appendices 1.4, 1.5 and 1.16.

<sup>39</sup> The number of AAAs within a state varies greatly as well. TCSG maintains a database with information about the AAAs within each state. Of the 50 states and the District of Columbia, TCSG’s data from 2012 indicates that: nine states do not have AAAs; six states have five or fewer; 31 states have from six to 25 AAAs; and five states have 26 or more, with the largest number of AAAs in any state being 59. See *States Minimum Percentage of Title IIIB Funds & Expenditures for Legal Assistance*, THE CENTER FOR SOCIAL

where providers are larger, relatively well-funded programs. This is especially true if those programs are, or have been LSC-funded.<sup>40</sup> LSC offices have reporting mandates to LSC and, like many non-LSC, legal aid offices, may also report to funders like State Bar Foundations' Interest On Lawyers' Trust Accounts (IOLTA) programs, United Way and others. These legal services offices may already be collecting the kinds of data that a state reporting system will need and likely have the capability to report this or similar data to the SUA without unduly affecting the delivery of services.

Smaller, independent providers, especially sole practitioners often have no other reporting mandates and are often less likely to have case management systems in place to quickly adapt to new reporting requirements.<sup>41</sup> In these situations it may be more difficult to implement statewide reporting.

In light of the possible ramifications for implementing reporting systems, we asked respondents about the following:

- The number and types of legal services providers operating within states, and
- The percentage of III-B legal services dollars going to providers in LSC offices.

*Chart 3* below shows the number of III-B legal services provider contracts in the responding states. Close to half--46%(20)--of the 44 respondents to this question have between 6 and fifteen different provider contracts in their state. In 27% of responding states there were more than 16 provider contracts. Altogether, **in 70% of responding states, there are 6 or more provider contracts**, meaning there are 6 or more providers to consider when developing and implementing statewide reporting.<sup>42</sup>

---

GERONTOLOGY, <http://tcs.org/bpnotes/july13/TIIB-Minimum-Percentage-2013.pdf> (last visited May 14, 2015). Of the 45 states responding to the survey, 39 have AAAs and six do not have AAAs. Of the 39 respondents that have AAAs, 33 (85%) had providers contracting with more than one AAA, possibly simplifying the number of providers in the system and resulting in more AAAs with a similar interest in how an individual provider reports on services. In at least one respondent state there is only one provider for the entire state, contracting with all 5 AAAs.

<sup>40</sup> In response to large funding cuts to LSC in 1996 and the imposition of new restrictions on LSC grantees, some LSC-funded providers gave up their LSC funds or “spun off” non-LSC-funded programs. Alan Houseman, *The Justice Gap: Civil Legal Assistance Today and Tomorrow*, CENTER FOR AMERICAN PROGRESS, 6-7 (June 2011) <http://cdn.americanprogress.org/wp-content/uploads/issues/2011/06/pdf/justice.pdf>. For an expanded discussion of the restrictions imposed by the 1996 Appropriations to LSC and their relevance to legal services for the elderly, see Penelope A. Hommel, *Elder Rights Advocacy & the LSC Restrictions: How Serious is the Conflict?* BEST PRACTICE NOTES ON DELIVERY OF LEGAL ASSISTANCE TO OLDER PERSONS, March 1998, at 2, available at <http://www.tcs.org/bpnotes/march98/advocacy.htm>.

<sup>41</sup> “The quality of responses from private counsel varies greatly.” Appendix 1.13, Response 13.

<sup>42</sup> The number of contracts is not always a stand-in for the number of providers. Some providers contract with more than one AAA. See *supra* note 39. Eighty-five percent of responding states had providers contracting with more than one AAA. In at least one responding state there is only one provider for the entire state, contracting with all 5 AAAs in the state.

**CHART 3: IN YOUR STATE HOW MANY CONTRACTS ARE THERE WITH III-B FUNDED LEGAL PROVIDERS?**

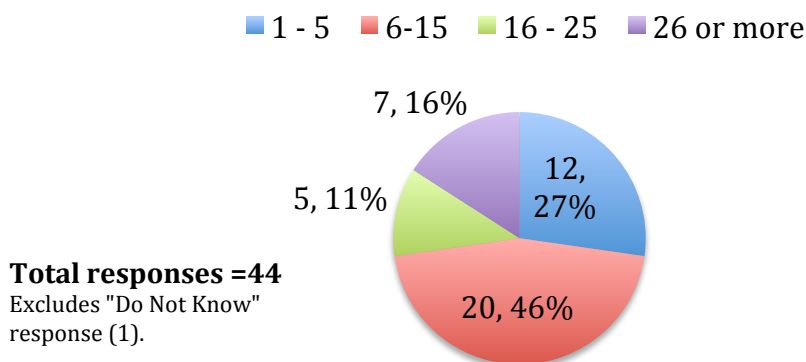


Chart 4 shows the number of states with at least one provider of the types listed.

- LSC-funded legal services program(s)
- Non-LSC funded, non-profit legal aid/legal services programs
- Contract(s) with private attorney(s) (full or part-time)
- Attorney(s) pledged to provide services on a pro bono basis
- Law school clinic
- Area Agency on Aging/Council on Aging providing the service directly through an attorney and/or paralegal on staff
- Title III-B funded senior legal hotline

Of the 44 responding states, 31 (70%) contracted with at least one LSC-funded legal services program and 22 (50%) contracted with at least one non-LSC, non-profit legal aid program. **A total of 38 states (86%) reported contracting with either an LSC program or a non-LSC, non-profit legal aid program, or with both.**<sup>43</sup>

Only six states did not contract with either of these types of programs. To a large extent, private attorneys provide services in these six states.<sup>44</sup> Of all 44 responding states, 21 (48%) had at least some portion of their legal services provided through contracts with private attorneys.<sup>45</sup>

<sup>43</sup> This figure was derived by filtering for overlapping responses in Chart 4 and counting only once all responses checking “LSC funded legal service program” or “Non-LSC, non-profit legal aid/legal services program” or both. This data is not shown in the chart.

<sup>44</sup> In these states legal services are provided by a combination of providers, including private attorneys (5 states), law school clinics (2 states), pro bono attorneys (2 states), AAAs directly (2 states), and hotlines (2 states).

<sup>45</sup> Two respondents indicated that III-B legal services were provided by an agency or individual “other” than those listed. Only one specified the type of provider they used. In addition to funding other types of

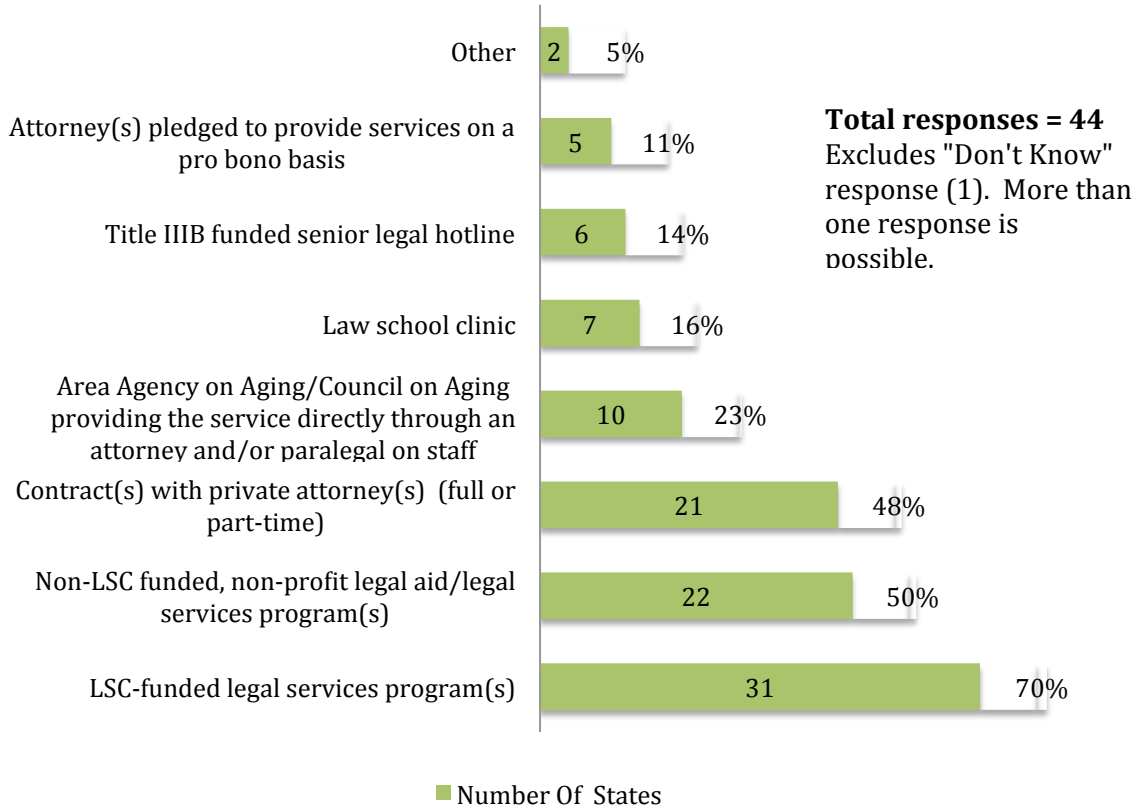
To assess the likelihood that III-B legal providers are already capturing more data than required by SPR—specifically for reporting to LSC—the survey asked states with providers housed in LSC offices to indicate the percentage of the state’s III-B funds that goes to LSC providers. **In over half the states where there are contracts with at least one LSC office** (and where the respondent knew the amount of IIIB funding directed to providers housed in LSC offices), **over three quarters of the III-B funds were directed to LSC programs.** (See *Chart 5* below.)

It is noteworthy that **60% of states with a large percentage of their III-B funding (76% or more) going to LSC providers have statewide III-B reporting in place.** This figure is higher than the percentage of statewide reporting among all states responding (51%). Further, 22 of the 23 states with statewide reporting are states with at least one LSC or legal aid provider providing III-B services. Conversely, of the six states that do not have LSC or non-LSC legal aid offices providing III-B legal services, only one has statewide reporting. This raises the question of whether these numbers indicate that statewide reporting is more difficult to accomplish with only smaller providers, or is there some other reason for these results?

---

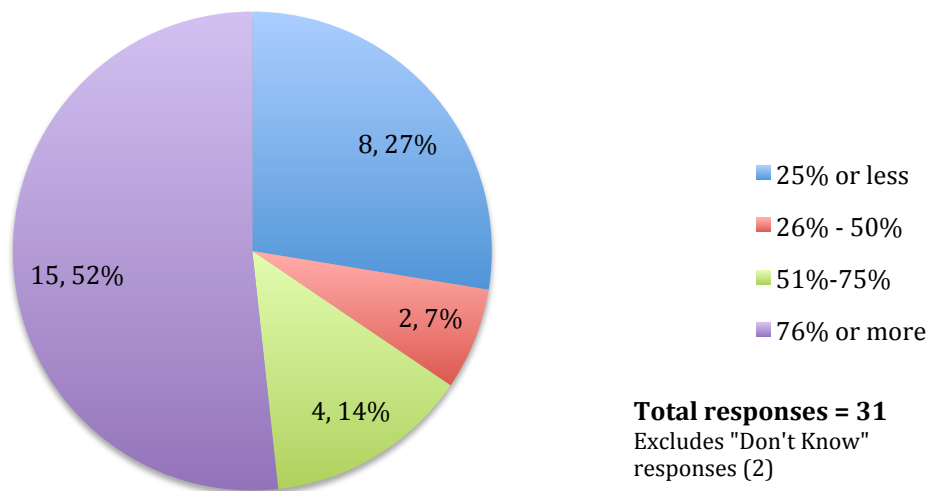
providers listed, this state uses lay advocates called Elder Benefit specialists at 72 county aging units who assist with benefit problems.

**CHART 4: WHICH OF THE FOLLOWING TYPES OF AGENCIES RECEIVE TITLE III-B LEGAL SERVICES FUNDS IN YOUR STATE? (CHECK ALL THAT RECEIVE FUNDS)**





**CHART 5: IF LSC-FUNDED PROGRAMS RECEIVE III-B FUNDS IN YOUR STATE, WHAT PERCENTAGE OF THE STATEWIDE ANNUAL TOTAL III-B LEGAL SERVICES FUNDS ARE ALLOCATED TO SERVICES PROVIDED BY LSC-FUNDED PROGRAMS**



## **V. SURVEY RESULTS – STATES WITH STATEWIDE REPORTING SYSTEMS**

The discussion of survey results for states with statewide reporting is organized in 6 parts. They are:

1. Developing the statewide reporting system,
2. Uniform application of the statewide reporting system,
3. Data collected,
4. Data reporting process,
5. Data analysis and uses, and dissemination of reports, and
6. Considerations for improving III-B legal services reporting systems.

### **V.A Developing The Statewide Reporting System**

About half of the respondents with reporting systems<sup>46</sup> (12 of 23) were personally involved in the development of their statewide reporting system. We asked respondents to describe the process their state went through in developing and implementing their reporting system.

<sup>46</sup> Unless it is pertinent to the discussion to differentiate, throughout the rest of this report when we talk about states with reporting systems we are including both the 20 states with implemented reporting systems and the three states that were in the process of implementing them at the time of the survey.

### **V.A.1 MOTIVATION FOR DEVELOPING A STATEWIDE REPORTING SYSTEM AND KEY STRENGTHS OF THAT SYSTEM**

In *Chart 6*, we show responses to the open-ended question, “What was the major motivation in developing and implementing statewide reporting?” This chart aggregates major motivating factors described by 20 respondents into 5 categories. Often descriptions overlapped more than one category, and many factors were often cited in a single response. The most commonly cited reason for developing statewide reporting was to insure the accuracy, consistency and completeness of data collected about legal services. Other factors included the desire to assure the delivery of high quality, effective services,<sup>47</sup> the need to tell the story of legal services,<sup>48</sup> and the need to insure that targeting was occurring.<sup>49</sup> The 20 responses to this question are in Appendix 1.4.

*Chart 7* shows a categorization of the 20 responses to our open-ended question about the key strengths of the reporting system. These responses reflect the realization of at least some of the factors that motivated development of a reporting system, cited in *Chart 6*. Many responses cited multiple strengths. The most commonly cited strength was the provision of accurate, complete and consistent data.<sup>50</sup> The ability to analyze and use data easily<sup>51</sup> and the ability to describe what legal services really does, i.e. telling the story of legal services, were the next most

---

<sup>47</sup> “Our business is to provide the best legal services we can as effectively and efficiently as possible.” Survey response, Appendix 1.4, Response 11. We combined responses that mentioned Model Approaches Grants with responses that referred to the delivery of high quality, effective services. Model Approaches to Statewide Legal Assistance Systems (Model Approaches) is a discretionary grant program of AoA/ACL, with the goal to create and maintain well integrated, cost-efficient legal service delivery systems that effectively target legal resources to older adults in the greatest social or economic need and that are an integral part of the broad aging service network. *Model Approaches to Statewide Legal Assistance Systems (OAA Title IV)*, ADMIN. ON AGING, ADMIN. FOR COMMUNITY LIVING, U.S. DEP’T OF HEALTH & HUMAN SERVS., [http://www.aoa.acl.gov/AoA\\_Programs/Elder\\_Rights/Legal/model\\_approach.aspx](http://www.aoa.acl.gov/AoA_Programs/Elder_Rights/Legal/model_approach.aspx).

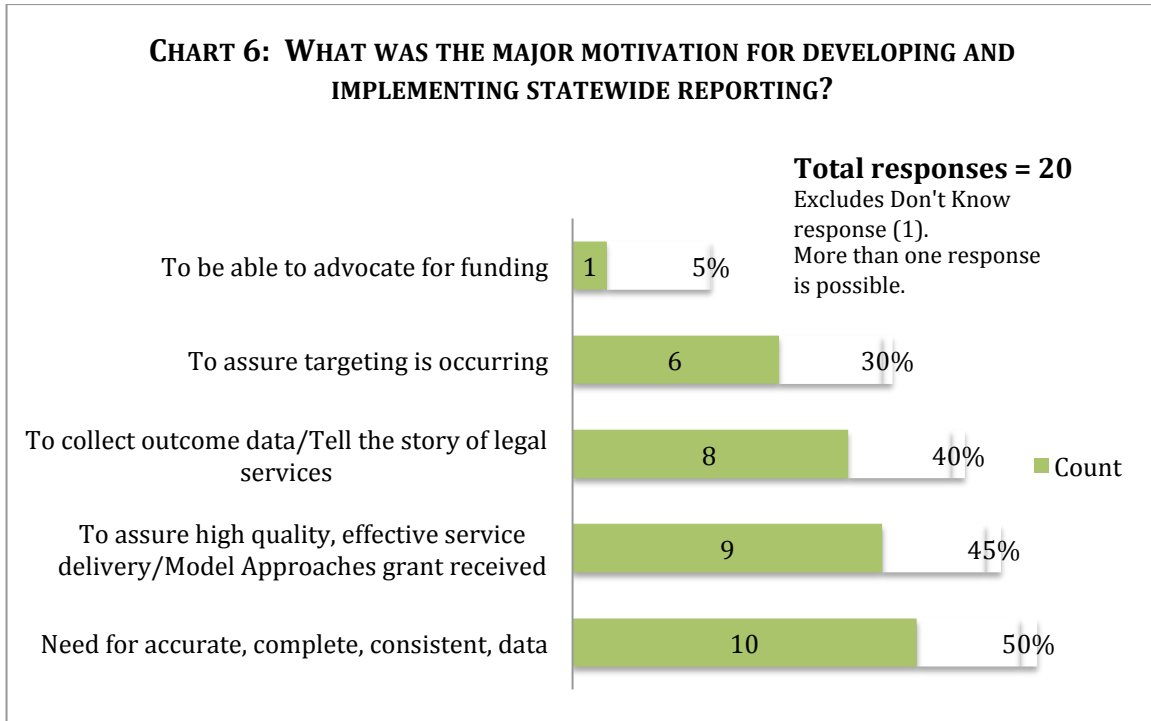
<sup>48</sup> “. . . [W]e could not tell our story without comprehensive and consistent reporting.” Appendix 1.4, Response 12.

<sup>49</sup> “The major drive for development of a reporting system was implementation of our first statewide standard . . . and recognition that having meaningful data on what the delivery system is doing with the III-B resources was the only way to ensure the standard is being implemented (and that targeting is occurring).” Appendix 1.4, Response 15.

<sup>50</sup> “It is uniform, consistent, [and] meaningful . . . .” Appendix 1.5, Response 18.

<sup>51</sup> “Our case management system is cloud-based and accessible from any location, computer, tablet or smart phone. Reports are easy to use and easy to customize.” Appendix 1.5, Response 15.

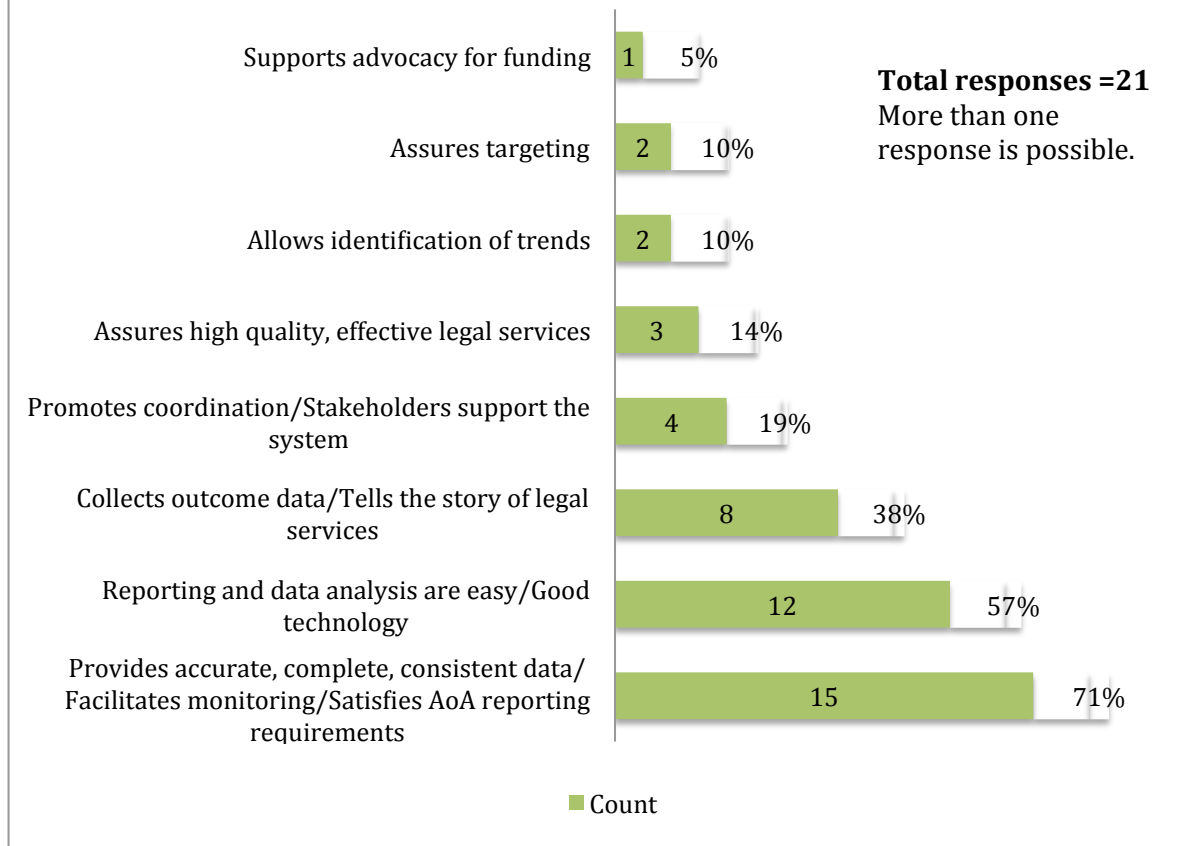
cited strengths.<sup>52</sup> Individual responses to the question about key strengths are found in Appendix 1.5.<sup>53</sup>



<sup>52</sup> Notably only three states mentioned assuring high quality, effective legal services as a key strength, yet almost half of states had noted this as a major motivation for the creation of a reporting system. It is possible that this goal is seen as a basic, expected outcome of implementing a reporting system and was not considered extraordinary enough to mention as a key strength.

