

EXPANDED USE OF THE TELEPHONE TO PROVIDE
INCREASED ACCESS AT REDUCED COSTS

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INTRODUCTION

To fully understand the importance of the telephone system to our office, it is important to get some idea of the nature of our service area. Our office serves one of the most rural counties in New England. Washington County is located at the eastern-most tip of the United States. It covers approximately 2,420 square miles and has a population of approximately 30,000 people.

The population density of Washington County is extremely low, about 12 people per square mile. Of the County's 46 municipalities and unorganized townships, only 9 have a population greater than 1,000 people. Only 3 - Calais, Machias, and Baileyville- have more than 2,000 people, and only Calais has more than 4,000 people. Over 78 per cent of Washington County's population lives in rural, non-farm locations.

The Pine Tree Legal Assistance office in Washington County is located in Machias. Machias is a coastal town which serves as the County Seat. Superior Court, a court of general trial jurisdiction, sits in Machias. The District (lower) Court sits in Machias and Calais, approximately 40 miles to the north-northeast of Machias. The nearest Federal District Court is located in Bangor, 90 miles from Machias. Social Security hearings for County residents are also held in Bangor.

Washington County has virtually no public transportation system. The only service available is a van operated through

the local C.A.P. agency which serves primarily elderly persons. No passenger rail or airline service is available anywhere in the County. Thus, telephone is a primary means of communication in the area.

Prior to the QUIP Grant the Washington County office was located for some time in Calais. At that time, statistics indicated that most of the office's clients lived in the immediate Calais area or in the northern half of the County. When the office moved to Machias in January, 1978, analysis of new cases indicated that most new clients came from the immediate Machias area or the southern half of the County.

Before the QUIP Grant period, the office operated on a traditional model for client interviews, that is, clients were forced to come to the office for an intake interview on an intake day. Exceptions to this procedure were made only in cases of extreme emergency or in cases where the potential client was physically unable to get to the office. Prior to the institution of the QUIP Grant, few cases were handled by the phones.

THE TELEPHONE GRANT SYSTEM

One of the hypothesis behind the QUIP Grant application was that if the Washington County office represented clients by telephone whenever possible, then more clients from all areas of the County could be served. We believed that the old system, under which clients had to travel to the office in person, limited our representation to those clients who lived relatively close to the office location, whether Calais or Machias.

We therefore installed two incoming WATS lines and added an outgoing WATS line for use by caseworkers. We also publicized the availability of the WATS lines both through media advertisements and through direct mailings to potential clients.

Perhaps the biggest change in our method of operation was using the phone whenever possible. Instead of clients coming into the office for interviews, they were urged to call us on our WATS lines if they lived outside the immediate Machias area. Many problems were handled entirely through use of the phone, especially those involving only advice and negotiation. If appearance at a court or administrative hearing was called for, arrangements were made to meet and discuss the case beforehand. The telephone system had the greatest impact on our intake procedures. Representation at other stages always involved significant use of the phones. Intake had traditionally been done through personal interview.

For the first part of the QUIP Grant, intake was done constantly. If a person called with a legal problem she/he was given an intake interview immediately. Therefore, an intake worker had to be available every day.

As you might expect, this system proved somewhat restrictive. It required each intake worker to be in the office one day a week for intake and another day for staff meeting. We found that legal research or other matters requiring large blocks of time could not be attempted on either the intake worker's assigned intake day or on staff meeting day.

We therefore returned to our previous method of scheduling intake interviews for one day and having staff meetings the same day. The major difference was that we did virtually all of our intakes by telephone. In addition, we set up a schedule for dealing with emergencies. One intake worker was responsible for handling emergencies for a week at a time.

STAFF RESPONSE

Initially, the staff had serious reservations about the use of telephones in the manner contemplated by the Grant. Part of the resistance was based on uncertainty over doing something new. A greater part, however, was the perception that our client population was not comfortable using the telephone as a primary means of communication with lawyers. Finally, the staff believed it would be difficult to develop a rapport with our clients without personal contact.

Nonetheless, we used the phones as set out above. Phones became our primary contact with our client community. What we discovered was quite interesting. We began to get calls from many different areas of the County, including areas in the northern part that had not been served at all previously. What happened was that the physical location of the office became less important in determining which clients were served. Instead of geographical location being the criterion, the type of problem became the most important consideration in deciding which cases to handle.