<sup>53</sup> Our categorization of the open-ended responses provides a simplistic and crude snapshot of respondents' responses. A more nuanced and complete view of the strengths of respondents' reporting systems is provided by an examination of the actual comments in Appendix 1.5.

**CHART 7: WHAT ARE THE KEY STRENGTHS OF YOUR STATEWIDE REPORTING SYSTEM?**



## **V.A.2 THE PROCESS USED IN DEVELOPING REPORTING**

Eleven of the 23 survey respondents with statewide reporting systems provided descriptions of the process used in their state to develop and implement the reporting system. Here are key observations.

- **All interested parties should be involved.** Many LSDs convened stakeholder groups (developers, legal providers, AAAs, and relevant others) to work together on the design of a reporting system.
- **Use the expertise and experience of other states.** Some LSDs worked with other SUAs/LSDs to adapt reporting protocols from those states.
- **Take advantage of grants and other funding opportunities.** Some states developed their reporting systems as part of a Model Approaches grant.<sup>54</sup>
- **Have standards or goals in place that can guide the development of the system.** States have centered the discussion of reporting on an already existing

<sup>54</sup> For a description of Model Approaches grants, see *supra* note 47.

measure. In one state it was standards for delivery of legal assistance and in another it was a statewide legal needs survey.

- **Get buy-in for the reporting system.** A fundamental first step is to get buy-in from stakeholders and discuss up front the benefits and reasons for a reporting system.
- **Test-drive the reporting system.** It is important to pilot the system and work out bugs before implementing the system on a statewide basis.
- **Create a single, uniform statewide reporting system.** All stakeholders should understand and agree that providers will only be required to submit data required by the statewide system.
- **If you can adapt existing protocols or forms, do so.** LSC reporting protocols and codes already in use by providers are frequently adopted or adapted to fit the needs of the III-B reporting system.

The 11 specific response(s) to this question are in Appendix 1.6.

V.A.2.a Participants in the process *Chart 8* indicates that LSDs or other SUA staff were critical participants in the development process, being involved 95% of the time. Collaboration with legal services providers occurred in 76% of the states and with AAAs in 48% of states. State Unit IT staff and legal services provider IT staff played a substantial role as well.<sup>55</sup>

As noted above, respondents indicated that often a committee or task force of a number of these stakeholders was formed to develop the statewide reporting system.<sup>56</sup> *Chart 9* shows that among 21 respondents, 10 reported that all three major stakeholders, SUA staff, AAAs and providers were involved in developing the reporting system. In seven states, SUA staff worked with some, but not all stakeholders. Two of these seven are states that have no AAAs. In four states, the system was developed with little or no stakeholder input, and two of the four are states that have no AAAs.<sup>57</sup>

---

<sup>55</sup> Additional agencies and individuals involved included: SUA quality assurance staff, a university gerontology department, a Model Approaches advisory committee, TCSG, state bar committees/groups, private attorneys, and an information management consultant.

<sup>56</sup> “There was a joint committee for creating a standardized reporting system.” Comment to Survey Question, *Which Individuals, Offices or Agencies Worked on the Development of the Statewide Reporting System?* See *Chart 8*. See similar responses in Appendices 1.6, 1.8.

<sup>57</sup> As one respondent commented, “I was lucky because I was able to use the work done by other states and didn’t go through the development process that was done elsewhere. Also, I work with the principals of three legal services providers, and they all agreed to do what I asked without any question.” (Note, the respondent quoted here is in a state that has no AAAs.) Appendix 1.16, Response 10.

**CHART 8: WHICH INDIVIDUALS, OFFICES OR AGENCIES WORKED ON THE DEVELOPMENT OF THE STATEWIDE REPORTING SYSTEM? (CHECK ALL THAT APPLY)**

<b>Participants</b>	<b>Count</b>	<b>Percentage</b>
Total number of states with program staff involved	20	95%
Legal services developer/State Unit on Aging - programmatic staff	20	95%
Title III-B legal services providers - programmatic staff	16	76%
AAA - programmatic staff	10	48%
Outside consultant(s) - programmatic issues	6	29%
Total number of states with IT staff involved	14	67%
State Unit on Aging - IT staff	11	52%
Title III-B legal services providers - IT staff	8	38%
Outside consultant(s) -IT issues	3	14%
AAA - IT staff	2	10%
<b>Total Responses</b> Excludes “Don’t Know” responses (2).	<b>21</b>	

**CHART 9: BREAKDOWN OF THE STAKEHOLDER GROUPS THAT WORKED ON THE DEVELOPMENT OF THE REPORTING SYSTEM.**

Participants	Count	Percentage
SUA, AAA and legal providers involved in development of reporting system	10	48%
Only SUA and providers involved in development of reporting system	6 <sup>58</sup>	29%
SUA staff developed reporting system alone without AAA or provider input	4 <sup>59</sup>	19%
Only SUA and AAAS involved in developing reporting system <sup>60</sup>	1	5%
<b>TOTAL RESPONSES</b> Excludes “Don’t Know” responses (2)	<b>21</b>	

V.A.2.b Support for the process of developing a statewide reporting system. Lack of funding, especially for implementing new technologies, has been an issue for many states as they develop reporting systems. **Only four of the 23 states with statewide reporting had secured additional funding for the development or implementation of the statewide reporting system.** While this may seem like a discouraging statistic to states contemplating the development of statewide standards, it can be seen as a sign of feasibility, even in the absence of funding.

Of the four states that reported getting additional funds, three cited Model Approaches Grants from AoA/ACL.<sup>61</sup> Two of the four states reported getting funds from multiple sources, including state and federal funds as well as funds from the state bar. Respondents’ descriptions of funders are found in Appendix 1.7.

V.A.2.c Length of time required to develop a system. Of respondents with knowledge of the length of time it took to develop their state’s reporting system (15), over one-half (8) reported that development and implementation took less

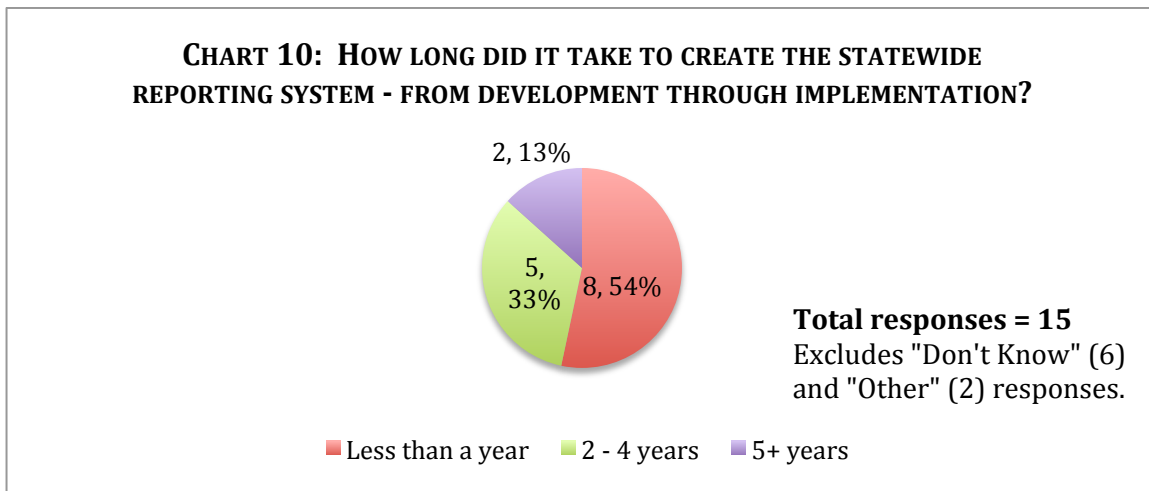
<sup>58</sup> Two of the six states have no AAAs.

<sup>59</sup> Two of the four states have no AAAs.

<sup>60</sup> This state has a unique system that uses non-lawyer benefit specialists. See discussion of Elder Benefits specialists, *supra* note 45.

<sup>61</sup> For a description of Model Approaches grants, see *supra* note 47.

than a year. One-third (5) of respondents reported that the development took between 2 and four years.<sup>62</sup> (Chart 10)



### V.A.3 CHALLENGES

The primary focus of the study was to learn from states with statewide reporting systems. However, we also wanted to know what barriers and challenges existed to the development and implementation of statewide reporting. We explored this topic both with states with reporting systems and states without reporting systems.

Of the 22 states having no reporting system in place or in development, only seven (7) reported that their state had considered developing statewide III-B legal services reporting system.<sup>63</sup> A variety of reasons were cited for not developing a reporting system, including lack of adequate SUA staff to take on such a project, concerns for overburdening providers without adding value, concerns about confidentiality, uniformity and accuracy, and the need for additional funding.<sup>64</sup> Responses from respondents are found in Appendix 1.2 and Appendix 1.3.

For states with reporting systems, respondents who had been involved in the development and implementation process were asked to describe the major challenges faced in setting up a statewide reporting system. The open-ended

<sup>62</sup> This survey question gave respondents the options of checking: less than a year, 1-2 years, 2-3 years, 3-4 years, 4-5 years, and 5+ years. No respondents selected either 1-2 years or 4-5 years. Data for 2-3 and 3-4 years has been combined in *Chart 10*.

<sup>63</sup> Twelve respondents said their state had not considered the idea and three did not know if the idea had ever been considered.

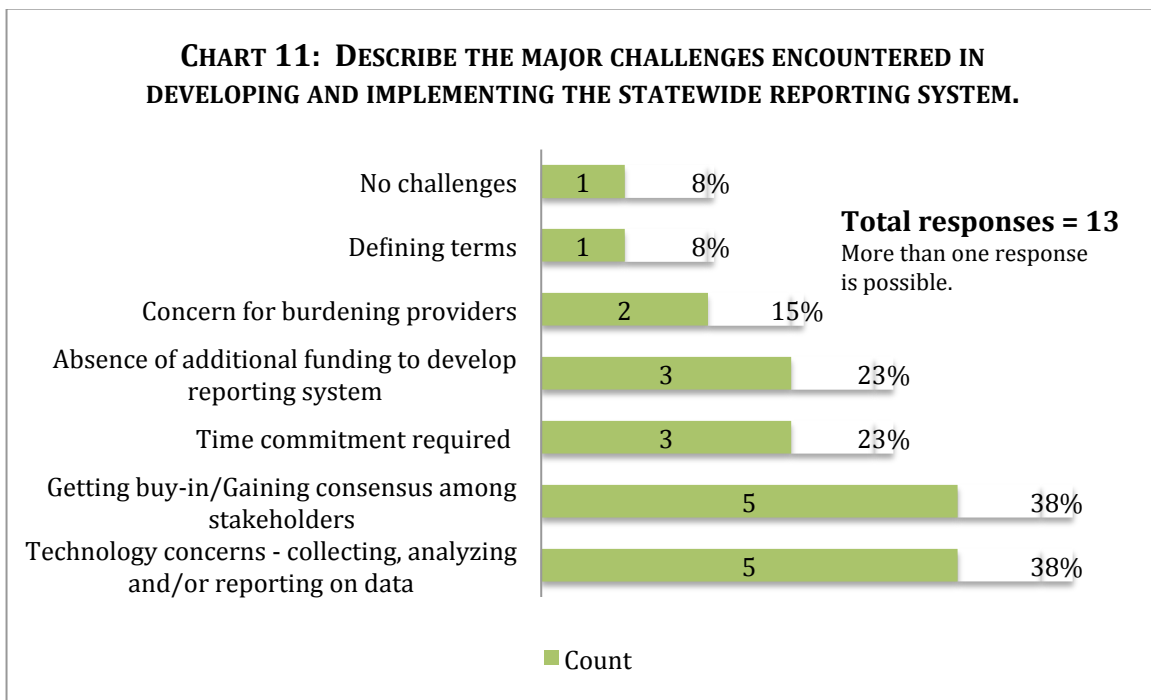
<sup>64</sup> The reasons listed come from open-ended responses to the question, "If you know, please explain the reasons that having considered it, your state does not yet have a statewide reporting system" and also from responses to the question: "Is there anything else you would like us to know about Title III-B legal services reporting in your state? See Appendices 1.2, 1.3.



responses are found in Appendix 1.8. *Chart 11* categorizes the challenges. The most often cited challenges were with the technological aspects of reporting, either at the collection phase or the analysis phase, and getting stakeholders to buy into the value of reporting and to agree on elements of the reporting system. Other cited issues related to the lack of funding available and to the time commitment needed to develop and implement reporting.

To meet these challenges, respondents from states with reporting systems cited the use of outside consultants and Model Approaches grants to assist with gaining consensus of stakeholders. Model Approaches was also helpful with offsetting costs of developing the system. Other approaches mentioned included, constant communication among stakeholders, the need to be flexible when piloting and implementing the system, and the development of statewide standards for legal services as a first step in the development process.

Among the 22 states without statewide reporting, six states indicated that at least one AAA in their state had a good III-B legal services reporting system that went beyond the data required on the SPR. This suggests that even in states currently without statewide reporting, there is recognition of the value of collecting more information about legal services and the seeds of what could possibly become a statewide system.



## **V.B Uniform Application Of The Statewide Reporting System**

Although every respondent from a state with a reporting system (23) reported that all legal services providers submitted the same data, the survey revealed some variations in reporting protocols within states. This included exempting certain types of providers from reporting at all, or requiring that they report less.<sup>65</sup> Some states had differing reporting periods for the various AAAs or different reporting periods for a particular group of providers. One state cited lack of uniformity in reporting periods as a key weakness in their reporting system.<sup>66</sup> Other states collected only minimal additional data beyond that required by the SPR, gathering a larger portion of the additional data as part of monitoring and not as part of reporting.<sup>67</sup>

The survey also asked states with AAAs, whether any of those AAAs ever required additional data from their providers, beyond the data required by the SPR and by the statewide reporting system. For providers, many of whom contract with more than one AAA, it can be frustrating, at best, to have different reporting requirements for different AAA funders. At the state level, such variation hampers efforts to provide a complete, accurate and representative picture of what legal services is doing throughout the state. Of the 17 states responding to this question, eight reported that at least one AAA required additional information from providers.<sup>68</sup> In order to ensure consistent and systematic reporting, it may be necessary to be clear with AAAs that no additional information beyond the statewide system data will be requested from providers.<sup>69</sup>

---

<sup>65</sup> “Economic need/Poverty level data is collected only on clients of the hotline.” Comment to Survey Question, *Please indicate which of the following demographic categories are collected by the statewide reporting system*. “Our reporting system only covers work done by the benefit specialists.” Email from survey respondent to author, (October 16, 2014) (on file with author). The latter state has a unique delivery system that relies primarily on non-lawyer advocates to assist with benefit problems. *See supra* note 45.

<sup>66</sup> Appendix 1.13, Response 4.

<sup>67</sup> “[The] quarterly reporting system does not capture all the information used to review the program yet the monitoring component covers some of these areas, specifically - how older adults are targeted, ensuring priority issues are being addressed, and identifying emerging legal issues.” Comment to Survey Question, *Please describe how the AAAs and/or the State Unit on Aging/Legal Services Developer use the data collected with the statewide reporting system*. *See Chart 21*.

<sup>68</sup> We followed up by email with the eight respondents, asking what additional data AAAs in their state were requiring. Four states responded and explained away concerns about differences in AAA reporting requirements. In two states there was no AAA requiring information beyond the data collected by either the statewide reporting system or required by the SPR. In another instance, a Model Approaches grant required the collection of additional data related solely to activities of that grant. Finally, in the last case, the state, one of three states still in the process of developing its reporting system, was now asking all AAAs to collect the additional data – data on open III-B cases -- originally only collected by one AAA.

<sup>69</sup> “The biggest challenge was getting the AAAs to agree that the data available in through [sic] our [statewide reporting] system would be the only data that they could request from the provider.” *See Appendix 1.8, Response 2*.

## V.C Data Collected

*The strengths of the system are in what it is capable of doing, which is providing a rather detailed breakdown of the delivery of services in cases closed, cases opened, community education provided, including topics, involvement of the private bar, the impact the services have on the lives of clients and other things<sup>70</sup>.*

As the comment by the respondent above indicates, a statewide reporting system is capable of collecting very detailed information about legal services. The survey asked a series of questions about the following kinds of data:

1. SPR required data, i.e., the number of unduplicated clients and the number of hours of legal services provided (units of service),
2. Number of cases, either opened or closed,
3. Levels of service provided,
4. The demographic characteristics of clients,
5. Types of legal issues handled,
6. Outcome measures/indicators of impact, and
7. Other data

### V.C.1 SPR REQUIRED DATA.

The survey revealed that, with one exception, all statewide reporting systems have built into those systems the two primary pieces of data that must be reported to AoA/ACL: (1) hours/units of services provided and (2) unduplicated client counts.

V.C.1.a Hours/units of service provided AoA/ACL requires states to report the number of units/hours of legal assistance provided by all III-B legal assistance providers in the state for the year. Accordingly, **with one exception, hours/units of service data was collected by the statewide reporting systems.**<sup>71</sup>

V.C.1.b Number of unduplicated clients A similar situation exists with data about the number of unduplicated clients served by providers. **All states collected data on the estimated number of unduplicated clients.** States must report to AoA/ACL an estimate of the aggregate number of unduplicated clients receiving unregistered services, among which legal assistance services are included. There are no directions from AoA/ACL about how to calculate this number.

---

<sup>70</sup> Appendix 1.5, Response 1.

<sup>71</sup> One state did not collect this data through the statewide reporting system. Presumably, this data is still collected through another process, as it is required to be submitted to AoA/ACL annually. One respondent commented that the unit of service measure is not terribly meaningful. "The units of service system is both cumbersome and time-consuming and required significant customization of software, though not an effective measurement tool." Appendix 1.5, Response 10.

*V.C.1.b.(i) Definition of Unduplicated Client.* When asked to provide their state’s definition of “unduplicated client,” no two definitions were exactly the same. The SPR itself does not provide a definition of “unduplicated count of persons served.” Despite the lack of a uniform written definition among states, the 19 definitions given in response to this question all had essentially the same generally accepted meaning of AoA/ACL’s use of the term “unduplicated count.” For legal assistance, that is the number of different individual clients who received legal assistance during a year. The client is counted only once for the year, regardless of how many times the individual returned that year for assistance on either the same legal issue/case or different legal issue/case. See Appendix 1.9 for the responses provided by respondents.<sup>72</sup>

*Note: The terms “unduplicated count”/“unduplicated client,” and “unduplicated case,” have caused confusion in some states. When counting “unduplicated cases” (which is what LSC calls for in its reports), it is the number of different cases on different legal issues that are to be counted or not counted, not the number of individuals/clients served. It is possible to have multiple cases serving the same client, and for AoA/ACL purposes that client would be counted as one “unduplicated client,” but for LSC purposes it would be counted as two or more “unduplicated cases”.<sup>73</sup>*

## **V.C.2 DEMOGRAPHIC CHARACTERISTICS OF CLIENTS**

To ensure that legal services are meeting the OAA mandate to target services to those older individuals with the greatest need, it is necessary to gather demographic data about individuals served. The OAA singles out for special attention the following types of individuals:

- Older individuals with greatest economic or social needs.<sup>74</sup>
- Greatest economic need means the need resulting from an income level at or below the poverty line.<sup>75</sup>
- Greatest social need means the need caused by noneconomic factors, which include, physical and mental disabilities, language barriers, and cultural,

<sup>72</sup> Some states have clearly defined terms, like unduplicated client, contained in written documentation. Other states do not appear to have written definitions.

<sup>73</sup> LSC providers are required to report “unduplicated cases” data as well as data on the number of clients served. *Actual GAR Instructions, Form G-4, LEGAL SERVS. CORP., available at [https://lscgrants.lsc.gov/EasyGrants\\_Web\\_LSC/Implementation/Modules/Login/LoginModuleContent.aspx?Config=LoginModuleConfig&Page=GARInstructionsSummary&PageFrame=Print](https://lscgrants.lsc.gov/EasyGrants_Web_LSC/Implementation/Modules/Login/LoginModuleContent.aspx?Config=LoginModuleConfig&Page=GARInstructionsSummary&PageFrame=Print)*. The SPR only requires reporting of data on the number of clients served and not on the number of cases handled.

<sup>74</sup> 42 U.S.C. § 3026(a)(4)(A)(i)(I)(aa) (2012). *See also* 42 U.S.C. § 3002(33).

<sup>75</sup> 42 U.S.C. § 3002(23) (2012). Poverty line “means the official poverty line (as defined by the Office of Management and Budget, and adjusted by the Secretary in accordance with section 9902(2) of this title.” 42 U.S.C. § 3002(43) (2012).

social, or geographical isolation, including isolation caused by racial or ethnic status, that restrict the ability of an individual to perform normal daily tasks, or threatens the capacity of the individual to live independently.<sup>76</sup>

- Low-income minority individuals.<sup>77</sup>
- Older individuals with limited English proficiency.<sup>78</sup>
- Older individuals residing in rural areas.<sup>79</sup>
- Low income minority individuals with limited English proficiency.<sup>80</sup>
- Older individuals at risk for institutional placement.<sup>81</sup>

The SPR gathers demographic information for registered services but does not ask for this data with respect to unregistered services.<sup>82</sup>

**Over 90% of respondents said that their statewide reporting system collected demographic data on clients.**<sup>83</sup> The demographic data collected closely mirrors the list of characteristics that the OAA singles out as most needy. Over half of the states that collected demographic data, collected data on race, ethnicity, age, economic need, residence in a rural area, and limited English proficiency. Several states also collected data focused on frailty, disability and risk of institutionalization.<sup>84</sup> (*Chart 12*)

---

<sup>76</sup> 42 U.S.C. § 3002(24) (2012).

<sup>77</sup> 42 U.S.C. § 3026(a)(4)(A)(ii)(I) (2012).

<sup>78</sup> 42 U.S.C. § 3026(a)(4)(A)(ii)(I) (2012).

<sup>79</sup> 42 U.S.C. § 3026(a)(4)(A)(ii)(I) (2012).

<sup>80</sup> 42 U.S.C. § 3027(a)(14)(B) (2012).

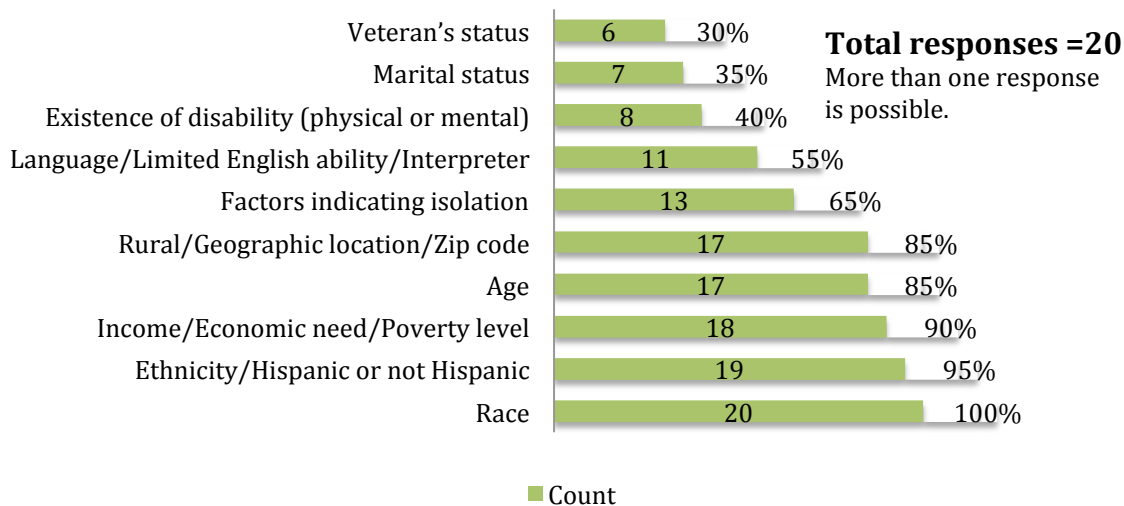
<sup>81</sup> 42 U.S.C. § 3026(a)(4)(i)(I)(aa) (2012).

<sup>82</sup> *Supra*, note 21.

<sup>83</sup> All 23 respondents from states with reporting systems answered this question. Two respondents said their state did not collect demographic data. One respondent did not know. Twenty (91%) of the 22 respondents who knew the answer said that their state did collect demographic information about clients.

<sup>84</sup> Other demographic data collected by respondents included gender, education level, elder abuse victim, and disaster victim status/other emergency situations. The OAA is silent with respect to targeting based on gender and we did not specifically ask whether states collected that information. However, several of the data collection forms we received, do ask for data on clients' gender.

**CHART 12: WHICH OF THE FOLLOWING DEMOGRAPHIC CATEGORIES ARE COLLECTED BY THE STATEWIDE SYSTEM? (CHECK ALL THAT APPLY)**



### V.C.3 NUMBER OF CASES OPENED OR CLOSED

Tracking the number of cases that a provider opens or closes over a defined reporting period allows for an assessment of the ebb and flow of cases and the speed with which cases are handled. **Almost all of the states with a statewide reporting system (20 of 23) collected data on cases opened and/or closed.**<sup>85</sup>

For statewide reporting systems that collect this data set, a clear definition of “case” is very important to insure that there is uniformity in reporting among all providers. Five states reported having no definition for “case.” As reported to us in the survey, some definitions were very short<sup>86</sup> and others were quite detailed and specific.<sup>87</sup> The definitions provided to us are found in Appendix 1.10

<sup>85</sup> We did not ask respondents to specify whether they collected data on open cases, closed cases or both. To collect levels of service data, discussed below, it is necessary to collect data on cases that are closed. Data on types of legal problems can be collected from open or closed case data, but it is preferable to collect it at case closing.

<sup>86</sup> Examples include: “a problem or matter that requires an attorney’s intervention to resolve,” “an individual matter,” and “legal advice, counseling or representation to an individual.” Appendix 1.10, Responses 9, 15, 19.

<sup>87</sup> “A service is defined as a ‘case’ only if ‘legal assistance’ (as defined below) is provided to an eligible client with a legal problem, or set of closely-related legal problems. If a client contacts the legal provider multiple times within the same calendar year about the same/a closely related legal problem, it is only one ‘case.’ (See definition of ‘closely related legal problem’ below). In the event that a client has more than one legal problem and the problems are different/NOT closely related to one another, and ‘legal assistance’ is provided on each of the different legal problems, each legal problem is counted as a ‘case.’ Report the total number of cases per quarter (Note: the provision of ‘non-case legal information’ as defined below is not to be reported as a case.)” Appendix 1.10, Response 8.

#### **V.C.4 LEVEL OF SERVICE PROVIDED**

Under the OAA, legal assistance

*(A) means legal advice and representation provided by an attorney to older individuals with economic or social needs; and*

*(B) includes –*

*(i) to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and*

*(ii) counseling or representation by a nonlawyer where permitted by law.<sup>88</sup>*

This definition requires that a III-B legal assistance program include some level of representation. That is, a program that provides only advice, counsel, and/or education does not meet the statutory definition.<sup>89</sup> To assess whether a program is meeting the definition and providing the full range of services contemplated by the OAA, it is critical to know the scope of the legal services provided to clients.<sup>90</sup>

**Fourteen states, almost 75% of respondents that answered this question, indicated they do collect data on the level of service provided.** Because so many states have III-B providers that are also providing services under LSC grants, and because LSC requires that providers report on levels of service, we asked whether those states collecting data on levels of service were using categories that were the same as, or substantially similar to, those used by LSC. Using the same categories should ease the burden on providers that are required to report to both LSC and SUAs. All respondents collecting levels-of-service data indicated that their categories were the same as, or substantially similar to, those used by LSC.<sup>91</sup>

---

<sup>88</sup> 42 U.S.C. § 3002(33) (2012).

<sup>89</sup> See Natalie Thomas & Penelope Hommel, *Guidelines for Assessing Capacity of a State's Legal Services Delivery System*, BEST PRACTICE NOTES, March 2015, at 2, 16-17 (discussing what constitutes representation and why Title III-B programs must be able to provide full representation to clients).

<sup>90</sup> By cross-tabulating levels of service data with other data sets, it is possible to truly see what is going on with the legal services in an office, a region or a state. For example, an examination of data on the numbers of cases closed or data on the use of resources, both funding and staff, is relatively meaningless without examining these data sets in light of the levels of service provided. A case that results in litigation requires a greater investment of time and staff and office resources than a brief consultation. Similarly, data on client demographics and legal issue types becomes more meaningful for targeting and priority setting purposes if it is cross-tabulated with levels of service data to see if the provider is providing appropriate levels of service to priority legal issues and to clients in greatest social and economic need. Even data on outcomes, cross-tabulated with level of service data may help identify strategies that are most effective for particular clients or particular legal problems.

<sup>91</sup> This excludes the four respondents who did not know.

## V.C.5 TYPES OF LEGAL ISSUES HANDLED

Another benefit of a statewide reporting system is the possibility of examining whether priority legal issues, as specified in the OAA and/or as identified in the particular locality as being most critical to the target populations, are being addressed. Under the OAA, priority must be given to legal assistance related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect and age discrimination.<sup>92</sup> Collecting and examining data about the kinds of legal issues providers are handling is the most direct way to determine whether a program is giving priority to these legal issues. **Nineteen (19) of the 20 respondents** with knowledge of the answer to this question **said their state collected or planned to collect data on the types of legal issues handled.** (*Chart 13*)

As with levels of service, we asked if legal issue categories were the same as, or substantially similar to, the legal problem codes used by LSC. Ninety-four percent of respondents collecting this data used the same categories or categories that were substantially similar. (*Chart 13*) We asked respondents that had similar but not exactly the same legal problem codes as the LSC codes to explain how their codes differed. LSC problem codes had been adapted by breaking broader LSC problem codes into more detailed elder-specific codes,<sup>93</sup> collapsing or aggregating codes into fewer, broader categories,<sup>94</sup> and/or eliminating inapplicable codes.<sup>95</sup>

<b>CHART 13: DOES YOUR STATE COLLECT DATA ON LEVELS OF SERVICE OR TYPES OF LEGAL ISSUES HANDLED?</b>			
<b>QUESTION</b>	<b>NO</b>	<b>YES</b>	<b>NUMBER (%) USING LSC CATEGORIES OR SUBSTANTIALLY SIMILAR CATEGORIES</b>
<b>Does Your State Collect Data on Levels of Services?</b>  Total Responses = 19 Excludes "Don't know" responses (3)	5(26%)	14(74%)	16 (100%)  Total responses =16 Excludes "Don't know" responses" (4)
<b>Does Your State Collect Data on Types of Legal Issues Handled?</b>  Total Responses = 20 Excludes "Don't know" responses (3)	1(5%)	19(95%)	17 (94%)  Total responses = 18 Excludes "Don't know" responses" (2)

<sup>92</sup> 42 U.S.C. § 3027(a)(11)(E) (2012).

<sup>93</sup> An example is adding sub-categories within the broader categories for elder abuse, neglect, and financial exploitation, and within the categories for Medicare and Medicaid related issues.

<sup>94</sup> For example, under the broad category of Consumer/Finance, one state has paired the 9 subsets normally found in the LSC rubric down to three: Bankruptcy/Debt Relief, Contracts and Other.

<sup>95</sup> Some states have omitted the categories of Education and Juvenile.



## V.C.6 OUTCOMES/INDICATORS OF IMPACT

There is little doubt that outcome/impact data -- information that demonstrates the impact of services on clients' welfare, and the ability of services to influence positive outcomes -- is important information for a host of reasons. In a recent study **commissioned by LSC, LSC grantees ranked economic and monetary benefit data and outcome data as number one and number two** on a scale of the most useful data.<sup>96</sup> As the study notes, "organizations are collecting *some* outcome data, and recognize its value as well as the difficulty in collecting it; and those who do not collect outcome data would largely like to do so."<sup>97</sup>

**Of the 23 states** having statewide reporting systems, **10 reported collecting outcome/indicators of impact data**.<sup>98</sup> The kinds of outcome data collected by the ten states are detailed in *Chart 14*.<sup>99</sup> This chart categorizes and aggregates open-ended data found in Appendix 1.11. The methods include: (1) calculating the dollars the client saved in private attorneys' fees because of using III-B services, (2) calculating the economic benefit derived from the representation, i.e. the dollars that the client would have paid out "but for" the intervention, or the dollars obtained for a client that the client otherwise would not have had, or would have lost, (3) a tally of the number of clients that received or maintained certain categories of benefits, without ascribing a dollar amount to the benefits, e.g. maintained or improved quality of housing, maintained or increased income, maintained maximum autonomy, accessed health care, etc., and (4) illustrative stories of legal benefits from representation.

---

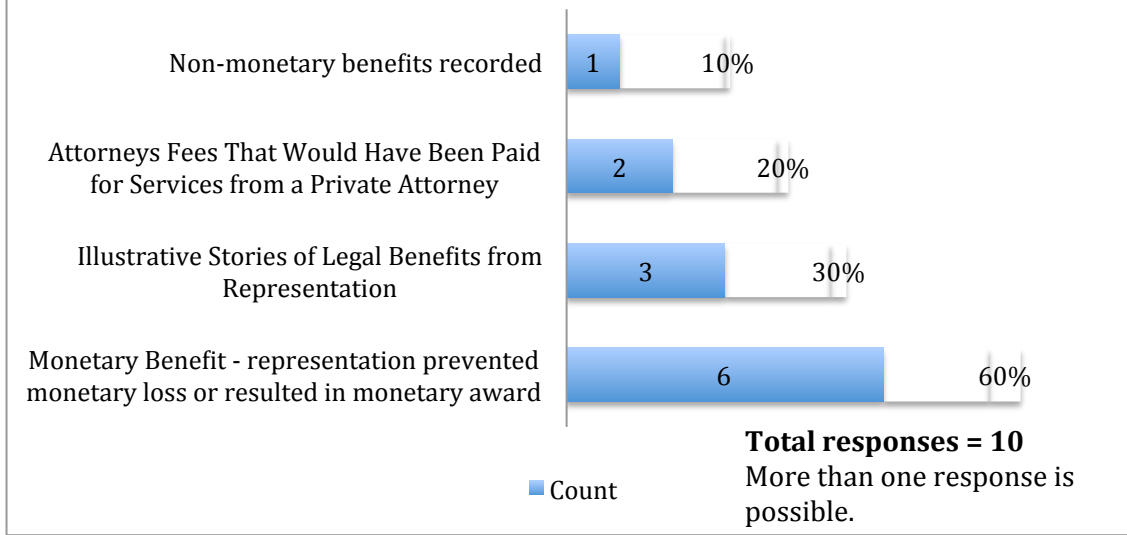
<sup>96</sup> Keystone Accountability and Innovations for Scaling Impact, PWF LSC Data Collection and Reporting Project Synthesis Report: Work To Date, 29 (June 16, 2014).

<sup>97</sup> *Id.* at 54.

<sup>98</sup> Twelve states reported that they did not collect such data and one respondent did not know if their state collected that data. If illustrative stories are included as outcome data then the number of states collecting outcome data rises to 17. In response to a survey question about additional data collected (*see infra*, Section V.C.7), 15 respondents indicated that their state collects illustrative stories. Of this 15, only 8 were among the 10 states that reported collecting outcome data. *See infra* *Chart 15*.

<sup>99</sup> Some states use more than one method to demonstrate the impact of services so the numbers and percentages listed are greater than the 10 states responding "yes" and greater than 100%.

**CHART 14: OUTCOMES/INDICATORS OF IMPACT USED BY III-B LEGAL SERVICES STATEWIDE REPORTING SYSTEMS**

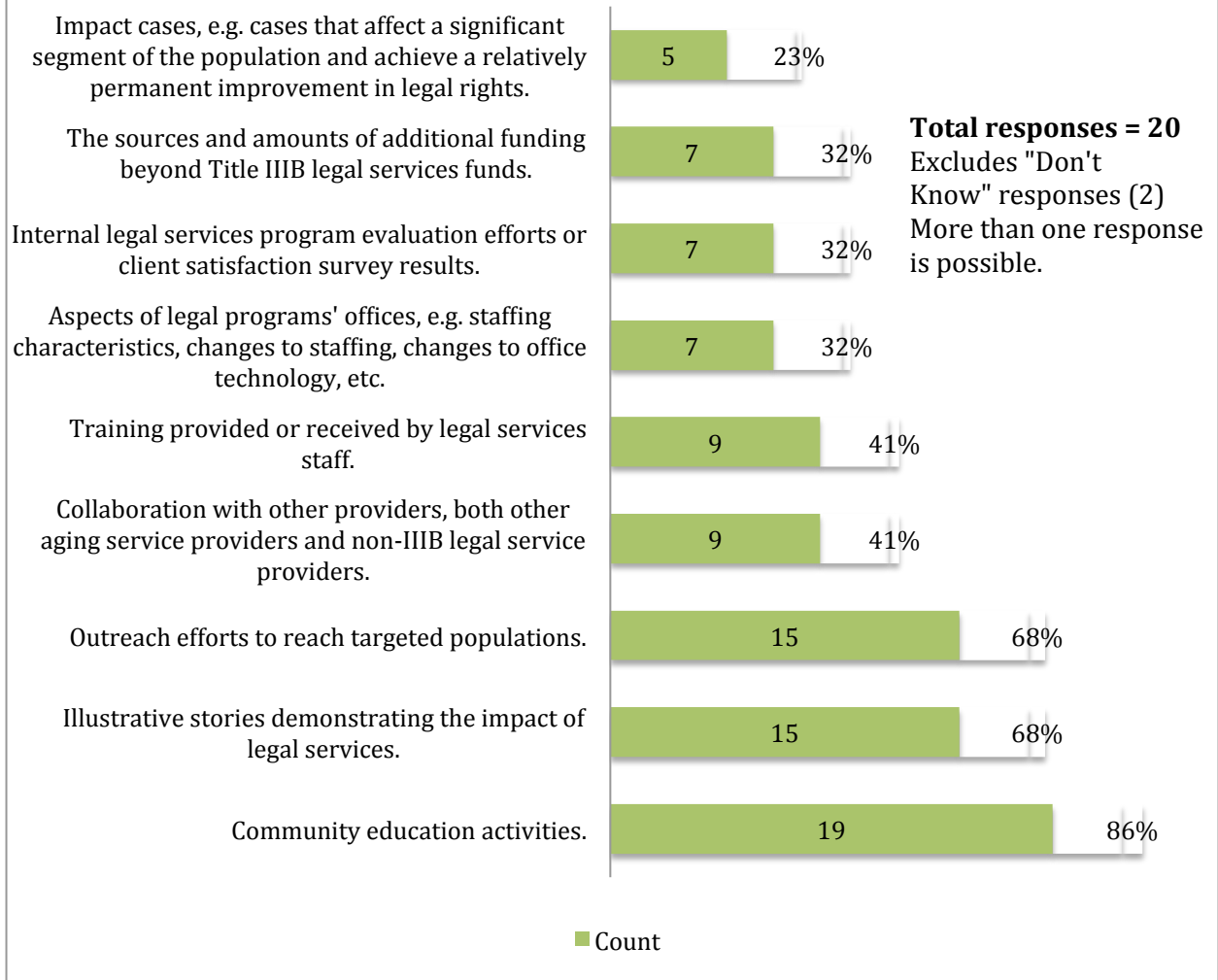


**V.C.7 OTHER DATA COLLECTED**

In addition to specific questions about data sets and the open-ended question about outcomes/impact data already discussed, respondents were given a list of additional data sets and asked to indicate if they also collected data on the list. More than half indicated that they also collected data on community education activities, outreach efforts and illustrative stories of the legal benefits of representation.<sup>100</sup> Additional data sets and the numbers of states indicating that they collected those sets are found in *Chart 15 below*.

<sup>100</sup> More than one respondent noted that some of this additional data was not collected as part of the reporting system, but was instead collected as part of monitoring activities. Additional data sets mentioned, not on the list, were data on unmet needs and data on publications produced by providers.

**CHART 15: ADDITIONAL DATA COLLECTED BY STATES WITH STATEWIDE REPORTING SYSTEMS**



**V.C.8 PROBLEMATIC DATA COLLECTION, DATA COLLECTED OUTSIDE THE STATEWIDE REPORTING SYSTEM, AND WEAKNESSES IN CURRENT REPORTING SYSTEMS**

Several states reported being too new at statewide reporting to know yet what data is hard to collect, or where there are weaknesses in the reporting system. States with sufficient experience reported problems in the following areas:

1. collecting data on unmet needs,<sup>101</sup>
2. tracking the funding sources for services to individual clients,
3. reporting on referrals,<sup>102</sup>

<sup>101</sup> As one respondent explained, they can track an unmet need where the client is being provided services and reveals that he or she has another legal problem that the provider cannot handle. However, if the client called the office and was told that the office did not handle that kind of matter, the unmet need would go unreported. Appendix 1.12, Response 2.

4. assessing social needs of clients,
5. collecting good stories/measuring outcomes,<sup>103</sup>
6. collecting information on collaboration between providers and others,
7. getting provider program information,<sup>104</sup> and
8. collecting data on voluntary contributions.

A few respondents said they track the more problematic areas of reporting through monitoring reviews.<sup>105</sup>

**The most commonly cited weaknesses with existing reporting systems had to do with the absence of sufficient technology resources, both software and staff, to report out and analyze data.** This aspect will be discussed in Section V.D.3 and V.E.1. Problems not associated with technology, included lack of uniformity in reporting periods, overly frequent reporting periods, and failure of providers to complete all fields in the reporting forms. See Appendices 1.12 and 1.13 for individual responses to questions about these issues.

## **V.D Data Reporting Process**

This discussion is organized in three sections:

1. Recipients of reporting data
2. Frequency of reporting submissions
3. Data collection and submission processes – technological issues

### **V.D.1 RECIPIENTS OF REPORTING DATA**

The survey asked respondents to identify the recipient(s) of the statewide reporting data that is submitted by legal providers. Four possible recipient scenarios were given as options.<sup>106</sup> These were:

---

<sup>102</sup> This includes data on referrals for information and data on referrals for additional legal services. As one respondent from a state with a large III-B legal hotline commented, “It is not clear at this time if most providers did not refer cases for further legal services or are not reporting.” Appendix 1.12, Response 9.

<sup>103</sup> “Some providers may not be taking the time to summarize and submit good stories.” Appendix 1.12, Response 9.

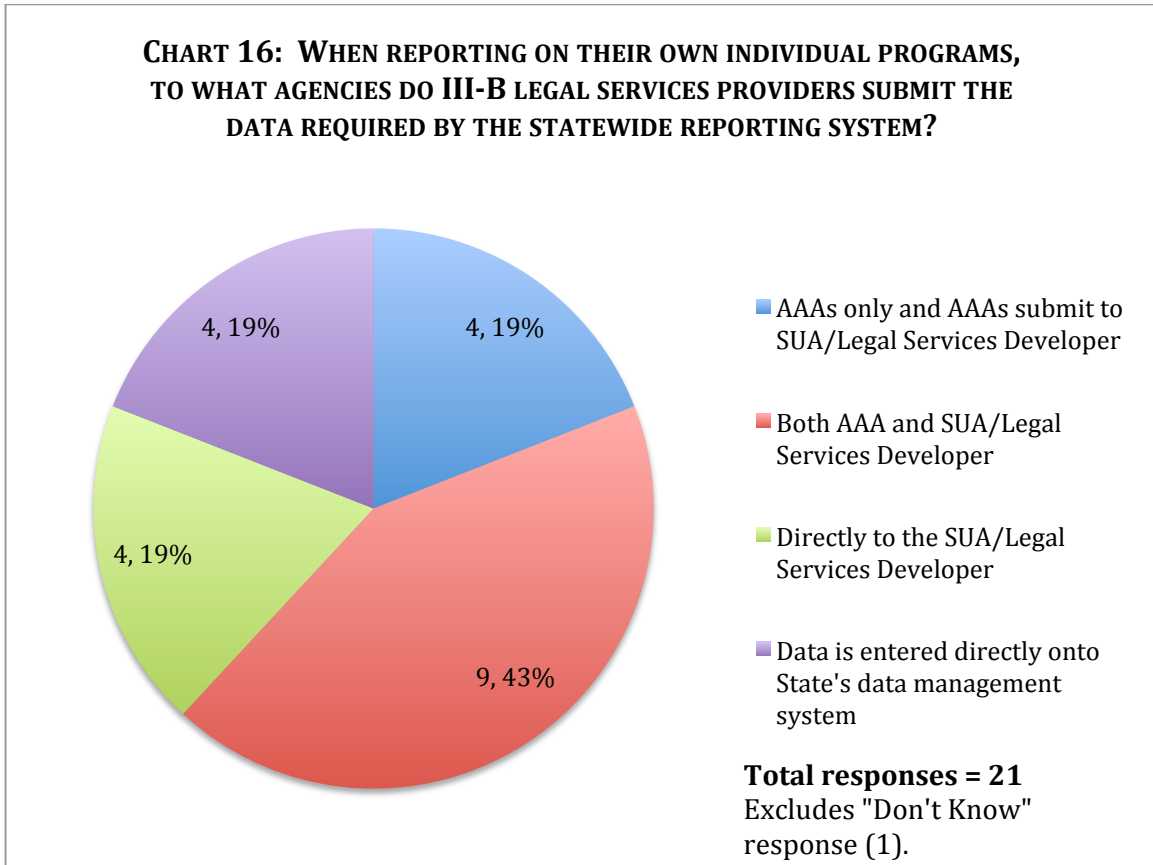
<sup>104</sup> This might include information on provider training received and information about program staffing. Appendix 1.13, Response 18.

<sup>105</sup> “Some of the info . . . is captured during monitoring reviews . . . this includes: illustrative stories demonstrating the impact of legal services (later utilized in the State Annual Report), accomplishments and challenges, referral systems, training received by legal services staff, client satisfaction surveys, . . . staffing of the Legal Assistance Program, and when possible additional sources of funding beyond III-B dollars.” Comment to Survey Question, *In addition to data already noted above, indicate whether your statewide reporting system collects data on any of the following?* See *supra*, Chart 15.

<sup>106</sup> Of course there are variations on the four options as well as overlap among the options. One state reported that data was entered into the state’s database management system and more detailed data was given directly to the LSD. This state is counted with the states that submit data to a database management system. A second state reported that, “all legal providers except the hotline submit data to AAAs only and AAAs submit to Legal Services Developer. The hotline submits to both AAAs and the Legal Services

- Data is submitted to the AAA(s) and the AAA(s) submit the data to the SUA,
- Data is provided directly to both the AAAs and the SUA,
- Data is sent directly to the SUA, and
- Data is submitted electronically, by the provider, to the SUA's data management system.<sup>107</sup>

In the largest number of states (nine), providers submit reports to both the AAAs and the SUA. (*Chart 16*) The remaining 12 responses were split evenly between the three remaining report submission options.<sup>108</sup>



Developer.” Because this second state has a large hotline program, it was counted with states that submit data to both AAAs and the SUA.

<sup>107</sup> Depending on who has been granted access to this system, data may then be accessible to both AAAs and SUA staff.

<sup>108</sup> *Chart 16* shows responses to the question, *To what agencies do providers submit data?* However, we also asked respondents, *In what form do providers submit III-B legal services data . . . to the AAA or SUA?* See *infra*, *Chart 20*. Six respondent states reported that they allow providers to directly submit data onto the state’s database management system, for at least some portion of the data collection process. This number is two more than the number of respondents that reported using a database management system in *Chart 16*. The question illustrated by *Chart 16* required respondents to choose only one option when two or even three options could be true, e.g. a provider entering data directly onto the state’s database management system might legitimately check either “directly to the SUA . . . “ or “data is entered directly onto State’s data management website,” or if the data on the system is available to both the SUA and AAAs “both AAA and SUA/LSD.”

## V.D.2 FREQUENCY OF REPORTING SUBMISSIONS

The survey showed a great variety in the frequency with which providers are required to submit reports, both to AAAs and to the SUA. We discuss reporting to AAAs and to the SUA in separate sections below.

V.D.2.a Frequency of reporting to AAAs *Chart 17* shows how often providers are required to submit reports to AAAs. The largest number of the 15 responding states (5) requires only quarterly reporting. The remaining responses show that statewide reports to AAAs can be required monthly, semi-annually, annually or sometimes at more than one interval.<sup>109</sup>

Including the states with more than one reporting period, four states required monthly reporting. For providers without good case management software and the availability of staff with good technological know-how, monthly reporting can be burdensome, especially if no good case has been made for the need for such frequent reporting. Monthly reporting was a problem cited by more than one respondent.<sup>110</sup> Often, AAAs may require monthly reporting to gather units of service data for purposes of billing and payment.<sup>111</sup> One state commented in response to this question that they get around the need for a full report on a monthly basis by using a monthly "time slips" report that captures units of service for payment purposes.<sup>112</sup>

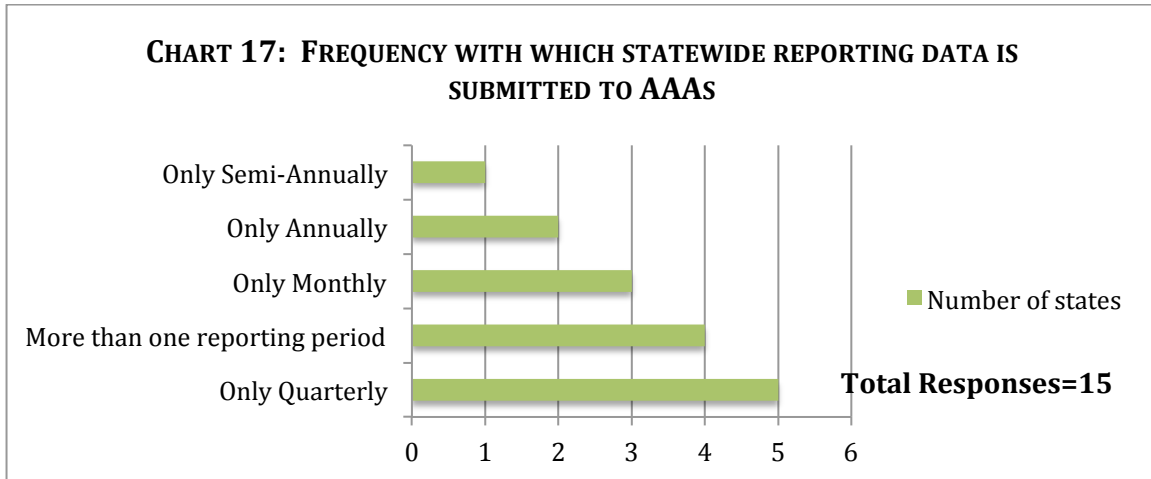
---

<sup>109</sup> Of the 4 states requiring more than one reporting interval, two required quarterly and annual reporting, one required quarterly and semi-annual reporting, and one required monthly, quarterly and semi-annual reporting.

<sup>110</sup> Respondents complained both about the difficulties of reporting the data at such frequent intervals and the difficulties of analyzing data more frequently. "Monthly reports are exhausting, the data is easily reported but the monthly narratives take time and end up being the same month to month". Survey response, Appendix 1.13, Response 15. "I was instructed that we want to work toward monthly reporting so I am requiring the providers to enter data per month. If we could continue with quarterly reporting, the tool wouldn't be so big and the quarterly numbers could be easily copied and pasted to the Power Point, which would save time." Survey response, Appendix 1.13 Response 6.

<sup>111</sup> "Reports are tied to billing and payment, requiring that they be compiled and submitted monthly." Survey Response, Appendix 1.13, Response 4.

<sup>112</sup> Comment to survey question, *If your state has AAAs, how frequently do the AAAs require their legal providers to submit the data required by the statewide reporting system?*

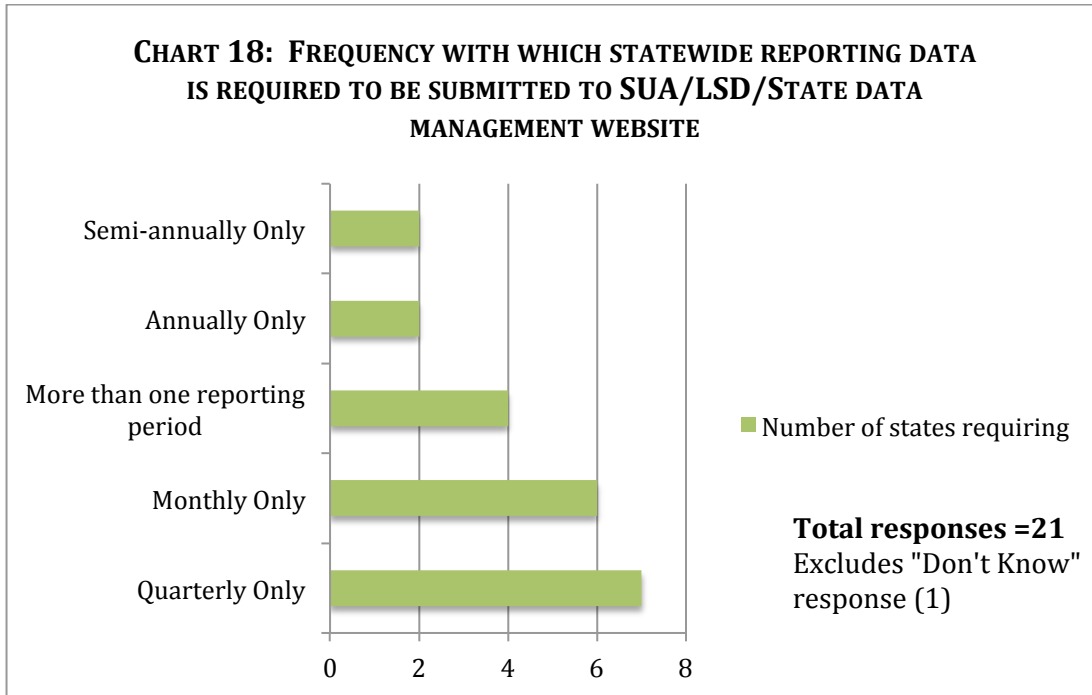


V.D.2.b Frequency of reporting to the SUA/LSD/state data management system. *Chart 18* shows the frequency with which data is reported to the LSD/SUA.<sup>113</sup> As with reporting to AAAs, in some states there is more than one reporting period required by the SUA/LSD.<sup>114</sup> Of the states with only one required reporting period (17 of the 21 states responding), the largest number required quarterly (7 states) or monthly (6 states) reporting. Again, at least one respondent raised concerns about overly frequent reporting periods.<sup>115</sup>

<sup>113</sup> In eighty percent of the states (17 of 21) that responded to this question, statewide reporting data is also being submitted to AAAs. Thirteen of the 21 responses indicated that data goes first to the AAAs or to both the AAAs and the SUA (See *Chart 16*).

<sup>114</sup> Two required quarterly and annually, one required quarterly and semi-annually, and one required monthly and annually.

<sup>115</sup> “III-B legal providers are asking that this be reduced to annually; they ask a valid question: what is done with the data on a quarterly basis that makes it necessary? Can't they just submit the information necessary for billing to the AAA?” Comment to Survey Question, *How frequently does the State Unit on Aging/Legal Services Developer require that the statewide reporting data be submitted to the State Unit on Aging? See Chart 17.* As reporting systems are being devised, states must consider the purpose of collecting data. If data is not analyzed and used as frequently as it is reported, then less frequent reporting should be considered.



### **V.D.3. DATA COLLECTION AND SUBMISSION PROCESS – TECHNOLOGICAL ISSUES**

Where resources are available for the latest software, up-to-date computer systems, good internet connectivity<sup>116</sup> and tech support, the nuts and bolts of implementation and utilization of statewide reporting is made easier. One survey respondent with good technological capabilities described their reporting system in the following way.

*It is easy for programs to upload their information. This system cut their reporting time in half. It provides the most flexibility for reporting and we are able to query the data, as well as look at historical trends, etc. We are also able to add hotline data in with the Title III-B data to give the AAAs a more accurate picture of the legal services in their region.<sup>117</sup>*

However, there are still many states where such resources are not available.<sup>118</sup> In these instances, the technology component can be a stumbling block to collecting and analyzing statewide reporting data. Technology issues related to data collection and data submission are discussed below.

<sup>116</sup> One state reported problems exist with broadband service in rural areas. Appendix 1.13, Response 7.

<sup>117</sup> Appendix 1.5, Response 2.

<sup>118</sup> In addition to the lack of resources to provide the technological capabilities, AAAs and legal service providers may not have the skills to fully utilize technology capabilities in the system. “The system uses a manual data entry process on Excel spreadsheet rather than a dynamic web-based platform mainly due to legal providers’ and AAA’s lacking the technical expertise and staff to use a sophisticated system.” Appendix 1.13, Response 18.



V.D.3.a Data collection – technological issues The technology issues associated with data collection are often less troublesome if providers already have a good case management software system in place. Fifteen of the 22 states responding to a question about providers’ case management systems indicated that all or most of their III-B legal services providers had existing electronic case management systems in place.<sup>119</sup> (*Chart 19*)

Thirteen states indicated that all or most providers in their states were using the same case management software. (*Chart 19*) From a technology perspective, the more that providers have uniform software, the more easily a uniform data collection system can be implemented.<sup>120</sup> However, survey responses demonstrate that uniform statewide reporting is possible, even where case management systems are not uniform among all providers.

*I would encourage states [whose providers do not have a uniform case management system] to work with their providers in using their existing case management software to generate reports, rather than creating a stand-alone data-system. Not only is this much less expensive, it’s a lot more streamlined for the legal provider.*<sup>121</sup>

Only three states indicated that they did not build onto existing case management systems/data collection protocols.<sup>122</sup> (*Chart 19*)

---

<sup>119</sup> “The providers have sophisticated systems to track information, and they send reports from their systems to the LSD.” Appendix 1.14, Response 5.

<sup>120</sup> “[T]he primary strength of our reporting system lies in the fact that we are fully integrated into [providers’] existing case management system. This has made the process very simple and streamlined for our providers.” Appendix 1.5, Response 14. While use of a uniform case management system by all providers in the state may simplify the statewide reporting technology issues, it is unlikely to resolve all problems. One LSD, in the process of piloting a new statewide reporting system, has reported that while providers use the same case management software, each provider has set up and programmed that software differently. This has meant that the implementation process has had to be tweaked to fit each provider’s programming parameters.

<sup>121</sup> Appendix 1.14, Response 7.

<sup>122</sup> “The biggest challenge involved designing a custom-made software system that met our internal needs as well as that of the State Office on Aging. This took years of planning and implementation.” Appendix 1.8, Response 6.

**CHART 19: SURVEY RESPONSES TO QUESTIONS ABOUT THE USE OF ELECTRONIC CASE MANAGEMENT SYSTEMS**

Survey Question	Yes	No	Total <sup>123</sup>
Do all or most III-B legal services providers in your state enter/collect data electronically using case management software?	15(83%)	3(17%)	18
Do all or most providers use the same basic case management software?	13(87%)	2(13%)	15
When developing your statewide reporting system were you able to build on existing case management systems/data collection protocols already being used by legal services providers for reporting to other funders?	14(82%)	3(18%)	17

V.D.3.b Data submission – technological issues Submission of data to the AAAs and/or the SUA/LSD runs the gamut from a paper report to submission of data directly onto the SUA’s database management system. The largest number of respondents (eight) reported receiving reports only through non web-based electronic submissions, such as an Excel spreadsheet. Two states used only paper, hard copy reports. Six states allowed for at least some portion of statewide reporting data to be directly loaded onto a database management system.<sup>124</sup> The use of a combination of data submission methods occurred in eight states.<sup>125</sup> (Chart 20)

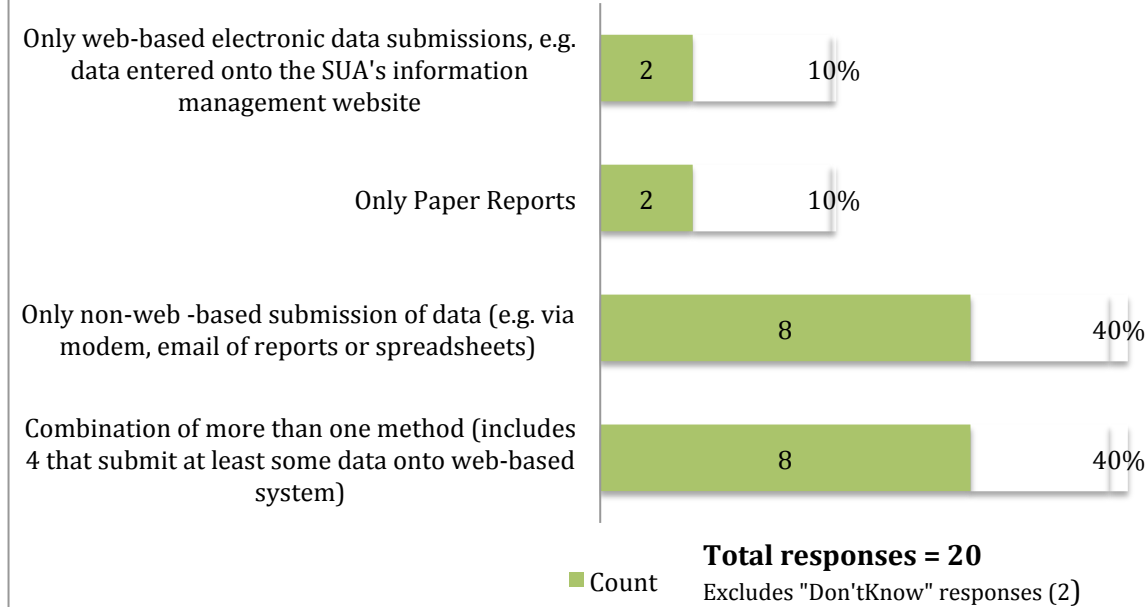
Respondent comments about the technology aspects of statewide data collection are found in Appendix 1.14.

<sup>123</sup> Excludes “Don’t Know” responses.

<sup>124</sup> A database management system accessible to all stakeholders was on the wish list of several respondents. As one explained, “[My wish list would include a] statewide, comprehensive, web based system that could be utilized by AAAs, LSC providers, non LSC providers, and SUA for reporting cases, units, etc.; compiling statistics and trending; and reviewing outcomes.” Appendix 1.15, Response 12.

<sup>125</sup> One respondent explained that there was a need for the submission of information outside of the web-based system, because “[t]he web based reporting system still does not accommodate case narratives and general program updates and staffing changes.” Comment to survey question, *In what form do providers submit IIB legal services data, required by your statewide reporting system, to the AAA or SUA/Legal Services Developer? See infra Chart 20.*

**CHART 20: IN WHAT FORM DO PROVIDERS SUBMIT III-B LEGAL SERVICES DATA, REQUIRED BY YOUR STATEWIDE REPORTING SYSTEM, TO THE AAA OR THE SUA/LSD?**



**V.E. Data Analysis, Data Uses, And Dissemination Of Reporting Data**

The mere collection of data, by itself, is of no value. Reporting is only valuable if the information is made relevant through analysis, interpretation, and communication to those who can benefit from the analysis. This section examines what happens to data, once collected – how it is analyzed, to whom it is disseminated, and for what purpose(s)?

**V.E.1 DATA ANALYSIS**

If the reporting of data raises some technological roadblocks for states, the analysis component seems to be even more troublesome. Developers and AAAs often have to figure things out on their own without the help of tech support staff.

In describing key weaknesses in their reporting systems, six of the 20 responding states cited problems in analyzing data. These problems included lack of staff expertise/training in data analysis,<sup>126</sup> slow data analysis systems,<sup>127</sup> inability of the

<sup>126</sup> “At this point, the primary weakness is that many of our AAAs have never received this level of data before and may not know what to do with it. There will need to be an extensive training and technical support process in place once the data begins to flow.” Appendix 1.13, Response 14

<sup>127</sup> “[Our system is] slow in pulling reports requested.” Appendix 1.13, Response 16.

system to analyze certain kinds of data, and the need to do analysis by hand.<sup>128</sup> The following comment by one respondent is illustrative of the frustration that other respondents expressed:

*We collect the data, but other than reporting the raw data, not much is done with the information. It isn't used to learn how effectively we are targeting, where our target populations are, etc. In other words, we have the raw data, but aren't able to process that data in order to tell a story.*<sup>129</sup>

See Appendix 1.13 for additional comments.

## **V.E.2 DATA USES**

Although coming late in our survey, the **next question should be the first question asked when developing statewide reporting**. That is, *“How will the data be used, i.e., what is the purpose for which this data is being collected?”* Additionally, the use or purpose of the data should not be considered in a vacuum, but instead balanced against the burden that reporting will impose.<sup>130</sup>

As indicated in *Chart 21*, **the largest number of respondents (18 of 19) identified monitoring as a use for the collection of statewide reporting data**.<sup>131</sup>

Included in monitoring are not only ensuring contractual compliance, but also assessing the strengths and weaknesses of programs,<sup>132</sup> and in some states (4) using the data to compare among providers.<sup>133</sup>

---

<sup>128</sup> “Too much still has to be done manually to pull an end of the year or periodic look at services delivered report together. The system is capable of certain totals but is incapable of ad hoc queries or totaling the major categories that one typically wants to reflect. Also, there is still no solution after more than a year of trying of allowing providers to attach the case narratives to the system. There are therefore instances remaining of data that goes in but cannot be retrieved in report form.” Appendix 1.13, Response 1.

<sup>129</sup> Appendix 1.13, Response 3.

<sup>130</sup> The potential burden to providers is often the foremost consideration. As an Advisory Committee member put it, “It is always a backwards analysis. What is the end product; what data needs to be gathered; how is that done (client survey or asking client at intake); do we simply collect raw data and aggregate it or do we analyze it? (Do we have the analytical tools, staffing and expertise?)” Emailed comment to draft report from Tom Bedall, Managing Attorney, ProSeniors, Cincinnati, OH. to author (February 20, 2015) (on file with author). Answers to these questions may reveal that the end product does not justify the burden of potential systems changes and staff time. Assessing the burden to the SUA and AAAs should also be considered.

<sup>131</sup> “[The statewide reporting system] provides data needed for reports as well as to discuss with AAA director and Legal Services Providers in monitoring meetings opening them up to suggestions on ways to improve their efforts.” Appendix 1.5, Response 16.

<sup>132</sup> “We are satisfied that our . . . metrics effectively give us the information we need to ensure that the job is getting done and getting done well.” Appendix 1.5, Response 10.

<sup>133</sup> “[The data] include specific county data that shows if the legal assistance is being used in each county throughout the state. This allows easy identification of duplication of services. It also shows which programs are entering real time and which are giving estimates in time.” Appendix 1.5, Response 6.

**Fifteen states used the data to examine targeting and to demonstrate the value of legal services.** Included in targeting is an assessment of whether programs are serving those elderly in greatest economic and social need and whether priority legal issues are being addressed.<sup>134</sup>

Additionally, responding states indicated that they use statewide reporting data to justify and/or expand funding,<sup>135</sup> to identify emerging legal issues,<sup>136</sup> to promote consistency and completeness of data,<sup>137</sup> and to enhance collaboration between stakeholders.<sup>138</sup>

This survey question, asking about the purposes of reporting, may be one where over-reporting easily occurs. This question did not ask respondents to weight or rank the uses or to meet some benchmark level of use. All of the listed uses are laudatory goals and may be happening to some extent, even without intention. For some states many of these uses may still be wishful thinking rather than reality.<sup>139</sup> As one respondent remarked, “Hopefully all of the above.”<sup>140</sup>

---

<sup>134</sup> “[The statewide reporting system allows the state to identify] the types of cases, levels of service and the target population.” Appendix 1.5, Response 8.

<sup>135</sup> “We believe that this will give us information and a platform to request additional funding and show the value of services we provide to the legislature.” Appendix 1.5, Response 11.

<sup>136</sup> “[We] can examine current trends . . . .” Appendix 1.5, Response 5.

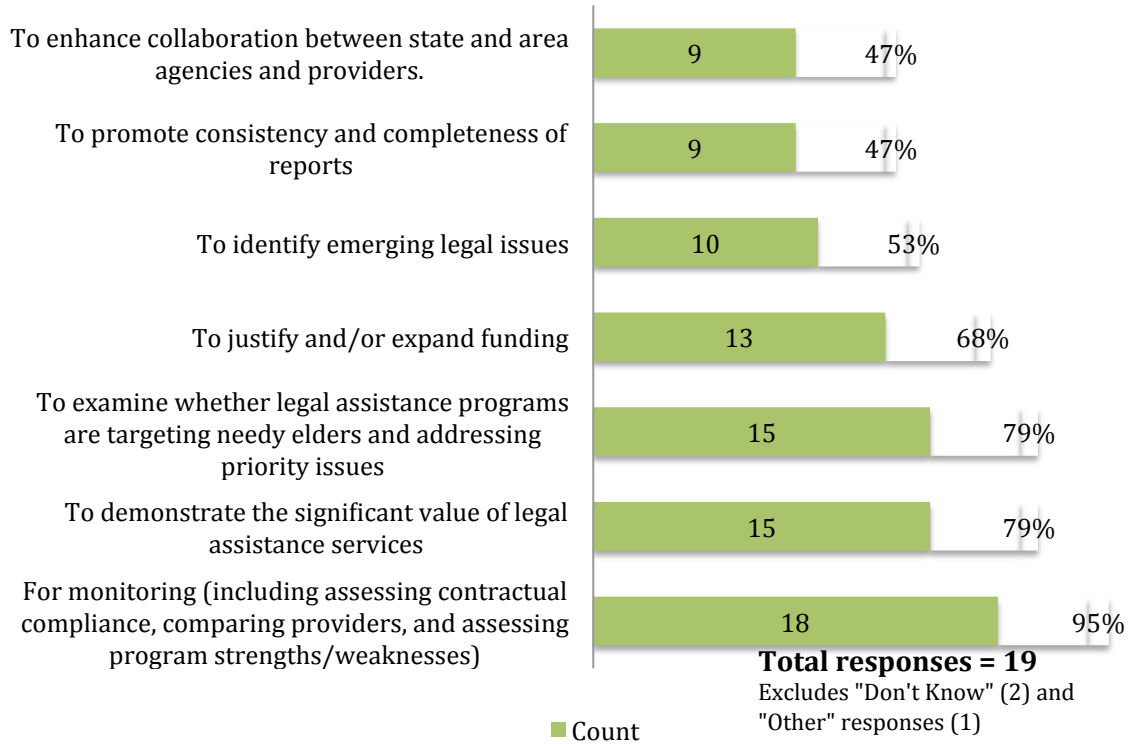
<sup>137</sup> “[R]eports are completed consistently . . . .” Appendix 1.5, Response 3.

<sup>138</sup> “[A strength of our system is] cooperation from Legal Services Providers.” Appendix 1.5, Response 12.

<sup>139</sup> As one respondent commented in responding to this question, “The foregoing were the intended uses of the system. However, due to limited staff resources, the State has not been able to use the data for the intended purposes.” Comment to Survey Question, *Please describe how the AAAs and/or the State Unit on Aging/Legal Services Developer use the data collected with the statewide reporting system. See Chart 21.*

<sup>140</sup> Comment to survey question, *Please describe how the AAAs and/or the State Unit on Aging/Legal Services Developer use the data collected with the statewide reporting system. See Chart 21.*

**CHART 21: PLEASE DESCRIBE HOW THE AAAs AND/OR THE SUA/LSD USE THE DATA COLLECTED WITH THE STATEWIDE REPORTING SYSTEM (CHECK ALL THAT APPLY)**



### V.E.3 DISSEMINATION OF REPORTING DATA

**A majority of states (14) in our survey create annual or periodic reports using statewide reporting data.**<sup>141</sup> Those reports are disseminated to a variety of offices and agencies, with the largest number of states (10) reporting dissemination to AAA offices.<sup>142</sup> (*Chart 22*)

Although 13 states indicated that they use the analyzed data to justify or expand funding (*Chart 21*), *Chart 22* suggests that few states “sell III-B legal services” outside of the aging network. Only 3 states report data to the legislature, 4 report to the governor’s office, and only 2 states said they disseminate the annual or periodic report to potential funders.

<sup>141</sup> Twenty-two states answered this question. Three did not know the answer.

<sup>142</sup> Fifteen states answered this question. One did not know the answer.

One state commented that their report is sent to III-B legal services providers.<sup>143</sup> It seems likely that this occurs in other states as well. However, the survey instrument failed to list this as an option, so we cannot say how often this occurs. Other recipients mentioned by respondents in open-ended comments include: the public at large, and others within the state office.<sup>144</sup>

Five states reported sending the report to AoA/ACL<sup>145</sup>, suggesting that a national reporting system could eventually be a viable method for gathering additional data that provides a fuller picture of III-B legal services around the country.

Chart 22	Yes	No	Total Responses	
Does your SUA/LSD compile statewide legal services data into an annual or periodic report?	14(74%)	5(26%)	19 (Excludes 3 "Don't Know responses)	
Who gets the statewide annual or periodic report			Count	Percentage
AAA offices			10	71%
AoA/ACL			5	38%
Governor's Office			4	29%
Aging and Advocacy Organizations			4	29%
State Legislature			3	21%
Potential Funders, such as foundations, IOLTA programs, bar groups, United Way, etc.			2	14%
<b>Total Responses</b> (Excludes 1 "Don't Know" response) More than one response is possible.			<b>14</b>	

## V.F Considerations For Improving III-B Legal Services Reporting Systems

We asked respondents what was on their wish list for maintaining, reviewing or improving their current statewide reporting system. **The most common wish was for technological improvements and/or the resources and staffing to make those improvements.** This included the desire for faster and more sophisticated

<sup>143</sup> Comment to survey question, *Who gets the statewide annual or periodic report?*

<sup>144</sup> "We use the data internally." Comment to Survey Question, *Who gets the statewide annual or periodic report?* See Chart 22.

<sup>145</sup> AoA staff has told us that these reports are not provided to AoA/ACL on a regular basis. They are voluntarily provided by the SUA upon request by AoA/ACL.

analysis software,<sup>146</sup> the capacity to analyze performance outcomes,<sup>147</sup> decreasing burdens on providers by making data submission more efficient,<sup>148</sup> and additional tech support and dedicated funding for IT.<sup>149</sup> Other wish list items were the reduction of required reporting from monthly to quarterly<sup>150</sup> and the need for more staff resources.<sup>151</sup>

The full text and list of comments from respondents are found in Appendix 1.16.

## **VI. CONCLUSION: ADVICE AND OBSERVATIONS OF SURVEY RESPONDENTS ABOUT STATEWIDE REPORTING**

An overview of study findings is found at the beginning of this report in the Executive Summary. Because we undertook the survey to learn from those who had experience with statewide reporting for III-B legal services systems, we conclude with advice and key observations from survey respondents, the true experts. We quote directly from survey responses.

- It's Worth The Trouble.

*This is a long process, but well worth the commitment due to the value of the reporting form data.*<sup>152</sup>

- In Most States Development Of Statewide Reporting Is A Process, Involving Planning, Goal Setting, Researching Current Systems, And Collaboration.

*I started with getting buy-in on the need for a standard and the need for a reporting system (which logically go hand-in-hand) . . . I gathered a representative group of stakeholders together and began work . . . identifying*

---

<sup>146</sup> “An interactive reporting system that will geocode the case data, showing visually the gaps in service, etc. Marrying this with demographic data will make targeting and prioritizing resources a more impactful process than what we currently do.” Appendix 1.15, Response 2.

<sup>147</sup> “Develop a more result-oriented report to track performance outcomes.” Appendix 1.15, Response 5.

<sup>148</sup> [My wish list for the statewide reporting system includes s]tatistical analysis software, an improved annual report based on the analysis run on the software, [and] a more efficient way for our legal providers to submit the information (constant discussion with the AAAs who want more information and providers who don't want to spend an unnecessary amount of time reporting information that really isn't utilized.)” Appendix 1.15, Response 3.

<sup>149</sup> “Dedicated funding for IT. Additional technical support capacity. Improved broadband for rural areas.” Appendix 1.15, Response 7.

<sup>150</sup> “I wish the final product were only for quarterly numbers, not monthly. That would be the most efficient and still provide the same data. I've looked at the monthly numbers and I don't see any trends that quarterly data wouldn't show.” Appendix 1.15, Response 6. “Reduce monthly reports to quarterly reports.” Appendix 1.15, Response 16.

<sup>151</sup> “More staff resources.” Appendix 1,15, Response 8. “A full time LSD position that could dedicate the attention needed to this crucial program.” Appendix 1.15, Response 11.

<sup>152</sup> Appendix 1.16, Response 7.



*goals, purposes, and essential data elements for the reporting system. . . . I continued to work with AAAs to determine what data they were already collecting on III-B-funded legal services and their business purpose for that data, how they used it, etc. I also met with many of the legal providers to continue to seek buy-in for the reporting project and to determine any challenges we may face in the development and implementation. One of the most critical parts of the process was my partnership with the [State] Bar Foundation staff who were key in helping me to understand how the uniform case management system could work to collect and report data for this project, help identify ways to work most effectively with the legal services providers in implementation, and generally support my efforts to get this off the ground.<sup>153</sup>*

- Learn from Others.

*I was lucky because I was able to use the work done by other states . . . .<sup>154</sup>*

*We . . . interfaced with other LADs/LSDs in various states, reviewed their products, took the best of what we found, wrote our own standards to meet [our state's] needs, and incorporated some of what we found in other states into our process.<sup>155</sup>*

- Think Long-Term.

*I would encourage states to not just think about their current needs but have the foresight to build a system [with the] vision of what a data system can do and what the data can be used for – not just what you can think of today.<sup>156</sup>*

- Pilot The System and Implement in Phases if Necessary.

*. . . [C]onsider implementing in phases to get the process of reporting started, even if all the kinks aren't worked out.<sup>157</sup>*

*Piloting the [reporting system] prior to implementation was very useful in testing the reporting system . . . .<sup>158</sup>*

- Ensure That The Reporting System Is Consistently And Systematically Applied Throughout The State

*After we implemented, we had to stand behind the decisions and back up the providers when a AAA wanted something different.<sup>159</sup>*

---

<sup>153</sup> Appendix 1.6, Response 9.

<sup>154</sup> Appendix 1.16, Response 10.

<sup>155</sup> Appendix 1.6, Response 7.

<sup>156</sup> Appendix 1.16, Response 2.

<sup>157</sup> Appendix 1.16, Response 12.

<sup>158</sup> Appendix 1.6, Response 5.

<sup>159</sup> Appendix 1.6, Response 2.

- Make Reports Visually Interesting.

*The more visual you can make the final report, the better people like it, understand it and know what Legal Assistance is doing in the state<sup>160</sup>.*

- Federal Guidance on Enhanced Reporting Requirements Would Be Welcomed By Some.<sup>161</sup>

*[It] may be helpful to have a specific Legal Assistance Program report at the federal level states could use (beyond the service units captured in NAPIS) to help with uniform data collection.<sup>162</sup>*

*We . . . look for federal guidance on the project. A case management system developed, supported and maintained at the federal level for states to use would be ideal.<sup>163</sup>*

A full list of respondents' comments about developing and implementing a statewide reporting system are found in Appendix 1.6 and Appendix 1.16

---

<sup>160</sup> Appendix 1.16, Response 5.

<sup>161</sup> Not all states feel this way. One state declined to participate in the study for fear it would lead to more federally mandated reporting requirements for III-B legal services, without additional funding.

<sup>162</sup> Appendix 1.16, Response 8.

<sup>163</sup> Appendix 1.16, Response 13.

## APPENDICES

### APPENDIX 1: OPEN-ENDED COMMENTS TO THE SURVEY<sup>164</sup>

#### Appendix 1.1: Title and duties of non-developer respondents, especially as they pertain to supporting and developing Title III-B legal services.

#	Response
1.	<b>President of the Senior Legal Hotline in the state.</b> Developed the statewide reporting system and provide ongoing support to the providers.
2.	<b>Staff Assistant to the Commissioner of the Department for Aging and Independent Living.</b> I assist the Commissioner in the operation of the department and serve as the primary liaison for Older Americans Act programs.
3.	<b>Program Manager,</b> Office of AAA Administration, Division of Aging Services, DHS. My office oversees the state's 21 AAAs and their monitoring of Title III B service providers. Additionally, we review the aggregate data sent to us by the AAAs on the number of units delivered and the number of clients served through Title III B funded Legal Services.
4.	<b>Program Specialist VI in the grants management division.</b> I oversee the Title III programs in the state. This includes program development, contracting, monitoring and ensure quality of programs.
5.	<b>Disability Benefit Specialist program manager and Interim SHIP Director.</b> The Legal Services Developer position is currently vacant as a result of a recent retirement. I am a subject matter expert in the provision of disability benefit specialist services in the state; I provide consultation to and coordination with the Elder Benefit Specialist program through which Title III-B legal services are provided in the state.
6.	<b>Deputy Director of the State Division of Aging.</b> Responsible for policy and planning for OAA, Medicaid Waiver, APS and LTC Ombudsman programs along with state funded services.
7.	<b>Division Director for the Division of Aging and Adult Services.</b> Our Legal Services Developer recently left the Division to work for another organization and we are the process of filling the position.

<sup>164</sup> The open-ended responses throughout the Appendices are verbatim quotes from the on-line responses we received, with one exception, i.e., references to individual states have been deleted.

**Appendix 1.2: If you know, please explain the reasons that, having considered it, your state does not yet have a statewide reporting system?**

#	Response
1.	We have a statewide reporting system however, we get the information in aggregate totals for the SPR. We are in the process of consolidating so that we can see the raw data and use it for planning purposes.
2.	As the Legal Services Developer I am just beginning to consider the value/benefits and the potential costs associated with statewide reporting for legal assistance. Review of what other states are doing and the elements in the reporting required for LSC grantees are initial steps that I will need to take before I present it to the agency's management for formal consideration.
3.	Historically, we have adopted the data elements required of NAPIS. In releasing standards for Title III AAA operation, we have included additional suggested reporting elements for AAAs to collect from LSC, but have not required such items in any statewide reporting mechanism. Continued examination of data to be collected and appropriate time and effort interpreting and using data needs to be explored before adopting a statewide system.
4.	SUA is currently implementing a new statewide reporting system that goes live September 1, 2014 and requires all AAAs to switch to this new system for NAPIS reporting and ADRC expansion. The BRD was developed in 2010 and cannot be changed at this point. However, SUA has been working with [the legal services program] on a grant for Model Approaches to Legal Services Delivery that will align ADRCs more closely with Legal Services providers. This project may lead to recommended changes to the BRD that would allow the new system to collect assessment information specific to targeting of legal services. Funding to make changes to the new system must be identified first. Currently each AAA is required to monitor Legal Services contracts which includes ensuring services are targeted appropriately and units are accounted for, but there is currently no uniform way for SUA to collect this information from the AAAs.
5.	There have been confidentiality, uniformity and accuracy concerns raised regarding additional data beyond the required SPR/NAPIS-data. We are revisiting expanding our system.
6.	It had simply not been a priority in the past.
7.	Of the number of personnel currently assigned to the new State Department on Aging (14 not including the LTCOP) - only one Associate Research Assistant deals with all MIS (Management Information System) and that is but a part of her job. The LSD is a 4 day per week employee (32 hours) who now is also the only Attorney in the Department. Although the state did not receive a Part II grant, we have been committed to working on the initiatives envisioned and outlined by us in our grant proposal. Working with the LTCOP and collaborating with partners recruited for the grant, we have been able to form The Coalition for Elder Justice in [our state]. Statewide reporting is a project which will be developed in a coalition workgroup.

**Appendix 1.3: Is there anything else you would like us to know about Title III-B legal services reporting in your state?**

#	Response
1.	Because of the low amount of funding that is available, any reporting system would have to add value to these providers and a separate Title III only system would not add value - it would create duplicate data entry and make these providers less efficient. They have their own reporting systems funded with their LSC state and federal dollars and we are careful not to add to their burden additional reporting for our purposes. We get what we need from them by tracking units of service and we work closely with them at a policy level.
2.	No
3.	Not at this time but I am available for questions. Thank you.
4.	no
5.	Nothing at this time.
6.	Legal services accounts for approximately 7% of all Title III expenditures across the state, and nearly 20% of all Title III-B Supportive Services. Our implementation of priority services, under the Older Americans Act, that requires a minimum of 8% for legal services funding under Title III-B, with a maintenance of effort required separately of each AAA that ranges from 8% to 28%, continues to be centered on providing needed services to consumers. The continued efforts to report, interpret and utilize appropriate data for all services, including legal services, will direct our efforts over the next several years.
7.	We would like to consider developing a reporting system but have no resources to devote to the technical support needed to develop and run such a program.
8.	[Our state] is currently evaluating a statewide reporting system in conjunction with the ACL/AoA Model Approaches phase I grant awarded to [our state] in 2013.
9.	The 3 Legal Assistance providers which cover the entire state (and serve as the Title III-B contractors for the 5 Area Agencies on Aging) provide narratives encompassing their entire client work (legal aid clients) in annual reports. The LSC funded Statewide Legal Services acts as the one door for assistance access for potential clients throughout the state EXCEPT for those qualifying for III-B services. Seniors are encouraged to call the applicable provider directly that works with their regional Area Agency on Aging.
10.	We are excited to get a new person in place and look at changes and updates that will enhance the program!
11.	There is only one Legal Services provider who receives funding through Title III-B funding and their grant is only for \$150,000. The rest of their funds are either LSC

funding or other sources of funding. They provide services throughout the state.

**Appendix 1.4: What was the major motivation in developing and implementing statewide reporting?**

#	Response
1.	The SUA was focused on Managing Using Data and HOSHIN from the early 90's and this focused continued to grow into greater attention on quality in service delivery which for the SUA, required accurate and complete data for all programs.
2.	Our existing system at the time was outdated and did not provide enough data to make data-driven decisions.
3.	Model Approaches - Phase I grant; although money was not set aside to develop, it was one of the objectives of the grant.
4.	(For aging) Standardized reporting(For provider) Ability to track outcomes obtained by seniors based on the services provided. Obtain more specific information about the services provided around the state. Tracking of services in areas of greatest social and economic need. Need to be descriptive about the services and convey the work done for seniors to the advisory and governing boards of the various AAAs while maintaining confidentiality of services provided.
5.	To collect consistent and correct data.
6.	Record keeping and program reporting
7.	Nobody understood what Title III-B providers did in the community and the result shows the benefits from counties to PSAs to statewide.
8.	Elder benefit specialists receive funding from State GPR in addition to Title III-B. Additional data helps us understand the types of legal issues that are provided, as well as ensure we are reaching people across the population spectrum, and estimate the positive economic impact of these services.
9.	Gathering specific data that would be used to advocate for future funding.
10.	Need for more meaningful reporting data and uniformity in reporting.
11.	We are the only Title III-B provider in the jurisdiction. Our business is to provide the best legal services we can as effectively and efficiently as possible.
12.	We had no understanding of what services were being provided, what clients were receiving beyond hours of service, and we could not "tell our story" without comprehensive and consistent reporting.
13.	To provide data for a legal services state plan which the Legal Services Developer will write, with input from the legal services providers. It will be presented to the people within the SUA that make funding decisions and to the Access to Justice Commission to give them correct information on the State's participation in providing legal services to older people.

14.	I wasn't in this position when the Statewide Standards for Title III-B Legal Assistance Programs were adopted (in 1989, I believe).
15.	The major drive for development of a reporting system was implementation of our first statewide standard in 2011 and the recognition that having meaningful data on what the delivery system is doing with the III-B resources was the only way to ensure the standard is being implemented (and that targeting is occurring).
16.	To assure uniformity in process and consistency in how services were provided to seniors.
17.	Consistency in data received for reporting purposes.
18.	State had just developed statewide legal standards but legal providers were not using a uniform reporting system.
19.	Certainly the Model Approaches grant motivated us to take a closer look at III-B legal services overall. We realized in doing this that our statewide system of reporting or lack thereof, was a major issue and barrier to providing III-B legal services in the most effective way for our seniors.
20.	the Title III-B provider had reporting requirements from other funders to better target services to improve cost effectiveness of operations

**Appendix 1.5: What are the key strengths of your current statewide uniform reporting system?**

#	Response
1.	The strengths of the system are in what it is capable of doing which is providing a rather detailed breakdown of the delivery of services in cases closed, cases opened, community education provided, including topics, involvement of the private bar, the impact the services have on the lives of clients and other things.
2.	It is easy for programs to upload their information. This system cut their reporting time in half. It provides the most flexibility for reporting and we are able to query the data, as well as look at historical trends, etc. We are also able to add the hotline data in with the Title III-B data to give the AAAs a more accurate picture of the legal services in their region.
3.	[Our state's] reports are completed consistently and the AAAs and legal providers are all on board.
4.	(For aging) Provider commitment to core statistics about services provided. Meeting minimal reporting requirements for OAA legal services.(For provider) Legal services provider uses a customized case management system that could be easily modified, as necessary.
5.	Can examine current trends and formulate how many clients are utilizing the service statewide (regionally).
6.	The strengths include specific county data which shows if the legal assistance is

	being used in each county throughout the state. This allows easy identification of duplication of services. It also shows which programs are entering real time and which are giving estimates in time. It is on an Excel spreadsheet which data is transferred to PowerPoint to allow user friendly visual aid for the provider and contractor to review. It also gives slides for the provider and contractor to use in presentations about the program.
7.	Uniform software in use at local, regional and state levels. Relatively robust ad hoc reporting capacity to meet local needs. Strong [state]-based technical support.
8.	Identifying the types of cases, levels of services and the target population
9.	Uniformity of data; More meaningful data beyond units of service; unduplicated client information; compliance with targeting social and economically needy seniors; compliance with statewide standards; funding sources; benefit outcomes.
10.	We have spent a lot of time making sure we use the right metrics to ensure that we are accomplishing our mission. The units of service system is both cumbersome and time-consuming and required significant customization of software, though not an effective measurement tool. We are satisfied that our other metrics effectively give us the information we need to ensure that the job is getting done and getting done well.
11.	This is the first year that we have used this reporting. We cannot define key strengths until we are able to compile all of the data (in process). We believe that this will give us information and a platform to request additional funding and show the value of the services we provide to the legislature.
12.	Cooperation from the Legal Services Providers.
13.	Consistency of standards.
14.	While not yet implemented statewide, I think the primary strength of our reporting system lies in the fact that we are fully integrated into their existing case management system. This has made the process very simple and streamlined for our providers.
15.	Our case management system is cloud based and accessible from any location, computer, tablet or smart phone. Reports are easy to use and easy to customize.
16.	Provides data needed for reports as well as to discuss with AAA director and Legal Services Providers in monitoring meetings opening them up to suggestions on ways to improve their efforts.
17.	We don't require a lot of information in our reporting because we use it to ensure contract compliance and provide data as requested.
18.	It is uniform, consistent, meaningful and helps assess whether limited III-B legal services are being effectively targeted. The report design of Quarterly reports on data related to types of cases, case closing codes, units of service case summaries and community education and the Annual report that captures client



characteristics/demographics provide a complete picture of the legal services program.
19. Doesn't exist
20. Consistency.
21. Very easy to pull any/all data desired using Crystal Reports.

**Appendix 1.6: Please provide any additional description of the process your state went through in developing your statewide uniform reporting system that would help other states to develop a statewide Title III-B legal services reporting system.**

#	Response
1.	Since the development of the statewide Title III-B legal services reporting system was in conjunction with the larger AIMS reporting system, there were often meetings that included representative of all programs to ensure that there were no conflicts in the system that would impact legal. This was also a way of keeping the needs of legal on the radar as it was a different program from most others and needed to be developed differently to capture what was needed while observing and protecting confidentiality.
2.	Sell the benefits of the data and the process. Because we are asking groups to change their process, we had to work very hard to sell the new program. After we implemented, we had to stand behind the decisions and back up the providers when a AAA wanted something different. We also had to deal with the worry that one program's data was going to be compared to another program for purposes of efficiency. Once we took out the reporting of hours and focused on clients and cases, most of this became a non-issue.
3.	3 - 4 meetings
4.	The LSC funded providers were using a standard form and this was just modified to extract additional data.
5.	Piloting the URS prior to implementation was very useful in testing the reporting system; convincing the LSPs about the reasonableness of time in completing the reports and allowing the AAAs & LSPs time to adjust to the URS.
6.	Development of Statewide Reporting Task Force; Understanding process and anticipated outcome; Development of framework and why needed; Task Force understanding what OAA's act dictates regarding same; Review of Statewide legal needs survey data; Development of draft of form with both AAA and III-B providers. Continuous revisions. Installation of reporting forms. Testing forms.
7.	We met with partners including AAAs (first), then the grant partners on MALS, interfaced with other LADs/LSDs in various states, reviewed their products, took the best of what we found, wrote our own standards to meet [our state's] needs,

	and incorporated some of what we found in other states into our process.
8.	This wasn't really a "process". I took the work that was done in other states and adapted it to suit my purposes in [our state]. I just received the first reports, which were due July 30 and are due on a yearly basis. After I've had an opportunity to do an analysis on the data, I will have a better idea of how it worked. A preliminary reading of the reports indicate that they are very useful, but can use some tweaking.
9.	I started with getting buy-in on the need for a standard and the need for a reporting system (which logically go hand-in-hand) as part of the Model Approaches project (2007-2010). We then developed and implemented the statewide standard (2009-2010). I gathered a representative group of stakeholders together and began work in 2010 on identifying goals, purposes, and essential data elements for the reporting system. Work was ongoing in this area for the next 3 years. During that time, I continued to work with AAAs to determine what data they were already collecting on III-B-funded legal services and their business purpose for that data, how they used it, etc. I also met with many of the legal providers to continue to seek buy-in for the reporting project and to determine any challenges we may face in the development and implementation. One of the most critical parts of the process was my partnership with the [state's] Bar Foundation staff who were key in helping me to understand how the uniform case management system could work to collect and report data for this project, help identify ways to work most effectively with the legal services providers in implementation, and generally support my efforts to get this off the ground.
10.	The only way the transition will work smoothly is with the participation of all interested parties.
11.	Several conference calls were held to discuss the reporting parameters. Statewide legal standards were reviewed closely in developing the reporting system. TCSG helped tremendously in drafting the report format and revising it multiple times.
12.	The sole III-B provider collaborated with five other providers to convert to an electronic case management systems that allowed for extensive reporting. Grant funds were used to set up the system.

**Appendix 1.7: What was/were the source(s) of the funds granted/allocated for developing a statewide reporting system?**

#	Response
1.	Federal and state funds.
2.	State funds; Model Approaches Grant; . . . State Bar Association Access to Justice funds.
3.	Model Approaches to Legal Services Grant. PLEASE NOTE: We did NOT create an automated system. Reports are electronically submitted on an Excel platform, but also require narrative and some justification as well.

4. Model Approaches to Statewide Legal Services Delivery System Grant - Phase II

**Appendix 1.8: Briefly describe the major challenges that you encountered in developing and implementing your current statewide reporting system and how you overcame them?**

#	Response
1.	<p>1. Overcoming the initial "change" from the status quo            2. Developing a system that would capture the information desired without becoming so onerous on the providers who would not be receiving additional funding for the expanded reporting.            3. Developing a common system that all could use that could be an extension of whatever system they currently used for case intake/management, etc.            4. Developing a system that would successfully obtain "buy-in" from all stakeholders and still yield something useful for State's purposes.            5. A cost effective subsystem that could be a part of the larger Aging Information Management System that was the ultimate focus.</p>
2.	<p>The biggest challenge was getting the AAAs to agree that the data available in through our LSI system would be the only data that they could request from the provider. Once we had a clear vision of the structure and possible reporting, it quickly became a non-issue for providers and AAAs to participate. Now that we have been doing this for three years, it is just a normal business practice. We worked to make it easier for everyone.</p>
3.	<p>My major challenge was overcoming the technical problems of developing a user-friendly spread sheet with limited technical expertise, then translating the data into a meaningful document for providers. You want the data, but you don't want a complex form that everyone hates to use. I overcame the technical problems by becoming more tech savvy myself and accepting comments on how to improve the form. I learned to enter Excel data on PowerPoint and created a visual presentation on the data, which shows the strengths and weaknesses of the provider.</p>
4.	<p>[Our state's] reporting system, which is called the Uniform Reporting System (URS), was developed and implemented beginning July 2008. The URS was a three year process which included one year pilot program to test the workability of the system. The URS was developed with a panel that included 4 AAAs, 6 LSPs, 2 State staff and 2 facilitators from The Center for Social Gerontology. The panel met for 2 days in person. The major challenges that were encountered were as follows: Identifying AAAs &amp; LSPs that were willing to participate for 2 days.- Gaining consensus from the AAAs &amp; LSPs on the importance of the URS and persuading them to do the additional work of providing a detailed report.- Obtaining agreement on what should and should not be included in the report.- Getting AAAs &amp; LSPs to volunteer for the pilot program. [Our state] over came these challenges through constant communication with the AAAs &amp; LSPs and being flexible with the piloting and implementation date of the URS.</p>

5.	Consensus of III-B providers and AAAs. Funds to pay for reporting form installation. Definitions of AOA terms and computer terms.
6.	The biggest challenge involved designing a custom-made software system that met our internal needs as well as that of the State Office on Aging. This took years of planning and implementation.
7.	We had no legal services/assistance delivery standards. The first step was to develop standards. We utilized funding from the Model Approaches to Legal Services Grant to help offset the costs, travel, research, and development of standards. The reporting became part of the standards and is applicable to all of our AAAs.
8.	Deciding what information is important for planning purposes. Used forms from other states, provided by Legal Services Directors. Sent that form out for reporting purposes and it was used in July 2014. Will now adjust it to allow for more thorough reporting from providers, according to their suggestions.
9.	We are working to implement the system at no cost to the state, so we have been dependent on other stakeholders, which has caused delay. Other delays have been due to my part-time status as Developer and having other projects that have needed to take priority at times. Once I was able to prioritize and other stakeholders were available to work on system development, we've had very few setbacks and are on the fast track towards implementation.
10.	The challenges were overcome by having the Legal Service Providers, AAA directors, meeting together with the representative of the Center for Social Gerontology and myself to work through discussions of data that must be gathered while assuring all of client confidentiality being protected in the final approved process.
11.	Lack of knowledge and experience of providers and the state in general in the use of a platform to capture and report data. The Center for Social Gerontology (TCSG) helped in designing the system using [our state's] Excel format.
12.	We are a recipient of the Model Approaches to Statewide Legal Services Delivery system Grant Phase II and are now in the process of evaluating how to develop the data system. I am not yet aware of what challenges we might face.
13.	very little problems because there is only 1 statewide legal service provider. also the provider has historically collected a large amount of information on clients and has the ability to produce reports in a variety of formats

**Appendix 1.9: Please provide the definition of "unduplicated client" used in your statewide reporting system.**

#	Response
1.	"those persons the program provider has not served within the current reporting year"

2.	"The number of individuals who received assistance from the legal assistance provider once a case is opened. This category is for number of individuals served, not the number of cases per person." - This is included in the instructions for completing the form.
3.	Within the contract year, the person provided service is only counted one time, irregardless of the number of issues handled or time spent handling those issues.
4.	An actual count of eligible individuals who are receiving or have received services. When initially served each new individual is counted one time, by service, in each fiscal year. A full client intake and other appropriate documents are required.
5.	number of different individuals who received legal assistance from the legal provider during a federal fiscal year. For the "unduplicated count," a client is counted only once for the year regardless of how many times the client returned that year for assistance on either the same or different legal issues.
6.	A person who received one or more units of service during the reporting time period.
7.	Unduplicated Client Count is defined as follows: The number of different individual clients who received legal assistance from the provider during a Year. For the unduplicated count, a client is counted only once for the Year, regardless of how many times the individual returned that year for assistance on either the same or different legal issues. For purposes of this report, the Year to be used in counting/ reporting unduplicated clients is the [state's] Fiscal Year, which is July 1 through June 30. If an individual client carries over from one Year to the next, that client should be counted and reported again as an unduplicated client in the first quarter of the new Year.
8.	The first time a client contacts the III-B provider during the fiscal year and qualifies for legal assistance.
9.	A client who is served by the system in the reporting period in question.
10.	not further defined (reporting document just states # of persons served - unduplicated)
11.	An unduplicated client is one person. That person may receive multiple services, multiple units of service, but while all services and units are accounted for, they still represent only one client. They are not counted as a client every time they receive a service; they are only counted once.
12.	We have no written definition of "unduplicated client." The folks in the grants management unit said that their understanding is that an unduplicated client is the one that receives a service for the first time. If they receive multiple different services, they are unduplicated the first time they receive each service.
13.	This is not defined in the Statewide Standards or in regulations or in the Program and Policy Manual (the 3 controlling documents).

14. The number of different individual clients who received legal assistance/advice from the [legal services] provider during a calendar year. Only one client can be reported per case. For the unduplicated count, a client is counted only once for the Calendar Year, regardless of how many times the individual returned in the year for assistance on either the same legal issue/case or different legal issue/case.
15. Duplicated cases are those clients that received services in the same funding period, the client is helped with a problem two or more times, and the problem has substantially the same fact situation. An example of a duplicated case would be assisting the client with a divorce, and then establishing paternity of one of the children born during the marriage but not the child of the husband. This would be two distinct court cases with two different docket numbers, a paternity case and a divorce case, but would involve substantially the same facts and the same client therefore the cases would be duplicated services Unduplicated cases are those cases that are distinct and separate cases, with different fact patterns. A single client may have two or more unduplicated cases in the same funding period. For example a client may have a divorce and a landlord/tenant issue in the same reporting period and therefore would have two unduplicated cases. The client is the same but has two different fact patterns.
16. A single count of a client and not services provided during a twelve-month period.
17. A client who is counted only once, no matter how many direct services the client receives during a funding year
18. Unduplicated Client Count. The number of different individual clients who received legal assistance/advice (as defined above) during a state fiscal year (July 1 – June 30). For the unduplicated count, a client is counted only once for the fiscal year, regardless of how many times the individual returned that year for assistance on either the same legal issue/case or different legal issue/case. For purposes of this report, the year to be used in counting/reporting unduplicated clients is the state fiscal year. For example, if a client calls/comes in for the first time in a fiscal year and needs help on two different legal issues and the provider subsequently opens two cases (as defined above), this should be counted and reported as two cases, but only one unduplicated client. If that person calls back/returns later in the year, with the same or a totally different issue, the unduplicated client count does not increase because the person is the same unduplicated client. At the start of a new fiscal year, individuals with open cases are counted only once as unduplicated, even if they have more than one open case. Note: Number of cases, whether or not they are for the same person are captured in the Cases Closed section of the report. This definition of unduplicated client comports with AOA's/ACL's definition for its National Aging Program Information System (NAPIS) Reporting System.
19. A single client that had one or more new matters opened in the reporting period.

**Appendix 1.10: Please provide the definition of "case" used for purposes of your statewide reporting.**

#	Response
1.	A form of program service in which an attorney or paralegal of a [legal services program] provides legal assistance to one or more specific clients, including without limitation, providing representation in litigation, administrative proceedings, and negotiations, and such actions as advice, providing brief services and transactional assistance and assistance with certain matters referred to other members of the private bar.
2.	a legal problem, or set of closely related legal problems. If the client contacts the problem multiple times in one fiscal year about the same problem, it is just one case.
3.	"case" is not defined; however, the following are the "case closing categories" to be used when a case that has been opened, is closed (we keep track of cases closed, as opposed to cases opened): Counsel and Advice, Brief Services, Referred after Legal Assessment, Insufficient Merit to Proceed, Client Withdrew or Did not Return, Negotiated Settlement without Litigation, Negotiated Settlement with Litigation, Administrative Agency Decision, Court Decision, Other
4.	Provision of legal services (advice or representation) that move the client toward a resolution of their legal problem. A case is defined as service to a particular individual within a particular legal code, per the taxonomy. A senior who faces a Medicaid problem, resulting in a lack of funds to pay their rent, would have two cases - one for the Medicaid problem and one for the housing problem. However, this senior would only appear once in the unduplicated count of persons who received service.
5.	a case is defined as the provision of permissible legal assistance to an eligible client with a legal problem, or set of closely related legal problems, accepted for assistance in accordance with the requirements of the LSC Act, regulations, and other applicable law. <sup>2</sup>
6.	A case is defined as a single legal/benefits-related issue that a benefit specialist assisted a person to resolve.
7.	Case was not defined per se. Rather, the URS defined case opening as "when the LSP opens a new file for a client, regardless of whether the client received services in a previous quarter." A case is closed "when the LSP has concluded the case and closed the file, regardless of whether the client has been served previously."
8.	A service is defined as a "case" only if "legal assistance" (as defined below) is provided to an eligible client with a legal problem, or set of closely related legal problems. If a client contacts the legal provider multiple times within the same calendar year about the same/a closely related legal problem, it is only one "case." (see definition of "closely related legal problem" below) In the event that a client has more than one legal problem and the problems are different/NOT closely related to one another, and "legal assistance" is provided on each of the different

	legal problems, each legal problem is counted as a “case.” Report the total number of cases per quarter. (Note: the provision of “non-case legal information” as defined below is not to be reported as a case.
9.	A case is a problem or matter than requires an attorney's intervention to resolve.
10.	Not "defined" although for our purposes it represents one legal action. One client could have multiple cases in legal services.
11.	If a file is created and services provided, it is a case.
12.	Again, a "case" is not defined in any of the controlling documents.
13.	For [our state’s reporting system’s] purposes, a case is defined as: "the provision of legal assistance to an eligible client with a legal problem, or set of closely related legal problems, accepted for assistance.
14.	A case is defined as a financially eligible client whose case is within the Program's priorities and is actually accepted for services. Services can be advice only, brief service or full court representation.
15.	individual matter
16.	Advice given via hotline or representation provided
17.	Case. A service is defined, and is to be reported, as a “case” only if “legal assistance” (as defined below) is provided to an eligible client with a legal problem. If a client contacts the legal provider multiple times within the same calendar year about the same case, it is only one “case”. In the event that a client has more than one legal problem and the problems are different and “legal assistance” is provided on each of the different legal problems, each legal problem is counted as a “case”. Report the total number of cases opened and total number of cases closed during the quarterly reporting period. (Note: the provision of “non-case legal information” as defined below is not to be reported as a case.)
18.	Has not been developed
19.	Legal advice, counseling, or representation to an individual.

**Appendix 1.11: Please describe the outcome measures/indicators of impact used and how they are calculated.**

#	Response
1.	These will be emailed.
2.	F. Outcomes for Title III-B funded cases Special Programs Page □ Maintained or Improved Stability/Quality Housing: Pcodes: 61; 62; 63; 69; □ Maintained or Increased Income (Fd Stamps; SS/SSI; Kinship care; Pension; etc.) Pcode: 73; 74; 75; 76; 79; □ Assisted Clients in Maintaining Chosen Family Relationships: Pcode: 44; 49; Subcode 313; 314; □ Assisted Victims of Domestic/Elder Abuse/ Neglect/ Exploitation in achieving safety/or protecting assets: EG: Pcode: 37; Subcode 394; 890; □ Assisted client to maintain max autonomy/control of their lives/or finances:



<p>Pcode 32; 33; Subcode 962; 963; Provided access to health care: Pcode 51; 52; 54; 56; 59 Provided access to benefits (income or non-health): Pcode: 71 - 79; Assisted clients in end of life decisions: EG: Subcode: 951; 961; Evaluated/resolved questions on legal rights/ benefits/ entitlements: Other (please specify) Specify Other:</p>
<p>3. We use LSC provider in most of our PSAs, and their reporting shows outcomes to some extent. We also collect anecdotal information (narrative) in a "but for" format. We cannot extrapolate a statistical outcome at this time.</p>
<p>4. We calculate attorney benefits at a rate of \$150 per hour, using this to determine value. . . . Our providers agreed as long as the hourly rate was under the maximum, the benefits should be appropriate and not padded.</p>
<p>5. Wills, Advance Directives @ \$100 each Case Representation Savings (characterized as dollars avoided that client would have paid out "but for" the intervention of legal services: the actual dollar figure as a lump sum (total interest and principal avoided through a loan modification or delinquency avoided) Case Representation Benefits (characterized as dollars or value obtained for client that client did not have or had lost, such as approved for Medicaid benefits (monthly value times 12 for an annual total benefit; value of a home through a Year's Support; SS benefits that were obtained or restarted after a termination) Dollar Savings for Hours of Legal Counseling and Representation: calculated at \$100 per hour</p>
<p>6. We collect data on "closing reason" and federal, state and other "monetary impact." Monetary impact is defined as an estimate of the monetary value of any benefits awarded to the client. I will submit our Monetary Impact Guide for Benefit Specialists by email.</p>
<p>7. SUA collects monthly data on results to date of program objectives. Internally we collect outcome data from a dropdown menu originally edited from the list that Kemp's Cases used. Separate outcomes for hotline and case handlers. Dollar value of benefits obtained. Written success stories.</p>
<p>8. This information is provided by the case handler involved with the legal services provided. It counts monthly benefits times 12, for any new benefits obtained. It counts the amount at risk in any Judgment avoided.</p>
<p>9. Usually, it is in economic terms. Sometimes, it is in changes to quality of life. These measures are described in narratives, and are limited to five cases per provider unless they are economic measures, in which case they can go on the forms.</p>
<p>10. When we built the system, we added the two fields from the LSC reporting, main benefit and outcome. We are currently working to develop the list of values that can be adopted by all programs.</p>

**Appendix 1.12: Are there particular kinds of data that are problematic to collect? Please describe briefly what those are and why they are problematic.**

#	Response
1.	No
2.	Unmet needs: currently, unmet needs = a scenario where a current client who is being assisted with one legal need reveals that they have an additional legal need that the legal provider cannot assist with due to lack of resources, case type (criminal), or some other reason. It does not, however, track the individual who calls the legal provider but the case is never accepted at all.
3.	None
4.	We just started the uniform reporting and the challenge is to get the provider to mark whether the activity was funded by title III-B or not.
5.	Our current system does not allow for detailed collection of information about outreach activities or brief contacts / information & referral.
6.	Not sure yet.
7.	Clients for legal services may or may not be fully assessed. Their ability to receive services does not require full assessment under the law. That is problematic from a statistical point of view, as the numbers we have may or may not accurately reflect what we are able to accomplish; however, even if we were to implement mandatory assessment which would improve the statistical reporting, there is no funding to pay for the assessment. Assessment cannot be incorporated as part of the unit, since unit is the provision of one hour of actual legal service.
8.	We aren't quite at the collection phase.
9.	Not all legal providers submit case summaries even though there are good stories out there. Referrals to further legal services are also under reported or not reported by several legal providers. Our reporting system has just completed the first year of operation. It is unclear at this time if most providers did not refer cases for further legal services or are not reporting. Some providers may not be taking the time to summarize and submit good stories.

**Appendix 1.13: What are the key weaknesses/problems in your current statewide reporting system?**

#	Response
1.	Too much still has to be done manually to pull an end of the year or periodic look at services delivered report together. The system is capable of certain totals but is incapable of ad hoc queries or totaling the major categories that one typically wants to reflect. Also, there is still no solution after more than a year of trying of allowing providers to attached the case narratives to the system. There are therefore instances remaining of data that goes in but cannot be retrieved in report form.

2.	The reporting in the system is lacking. When we first set it up, we used the standard reports from the previous system (ones used by a lot of states). Those have turned out to be superficial and not that helpful. We now are able to extract the data and use data analysis and reporting software, like SBSS, Crystal Reports, etc. that have allowed us to finally analyze and report the data.
3.	We collect the data, but other than reporting the raw data, not much is done with the information. It isn't used to learn how effectively we are targeting, where our target populations are, etc. In other words, we have the raw data, but aren't able to process that data in order to tell a story.
4.	(For aging) None(For provider) Lack of uniformity in reporting periods. Reports are tied to billing and payment, requiring that they be compiled and submitted monthly
5.	General info collected in the report.
6.	We started this reporting tool in March, so it is still being tweaked. Also, I was instructed that we want to work toward monthly reporting so I am requiring the providers to enter data per month. If we could continue with quarterly reporting, the tool wouldn't be so big and the quarterly numbers could be easily copied and pasted to the Power Point, which would save time.
7.	Relatively new software, not well tested by [State] aging network. Broadband issues in some rural areas.
8.	The primary issue is the lack of staff resources to showcase the benefits of the system.
9.	Application forms not complete in all fields. Use of special program pages for economic benefits and measurable outcomes.
10.	See above on units of service.
11.	Unable to determine at this time.
12.	Untried, as far as the required reports to the LSD.
13.	LSC offices are more accustomed to compiling data and complying with reporting standards. The quality of the responses from private counsel varies greatly ( 7 of 14 AAAs contract with a private attorney and 7 AAAs contract with [state] Legal Services. The latter serves the larger metropolitan areas of the state).
14.	At this point, the primary weakness is that many of our AAAs have never received this level of data before and may not know what to do with it. There will need to be an extensive training and technical support process in place once the data begins to flow.
15.	Monthly reports are exhausting, the data is easily reported but the monthly narratives take time and end up being the same month to month.
16.	Slow in pulling reports requested
17.	Doesn't provide information identified in earlier questions: population served, etc.

18.	The reporting system does not capture information on number of cases with outcomes/monetary impact other than what is inferred through case summaries reported by legal providers. Income/poverty level is reported by the hotline only and not by other legal providers. It does not include information on unmet needs, outreach efforts, collaboration with other providers, training received, staffing characteristics and voluntary contributions. The system uses a manual data entry process on Excel spreadsheet rather than a dynamic web-based platform mainly due to legal providers' and AAA's lacking the technical expertise and staff to use a sophisticated system.
19.	Doesn't exist
20.	As we move forward, data collected will provide a more complete picture of the types of cases and representation provided. We do not have this information for past years. We will begin to collect this data in 10/2014.
21.	Making sure all data fields are completed so that reports are comprehensive.

**Appendix 1.14: Please provide us with any additional information about the technical aspects of your statewide Title III-B legal services reporting system that would be helpful to other states that want to develop a statewide uniform Title IIB legal services reporting system.**

#	Response
1.	The system allows certain reports to be run. While individual providers are able to run reports on their own data, they are not able to run statewide reports that the system also allows. The statewide capacity to pull together data from the individual reports is a type of checks and balances system that often catches some errors. The detailed report of closed and opened cases however is a report that providers are able to run for themselves and will by summary of case type categories bring to light data entry errors. Also the Statistics report which allows providers to enter the sum totals of opened case data will bring to light errors when compared to the Case Representation "Pending" (Opened) Case report.
2.	We have the providers uploaded a file with case-level, non-identifying information so that we can generate all reports through the LSI system. This is the easiest for the providers to upload and allows for maximum data usage because we can combine files to look at the AAA regions, statewide, type of provider, etc.
3.	We currently use SAMS for elder benefit specialist reporting in all but one county. SAMS was not designed for this purpose and it is not ideal.
4.	Funding is the major issue in developing a system. We currently distribute and receive data electronically utilizing excel. We write protect any aspect of the forms that we do not want to be changed and leave only the fields open that are required for reporting. Our form also self-calculates total (helps with the math).

5. With only three providers and no AAA's, and the LSD's limited computer expertise, most of what the LSD does is rudimentary. The providers have sophisticated systems to track the information, and they send reports from their systems to the LSD. The SUA uses a sophisticated web-based system to track all programs and to get necessary information for NAPIS.
6. We evaluate on the basis of compliance with the Statewide Standards, the Policy & Procedure Manual & the applicable regulations from the Code of state Regulations
7. We've had the benefit of almost all of our III-B legal providers having a uniform case management system. However, I would encourage states where this isn't the case to work with their providers in using their existing case management software to generate reports, rather than creating a stand-alone data-system. Not only is this much less expensive, it's a lot more streamlined for the legal provider.
8. We used the LSC Codes and definitions and customized them.

**Appendix 1.15: What is on your wish list for maintaining, reviewing or improving your current statewide reporting system?**

#	Response
1.	Eliminate the weaknesses.
2.	An interactive reporting system that will geocode the case data, showing visually the gaps in service, etc. Marrying this with demographic data will make targeting and prioritizing resources a more impactful process than what we currently do.
3.	Statistical analysis software, an improved annual report based on the analysis run on the software, a more efficient way for our legal providers to submit the information (constant discussion between AAAs who want more information and providers who don't want to spend an unnecessary amount of time reporting information that really isn't utilized).
4.	None
5.	Develop a more result-oriented report to track performance outcomes.
6.	I wish the final product was only for quarterly numbers, not monthly. That would be the most efficient and still provide the same data. I've looked at the monthly numbers and I don't see any trends that quarterly data wouldn't show. I wish providers would follow instructions and not count activities that are not Title III funded. Or at least note that the activities are not funded by Title III>
7.	Dedicated funding for IT. Additional technical support capacity. Improved broadband for rural areas.
8.	More staff resource.
9.	Just beginning the testing of the report, so not sure.
10.	See above.

11.	a full time LSD position that could dedicate the attention needed to this crucial program
12.	A statewide, comprehensive, web based system that could be utilized by AAAs, LSC providers, non-LSC providers, and the SUA for reporting cases, units, etc.; compiling statistics and trending; and reviewing outcomes.
13.	I wish (hope) that I can turn the information into a useful report and state plan.
14.	I have made some adjustments over time to the reporting requirements . I do an on-site evaluation of 4 programs per year and a desk evaluation of the remaining 12 programs. The on-site visits are especially helpful and also provide opportunities for follow up on such issues as training needs, legislation, and policy concerns.
15.	We have always anticipated that there will be multiple phases of reporting system development and implementation. On the list for eventual inclusion are identification and reporting of social needs of III-B clients and outcomes data.
16.	Reduce monthly reports to quarterly reports.
17.	IT is reviewing the overall data system to hopefully address speed issues on pulling reports and giving a more modern/up to date look for ease of use by the user.
18.	Overcome the weaknesses listed above. A web-based case management system would be good to have but state management cannot provide funding for ongoing IT support for the system.
19.	We are excited about the opportunity to create a comprehensive reporting system that will identify demographic pockets of socially isolated and low-income seniors and will provide direction for outreach and the most effective use of our limited dollars. We will also be able to continually monitor where and what legal resources are lacking.
20.	See comment above.
21.	Improved outcome measures.

**Appendix 1.16: What other comments, insights, recommendations do you have about the effective development, implementation or operation of your statewide reporting system or use of the data collected by that reporting system?**

#	Response
1.	Though not perfect, I can honestly say the system is far better than the 3 page paper report that existed when I arrived 20 years ago and less cumbersome than the 24 page paper report I subsequently developed to capture more information than available through the 3 page paper report.
2.	I would encourage states to not just think about their current needs but have the

	foresight to build a system that collects as much data as you can. While it may not seem useful to collect case-level data, the potential for utilizing the data will be there and you will find that the opportunity to make some data-driven decisions will be expanded because you had the vision of what a data system can do and what the data can be used for --- not just what you can think of today.
3.	None
4.	New to the position so learning what may be needed.
5.	The more visual you can make the final report, the better people like it, understand it and know what Legal Assistance is doing in the state.
6.	None
7.	This is a long process, but well worth the commitment due to the value of the reporting form data.
8.	may be helpful to have a specific Legal Assistance Program report at the federal level states could use (beyond the service units captured in NAPIS) to help with uniform data collection
9.	The first and most critical piece is to have Legal Assistance Delivery Standards in place. Buy in is important, but ultimately, compliance is mandatory, not optional. Education and understanding of how and why this is important helps in gaining buy in and achieving reporting/meeting reporting goals. We will be able to describe value of data after our first year of data is compiled (in process at this time.)
10.	I was lucky because I was able to use the work done by other states and didn't go through the development process that was done elsewhere. Also, I work with the principals of three legal services providers, and they all agreed to do what I asked without any question.
11.	Of course, there is always room for improvement and I look forward to seeing the recommendations that come from this survey.
12.	Get buy-in from all stakeholders (and expect this to take some time); listen and be responsive to the business needs of the AAAs and the legal providers and consider implementing in phases to get the process of reporting started, even if all the kinks aren't worked out.
13.	We have a good start to a statewide reporting system and we hope to improve on it and look for federal guidance on the project. A case management system developed, supported and maintained at the federal level for states to use would be ideal.





## **APPENDIX 2: LISTING OF STATEWIDE REPORTING DOCUMENTS COLLECTED**

Listed below, by state, are some of the reporting documents that respondents kindly shared with us. Where helpful, we summarize the contents of the listed documents. The list of reporting forms is not exhaustive. It is intended to provide readers with examples of the types of information reported to the AAA/SUA in states with statewide reporting systems.

Although data elements of a statewide reporting system should be dictated by the specific goals of that system, it can be helpful to gather and adapt ideas from other states. Please contact TCSG if you wish to obtain copies of the documents listed here. We have permission to share selected forms.

### **Appendix 2.1: ARIZONA**

Monthly Legal Assistance Report (10-12): Collecting data on numbers of clients served, outreach presentations, training/education sessions given, training attended by staff/volunteers, significant issues/trends, types of new cases handled.

### **Appendix 2.2: CALIFORNIA**

California Legal Services Intake Form (Revised 1/29/2008): Collecting data on client contact information, units of service, client demographic information, and type of legal case.

California Uniform Reporting System for Title III-B Legal Service: Instructions and Definitions (Rev. 7/1/2013): Includes legal problem code definitions/explanations and case closing/level of service code definitions/explanations.

California Legal Services Quarterly Aggregate Report Form (Rev. 10/8/2009): Collecting data on unduplicated client count, total cases closed, total units of service, client age, client gender, client ethnicity, client race, legal problem, outreach/community education activities, optional success stories, optional information on collaboration with other advocacy groups.

### **Appendix 2.3: COLORADO**

The Colorado Long-Term Care Ombudsman Program and Legal Assistance Developer Program: Annual Reports. Reporting on the number of clients served, hours of service, number of clients unable to serve, hours of training conducted, special initiatives undertaken, and illustrative stories.

Colorado State Unit on Aging Policy Directive 14-12. Legal Services Tracking Report

Describes the background for a new reporting tool, effective Dec. 1, 2014 and gives reporting instructions.

Legal Assistance Program Data FFY 15, October 1, 2104 through September 30, 2015

Reporting form includes the following data by month: Total clients served both in the aggregate and by legal problem, pro bono units of service, total expenditures, client demographics (low income, minority, frail/disabled, rural), levels of service provided, total eligible individuals unable to serve and reason unable to serve.

**Appendix 2.4: FLORIDA (In Process):**

Draft Legal Services for Older Floridians – III-B Information System: Used in developing the Florida reporting system. Explains the III-B Information System, how data will be collected, what data will be collected, how data will be used, the ideal frequency for reporting, who will have access to data, how client confidentiality is protected, and what is expected of AAAs.

Older Floridians Legal Assistance Program Information System Guidelines (For calendar year 2014). Includes instructions, general definitions, legal problem codes and definitions/reporting of case closure (level of service) categories. Forms gather data on units of service, unduplicated client information, case information, case examples, education log, publications, and unmet needs (optional).

Older Floridians Legal Assistance Program Information System: Data Elements Summary. Contemplates collecting data on units of service, client demographic characteristics, closed case reports, including type of legal problem handled, and narrative reports

**Appendix 2.5: GEORGIA**

Georgia ELAP End of Year Data (State Fiscal Year 2014): Reports on total persons served, total client impact dollars, case total information, total hours, total CE sessions, total outreach events, totals of target population served, top five case types (both cases opened and cases closed), closed cases by resolution, top ten community education topics, change from previous fiscal year, including change in persons served, change in client impact in dollars

and change in case/unit/session totals, snapshot of legal services by service areas, and significant case narratives.

Georgia Elderly Legal Assistance Program Standards (Revised 2008):  
Includes definitions and case problem codes used for reporting system.

AIMS Web Manual: Elderly Legal Assistance Program (Draft 2014):  
Instructions for entering legal assistance data on the state's data management system.

Data Dictionary for Elderly Legal Assistance Program

Elderly Legal Assistance Program Problem Codes

Changes to Elderly Legal Assistance Program Closed Case Resolution Codes (10/2011)

## **Appendix 2.6: IOWA**

Quarterly Title IIIB Legal Assistance Report Form. Collecting data on units of service, number of estimated unduplicated clients – including breakdowns of those numbers by race, greatest economic need, greatest social need, and by age (60-74 and 75+), community education presentations (detailing units of service, estimated number of persons in attendance, and topics covered), types of cases handled, level of service/case closing categories, emerging issues/unmet needs and outcome reporting/narrative.

Legal Assistance Case Handled and Level of Service Form.

Legal Assistance Standardized Reporting Form Instructions. Including definitions, list of categories of types of cases handled, list and description of levels of service/case closing categories, and instructions for completing sections on Emerging issues/Unmet Needs and on Outcome Reporting (Narrative).

## **Appendix 2.7: KANSAS**

Kansas Department for Aging and Disability Services: Legal Services Reporting Form (Rev. 10/11/11). Collecting data on characteristics of persons served (age, gender, low-income, low-income and minority, frail or disabled, frail or disabled and minority, ethnicity, race, greatest economic need, greatest social need, and greatest economic and greatest social need).

The categories of greatest economic need, greatest social need, and greatest economic and social need are cross-tabulated with race, age, gender, and long-term care setting/homebound. The form also collects data on effects of client representation, case types, community education events, outreach by legal service staff, conferences/seminars/workshops attended by legal service staff, and legal service provider staffing changes.

Instructions: Legal Services Reporting Form (10/11/11): Includes instructions for reporting on characteristics of persons served, outcomes/effects of client representation, case types, summary of cases by county, number of clients with greatest economic and/or social needs, and legal services training and development.

Various Legal Services Reports.

#### **Appendix 2.8: MARYLAND**

Protection of Older Adults: Senior Legal Assistance Program Description. (From Maryland Department of Aging 2013 Annual Report) Provides data on hours of service provided, number of persons served, sources and amounts of funding and case narratives.

Legal Services Program Statistical Data and General Instructions. Includes form and instructions for collecting data on units of service, client characteristics (age, gender, ethnicity, poverty level, locale), number of persons served, number of outreach sessions, number of community education sessions, and rural vs. urban residence.

#### **Appendix 2.9: NEBRASKA**

Nebraska Department of Health and Human Services State Unit on Aging: Title III-B Legal Assistance Program Annual Report for State Fiscal Year 2014. Includes data on providers of service, units of service, levels of service, number of clients served, community education presentations, illustrative stories, cases closed, cases opened, types of cases, demographic characteristics of clients (age, ethnicity, race, income, rural/urban) and referrals to further legal services.

Nebraska III-B Legal Services Annual Report on Unduplicated Clients and Client Characteristics – For Nebraska Legal Services and Hotline Only Data on client characteristics includes age, ethnicity, race, income, language, and

rural/urban. Also collects data on visits to homebound elderly to provide legal services and referrals for further legal services.

Nebraska III-B Legal Services Annual Report on Unduplicated Clients and Clients Characteristics – Not including Legal Aid of Nebraska and Elder Access Line. The same as the form above except it does not collect data on income.

Quarterly Reporting Form: Nebraska III-B Legal Assistance (not including characteristics). Collects data on units of service, good stories, community education, types of legal problems, level of service provided, cases opened, cases closed,

Nebraska Statewide Legal Assistance Uniform Reporting System: Instructions and Definitions (July 1, 2013). Includes general definitions, legal problem code definitions, case closure codes, and definitions for unduplicated client characteristics.

#### **Appendix 2.10: NEVADA**

Legal Services Monitoring Report – Levels of Service. Collects data on case type and levels of service

Legal Services Reporting Form – Targeting and Outcomes. Collects data on income, age, language, disability, zip codes, domicile, ethnicity and race, outcomes, outreach, educational programs, referrals from aging and disability services, unmet needs, and case summaries.

#### **Appendix 2.11: NORTH DAKOTA**

Monthly Service Report, Legal Services of North Dakota, Legal Assistance Services. Collects monthly data and aggregates annually for units of service, program income received, program income expended, cases closed by legal type, and unduplicated individuals served.

Legal Services of North Dakota: 2013 Data of Clients Served. Shows age, gender, and race of clients served by entire legal services of North Dakota program, not just III-B programs.

#### **Appendix 2.12: SOUTH CAROLINA**

Quarterly Title III-B Legal Assistance Report Summary: Collects data on number of cases handled, units per case, number of estimated unduplicated

clients served, demographic characteristics of clients (ethnicity, race, greatest economic need, greatest social need, age), and education presentations.

South Carolina Legal Assistance Delivery Standards: Includes standardized reporting form instructions for legal assistance, definitions, quarterly title III-B legal assistance report summary form and legal assistance cases handled and levels of service from county by month form.

### **Appendix 2.13: TENNESSEE**

Legal Assistance Program: Quarterly Report. Collects data on units of service; number of cases opened, closed and pending; economic benefits for clients; economic savings for clients; legal referral and screening activity (number of referrals, hours spent on referrals, demographics of referred clients, priority and non-priority cases referred, and attorney benefits); unduplicated clients served by Title III (number of clients and demographics of clients); unduplicated clients served by other funding sources; a count of priority and non-priority cases opened; legal education activities; and ongoing legal service development.

Standardized Legal Assistance Reporting Instructions. Includes definitions.

1<sup>ST</sup> Tennessee Legal Assistance Report: FY 2013-14. This annual report for the 1<sup>st</sup> Tennessee PSA, representing 7 counties, contains data on number of individuals served, cases opened, cases closed, hours spent on casework, referrals and referral hours, attorney benefits for clients, client economic benefits, total client benefits, top case types, top referral case types, target groups served, race/ethnicity of referred clients, number of cases by county, case hours by county, attorney benefits for clients by county, speaking events by county, number of persons served through events by county, presentation topics, and success stories.

### **Appendix 2.14: VIRGINIA.**

Legal Assistance, Virginia Department for the Aging, Service Standard (Effective 1/1/09): Includes definitions and instructions for reporting on legal assistance services.

Legal Assistance Report: Includes data on demographics of persons served including race ethnicity, income and whether the client lives in a rural location.

# Appendix 3: Statewide Reporting for Title IIIB Legal Services – Survey Instrument

---

**SURVEY ON STATEWIDE REPORTING FOR TITLE IIIB LEGAL SERVICES** Funded by The Borchard Center on Law and Aging This survey gathers information about current state practices for Title IIIB legal services reporting. The length of time needed to complete the survey varies. For states without a statewide reporting system for IIIB legal services, the survey should take approximately five minutes. For states with a statewide reporting system for IIIB legal services, the survey will take from 30-40 minutes. You can save the survey at any time by clicking on the "Save" button at the bottom of the page. When you are ready to return to complete the survey, click on the link in this email and you will be able to continue from where you stopped. Please complete and submit the survey by August 15, 2014. If your state has a statewide Title IIIB legal services reporting system, please provide us with copies of your statewide reporting documents. E-mail to [llisi@tcsg.org](mailto:llisi@tcsg.org), or Mail hard copies to: Laurie Lisi, 8775 Lincoln Dr., Huntington Woods, MI 48070 Questions? Call or email Laurie Lisi, 248-854-8744 or [llisi@tcsg.org](mailto:llisi@tcsg.org). THANK YOU IN ADVANCE FOR YOUR HELP.

## TELL US ABOUT YOURSELF

### What is your state?

- Alabama
- Alaska
- Arizona
- Arkansas
- California

- Colorado
- Connecticut
- Delaware
- District of Columbia
- Florida
- ... 30 additional choices hidden ...
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming

**Are you the State Legal Services Developer?**

- Yes
- No

**Please give us your title and briefly describe your duties, especially as they pertain to supporting and developing Title IIIB legal services.**

**Approximately what percentage of time, based on a 40 hour work week, do you devote to legal services development work?**

- 0%
- 1% - 20%
- 21% - 40%



- 41% - 60%
- 61% - 80%
- 81- 99%
- 100%

**TELL US ABOUT THE TITLE IIIB LEGAL SERVICES PROVIDERS IN YOUR STATE**

**In your state, how many contracts are there with IIIB funded legal providers, i.e. if your state has no AAAs, number of contracts between your state office and IIIB legal providers, or if your state has AAAs, number of contracts between AAAs and IIIB funded legal providers**

- 1 - 5
- 6-15
- 16 - 25
- 26 or more
- Don't know \_\_\_\_\_

**If your state has AAAs, do any of the IIIB funded providers contract with more than one AAA?**

- Yes
- No
- Our state does not have AAAs
- Don't Know \_\_\_\_\_

**Indicate below which of the following types of agencies/organizations receive Title IIIB legal services funds in your state. (Check all that receive IIIB funds)**

- LSC-funded legal services program(s)
- Non-LSC funded, non-profit legal aid/legal services program(s)
- Contract(s) with private attorney(s) (full or part-time)
- Attorney(s) pledged to provide services on a pro bono basis

- Law school clinic
- Area Agency on Aging/Council on Aging providing the service directly through an attorney and/or paralegal on staff
- Title IIIB funded senior legal hotline
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments: \_\_\_\_\_

**If you indicated above that LSC-funded legal services program(s) receive IIIB legal services monies, please indicate the percentage of the statewide annual total funds allocated to providing Title IIIB legal services that goes to LSC-funded programs.**

- 25% or less
- 26% - 50%
- 51%-75%
- 76% or more
- Don't Know \_\_\_\_\_

**TELL US ABOUT REPORTING ON TITLE IIIB LEGAL SERVICES IN YOUR STATE.**

**Does your State Unit on Aging (SUA) require every Title IIIB legal services provider/grantee in the state to collect and submit additional data BEYOND the basic State Program Report (SPR) data, required for the National Aging Program Information System (NAPIS)?**

---

NAPIS is a reporting system of the Administration on Aging/Administration for Community Living (AoA/ACL), consisting of several components. For legal assistance, the relevant components are the SPRs which are submitted to AoA/NAPIS by SUAs. The SPRs provide information on an array of Title III and Title VII programs, including legal services. Title III services are divided into three clusters. Legal services is part of Cluster III, termed "unregistered" services. For the Cluster III services very little information is required to be reported. For legal services, a major reason for limiting information on clients is attorney/client confidentiality. The following are the only things that must be reported on the SPRs for legal services: Number of legal service providers; Number of AAAs providing

legal services directly, i.e. they don't contract out for the service; Best estimate of unduplicated persons served; Number of units of service provided (1 unit = 1 hour); Amount of OAA Title III expenditures for legal services; Total amount of expenditures for legal services (from all sources, e.g. including city or county funding); Amount of program income received, e.g. voluntary contributions Amount of Title IIIB expenditures for legal assistance. *For further information go to:* [http://www.aoa.gov/aoaroot/Program\\_Results/docs/SPR\\_Form\\_2013.pdf](http://www.aoa.gov/aoaroot/Program_Results/docs/SPR_Form_2013.pdf) Examples of data that might be collected in addition to SPR/NAPIS data include: outcome/impact evaluations, level of service provided, types of legal issues handled, demographics of clients, illustrative case examples, etc.

- Yes, the SUA requires every IIIB legal services provider to submit data in addition to the basic SPR data
- No, on a statewide basis, IIIB legal services providers must only submit basic SPR data
- Not yet, but our state is in the process of implementing a statewide reporting system and will soon be requiring every IIIB legal services provider to submit data in addition to the basic SPR data. [PLEASE ANSWER ALL SUBSEQUENT QUESTIONS IN THIS SURVEY AS IF THAT SYSTEM IS ALREADY OPERATING IN THE MANNER DESIGNED/ANTICIPATED.]
- Don't Know \_\_\_\_\_

**Is every Title IIIB legal services grantee/provider required to provide the SAME additional data?**

- Yes
- No
- Don't Know \_\_\_\_\_

**DEFINITION:** Throughout the rest of the survey we will be asking about your "statewide uniform reporting system for Title IIIB legal services," hereafter "statewide reporting" or "statewide reporting system." This denotes a system in which the State Unit on Aging requires IIIB legal services providers to collect and submit the same prescribed data (beyond the required SPR/NAPIS-data).

**TELL US MORE ABOUT YOUR INVOLVEMENT IN THE DEVELOPMENT OF YOUR STATEWIDE REPORTING SYSTEM.**

**Were you personally involved in the development of the statewide reporting system for your state?**

- Yes
- No

**Briefly describe the major challenges that you encountered in developing and implementing your current statewide reporting system and how you overcame them?**

**TELL US ABOUT THE PROCESS, ANY FUNDING GRANTED, AND TIME REQUIRED TO DEVELOP AND IMPLEMENT YOUR REPORTING SYSTEM.**

**Which individuals, offices or agencies worked on the development of the statewide reporting system? (Check all that apply)**

- Legal services developer/State Unit on Aging - programmatic staff
- State Unit on Aging - IT staff
- AAA - directors/programmatic staff
- AAA - IT staff
- Title IIIB legal services providers - programmatic staff
- Title IIIB legal services providers - IT staff

- Outside consultant(s) - programmatic issues, please specify... \_\_\_\_\_
- Outside consultant(s) - IT staff, please specify... \_\_\_\_\_
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments: \_\_\_\_\_

**What was the major motivation in developing and implementing statewide reporting?**

**Were funds specifically granted/allocated for purposes of developing/implementing the statewide reporting system?**

- Yes
- No
- Don't Know \_\_\_\_\_

**What was/were the source(s) of the funds granted/allocated for developing a statewide reporting system?**

**How long did it take to create the current statewide reporting system -- from the beginning of the development phase to implementation of a working system?**

- Less than a year
- 1-2 years
- 2-3 years
- 3-4 years
- 4-5 years
- 5+ years
- Other, please specify... \_\_\_\_\_

Don't know \_\_\_\_\_

**Please provide any additional description of the process your state went through in developing your statewide uniform reporting system that would help other states to develop a statewide Title IIIB legal services reporting system.**

**TELL US ABOUT THE DATA/INFORMATION THAT IS CAPTURED IN YOUR STATEWIDE REPORTING SYSTEM?**

**Does your statewide reporting system collect data on the estimated number of unduplicated clients?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Please provide the definition of "unduplicated client" used in your statewide reporting system.**

**Does your statewide reporting system collect data on the demographics of the population served by Title IIIB assistance providers?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Please indicate which of the following demographic categories are collected by the statewide reporting system. (Check all that apply)**

Age

- Factors indicating isolation. (For example, number of adults in the household/ living arrangement/ homebound/access to phone, etc.)
- Ethnicity/Hispanic or not Hispanic
- Race
- Income/Economic need/Poverty level
- Language/Limited English ability/Interpreter needed
- Existence of physical disability
- Existence of intellectual disability
- Rural/Geographic location/Zip code
- Marital status
- Veteran's status
- Education level
- Disaster victim Status
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments: \_\_\_\_\_

**Does your statewide reporting system collect data on the number of cases opened/closed?**

- Yes
- No
- Don't Know

**Please provide the definition of "case" used for purposes of your statewide reporting.**

**Does your statewide reporting system collect data on the number of hours of legal services provided (units of service)?**

- Yes
- No

Don't Know \_\_\_\_\_

**Does your statewide reporting system collect data on the types of legal issues handled in cases, e.g. consumer, employment, family, health, housing, income maintenance, individual rights, etc.?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Are those legal issues the same or substantially similar to those used by LSC programs (Legal Problem Codes) in their reports to LSC?**

- Yes, the same.
- Yes, substantially similar
- No, Different
- Don't Know \_\_\_\_\_

**Explain any difference.**

**Does your statewide reporting system collect data on the level of service provided, e.g. counsel and advice, limited action, negotiated settlement, administrative agency decision, court decision, appeal, etc.?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Are those level of service categories the same or substantially similar to those used by LSC programs in their reports to LSC?**

- Yes, the same.
- Yes, substantially similar
- No, Different



Don't Know \_\_\_\_\_

**Explain any difference.**

**Does your statewide reporting system collect data on outcome measures/indicators of impact, e.g. dollar value of benefits received or saved, number of cases where clients maintained or received important non-monetary benefit, etc.?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Please describe the outcome measures/indicators of impact used and how they are calculated, or you may mail copies of documents describing those measures and how they are calculated to [llisi@tcsg.org](mailto:llisi@tcsg.org). If you choose to email the description, please indicate here that you will be doing so.**

**In addition to the data already noted above, indicate whether your statewide reporting system collects data on any of the following. (Check all that apply)**

- Illustrative stories demonstrating the impact of legal services.
- Changes to the program's ability to deliver services, e.g. either improvements like new software, renovation to offices, increases in staffing, or obstacles or problems, such as losses in staff or funding.
- Impact cases, e.g. cases that affect a significant segment of the population and achieve a relatively permanent improvement in legal rights.
- Community education activities.
- Outreach efforts to reach targeted populations.
- Collaboration with other non-legal service providers.

- Collaboration with other non-IIIB legal services providers, e.g. private bar organizations, law school clinics, etc.
- Training provided or received by legal services staff.
- Internal legal services program evaluation efforts or client satisfaction survey results.
- Program staffing characteristics, e.g. number of staff, job role/title, percentage of time employed.
- The sources and amounts of additional funding beyond Title IIIB legal services funds.
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments \_\_\_\_\_

**Are there particular kinds of data that are problematic to collect? Please describe briefly what those are and why they are problematic.**

**TELL US TO WHOM/WHICH AGENCIES THE DATA/INFORMATION IS REPORTED; THE FREQUENCY OF REPORTING; HOW THE INFORMATION/DATA IS USED; AND THE TECHNICAL ASPECTS OF HOW THE DATA IS COLLECTED AND REPORTED.**

**When reporting on their own individual programs, to whom do IIIB legal service providers submit the data required by the statewide reporting system?**

- AAAs only and AAAs submit to SUA/Legal Services Developer
- Both AAA and SUA/Legal Services Developer
- Directly to the SUA/Legal Services Developer
- Data is entered directly onto State's data management website
- Other, please specify... \_\_\_\_\_
- Don't Know \_\_\_\_\_

**If your state has AAAs, how frequently do the AAAs require their legal providers to submit the data required by the statewide reporting system? (Check all that apply)**

- Monthly
- Quarterly
- Semi-annually
- Annually
- Other, please specify... \_\_\_\_\_
- Our state has no AAAs
- Don't Know
- Comments: \_\_\_\_\_

**If your state has AAAs, do any of those AAAs require legal providers to provide additional data/information -- beyond what is required for the State Program Report (SPR) for submission to AoA/ACL under NAPIS and beyond what is required for the statewide reporting system?**

- Yes, at least one AAA in the state requires IIIB legal providers to submit data beyond basic SPR data and beyond data required by the statewide reporting system.
- No, no AAAs require IIIB legal providers to submit or collect data beyond basic SPR data and beyond data required by the statewide reporting system.
- Our state has no AAAs.
- Don't Know \_\_\_\_\_

**How frequently does the State Unit on Aging/Legal Services Developer require that the statewide reporting data be submitted to the State Unit on Aging? (Check all that apply)**

- Monthly
- Quarterly
- Semi-annually
- Annually
- Other, please specify... \_\_\_\_\_
- Don't Know

Comments: \_\_\_\_\_

**Does your State Unit on Aging/Legal Services Developer compile statewide legal services data into an annual or periodic report?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Who gets the statewide annual or periodic report? (Check all that apply.)**

- AAA offices
- State Legislature
- Governor's Office
- Administration on Aging/Administration for Community Living (AoA/ACL)
- Congressional Delegation
- Aging and Advocacy Agencies/Organizations
- Potential funders, such as foundations, IOLTA programs, State bar groups, etc.
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments: \_\_\_\_\_

**Please describe how the AAAs and/or the State Unit on Aging/Legal Services Developer use the data collected with the statewide reporting system. (Check all that apply)**

- Used for monitoring program compliance with contractual or legal requirements.
- Used to demonstrate the significant value of legal assistance services
- Used to examine whether legal assistance programs are effectively targeting elders with the greatest social and economic need
- Used to assess whether legal assistance program are handling priority legal issues
- Used to promote consistency and completeness of reports
- Used to assess the quality/strengths and weaknesses of legal services programs
- Used for budget justification and accountability to funders.

- Used to identify emerging legal issues
- Used to expand funding for Title IIIB services
- Used to enhance collaboration between state and area agencies and providers.
- Used by AAAs as a basis of comparison of their provider(s) with other providers
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments: \_\_\_\_\_

**Do all or most IIIB legal services providers in your state enter/collect data electronically using case management software. e.g. Pika, Legal Server, Kemps, Practice Manager, Legal Files, etc.?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Do all or most providers use the same basic case management software?**

- Yes
- No
- Don't Know \_\_\_\_\_

**In what form do providers submit IIIB legal services data, required by your statewide reporting system, to the AAA or SUA/Legal Services Developer? (Check all that apply)**

- Web-based electronic transmissions, e.g. data is entered onto the SUA's information management website.
- Non web-based electronic submissions (e.g. via modem, email of reports or spreadsheets)
- Paper reports
- Other, please specify... \_\_\_\_\_
- Don't Know
- Comments: \_\_\_\_\_

**When developing your statewide reporting system were you able to build on existing case management systems/data collection protocols already being used by legal services providers for reporting to other funders, such as Legal Services Corporation (LSC) or State Bar Foundations?**

- Yes
- No
- Don't Know \_\_\_\_\_

**Please provide us with any additional information about the technical aspects of your statewide Title IIIB legal services reporting system that would be helpful to other states that want to develop a statewide uniform Title IIB legal services reporting system.**

**TELL US GENERALLY HOW WELL YOU THINK YOUR REPORTING SYSTEM IS WORKING AND PROVIDE ANY OTHER COMMENTS.**

**What are the key strengths of your current statewide uniform reporting system?**

**What are the key weaknesses/problems in your current statewide reporting system?**

**What is on your wish list for maintaining, reviewing or improving your current statewide reporting system?**

**What other comments, insights, recommendations do you have about the effective development, implementation or operation of your statewide reporting system or use of the data collected by that reporting system?**

**DEFINITION:** Throughout the rest of the survey "statewide uniform reporting system for Title IIIB legal services," hereafter "statewide reporting" or "statewide reporting system" denotes a system in which the State Unit on Aging requires IIIB legal services providers to collect and submit the same prescribed data (beyond the required SPR/NAPIS-data)

**Has your state considered, or is it currently considering, developing and implementing statewide reporting?**

- Yes
- No
- Don't Know \_\_\_\_\_

**If you know, please explain the reasons that, having considered it, your state does not yet have a statewide reporting system?**

**Though your state does not have statewide reporting, as defined above, are you aware of any Area Agencies in your state that have what you would consider to be a good IIIB legal services reporting system that goes beyond what is required on the State Program Report (SPR) for submission to AoA/ACL under the National Aging Program Information System (NAPIS)?**

- Yes, at least one AAA in the state has a good IIIB legal services reporting system.
- No, I am not aware of any such AAAs.
- Our state has no AAAs.
- Don't Know \_\_\_\_\_

We may want to contact any Area Agency offices you consider to have a good Title IIIB legal services reporting system, in order to obtain copies of their reporting forms and to learn more about the data they collect. Could you please provide us with contact information for appropriate staff person(s) in the Area Agency office(s)?

Is there anything else you would like us to know about Title IIIB legal services reporting in your state?

**ONE LAST REQUEST.**

In case we have additional questions, please give us your name, title, and contact information. Please include address, phone, and email.

**THANK YOU FOR YOUR TIME AND THOUGHTFUL RESPONSES. REMEMBER, if you have statewide reporting we would like: (1) statewide reporting forms; (2) instructions or protocols for reporting, including definitions used in reporting forms; (3) annual reports derived in whole or in part from Title IIIB legal services reporting data; and, (4) any other documentation that might be useful to better understanding your current system. Please email copies of those forms to [llisi@tcs.org](mailto:llisi@tcs.org) or if easier, mail hard copies to Laurie Lisi, 8775 Lincoln Dr., Huntington Woods, MI 48070. FOR ANY QUESTIONS CONTACT LAURIE LISI @ 248-854-8744 OR [LLISI@TCSG.ORG](mailto:LLISI@TCSG.ORG)**