As it became clearer during the Grant period that all areas of the County were being served, the attitudes of the staff changed significantly. While we continued to prefer personal contact with our clients, we began to see that telephone representation had its advantages also. Weighing the psychological disadvantage of no personal contact against the wider coverage our office provided, we all felt that the use of phones provided much better service to more of our client population. Finally, because it was so easy for our client population to contact us through the use of the telephones, we were able to provide meaningful advice to more people and, in addition, to improve the quality of the office caseload by developing significant poverty law cases from the increased intake.

The staff thus became supporters of the telephone system. After the Grant ended, the office decided that it would be advantageous for us to retain an incoming WATS line in addition to its outgoing WATS line. We also discussed with Pine Tree's other rural office in Presque Isle how the use of an incoming WATS line could improve service to the client population in their area. In short, we believe that telephones, particularly in rural areas, can improve the quality of service to poor people.

ADVANTAGES/DISADVANTAGES

The primary advantage of the telephone system is that the client community has easy access to legal workers. The easy access leads both to more advice to more clients and to the

recognition of major problems more easily by the legal services staff. In rural areas like Washington County, the ease of access is particularly significant since clients from the northern half of our County would have to travel over 100 miles each way to our Machias location. The ease of access may be less of an advantage in more urban areas.

In addition, it is certainly true that our client population spent less time traveling to the office for interviews. That certainly is a savings of time for them. However, it is difficult to assess whether there was a corresponding lessening of travel time for staff members. For those programs and offices which do significant outreach, there would obviously be a corresponding saving in staff time by the use of the phones.

The major disadvantage of the telephone system is probably the same as the major advantage. Increased client access, at least in the beginning of the Grant period, made the staff feel that intake was being done constantly and little work was being performed on existing cases. To some extent, that feeling was lessened by restricting intake to a single day, but it is certainly true that the office has dealt with more cases since the phone system has been in place. In time of declining funding, it may not be wise to increase the number of client contacts in this manner.

On the other side of the coin, however, our office has found it possible to deal with more intake by providing advice. In that way, at least some valuable service is provided to a large segment of the client population without an excessive use of staff time.

The other major disadvantage with the telephone system is its lack of face-to-face client contact. It is somehow easier to get the full story from a client if she/he is sitting in the same room with you. Dealing with clients solely by telephone at times is very impersonal and routine. Clients tend to become just voices and not real people.

In weighing the advantages and disadvantages for our office, there is no question that we prefer using the telephones. We are able to reach many more clients, provide some service to virtually all of them, and allocate our resources more effectively to deal with the most pressing issues. The budget crisis looming on the horizon does not change our opinion. While we will undoubtedly have fewer intake workers, the use of the telephone system will still allow us to provide services to a wide geographical area and to choose which problems most need our attention. We can see no disadvantages to outweigh that effective use of our resources.

SPECIAL SKILLS AND RESOURCES

We found that few if any special skills or resources were needed to implement the telephone system. Because we used incoming WATS lines, our telephone budget increased dramatically. We decided to use incoming WATS lines to save our clients' money-calls to our office from anywhere but the immediate areas may find a smaller increase in their telephone budget. We would encourage the use of WATS lines in those areas where clients would otherwise need to make toll calls because access is much

easier with incoming WATS lines.

While we experienced no significant staff changes, it is certainly possible that the increased use of telephones might shift the ratio of receptionists/secretaries to caseworkers. Certainly there will be an increase in the number of incoming telephone calls, and this can be a problem if it is not foreseen and dealt with.

Since virtually every legal services caseworker uses the telephone all the time, there are no special technical skills required in using the telephone system like ours. Basically all that is required is using the telephone when convenient instead of always requiring personal interviews.

If we were to redo the QUIP program using what we have learned, we would probably operate from the start pretty much like we are operating at present. We are following traditional methods of client representation with a single exception - personal interviews are not required, but rather matters are dealt with by telephone when possible or convenient. The telephone system therefore does not require a major change in any office's manner of operation. It simply requires a different outlook on the need for personal contact and a commitment by the staff to use the telephone when convenient.

In spite of our initial resistance to the telephone system, we have found that we can provide better service in this way. We are therefore committed to continuing this method of client representation. We would urge other programs to at least experiment with the use of a phone system like ours.

PINE TREE LEGAL ASSISTANCE, INC.

INTRODUCTION

Pine Tree Legal Assistance, the statewide legal services program for Maine, received a Quality Improvement Project grant to improve delivery of legal services to low-income people in a rural county of the state served by one of its branch offices. With the demonstration funding, the field office implemented a telephone intake and representation system which used toll-free telephone lines and a TEL-LAW tape recorded advice system, encouraged use of telephone and mail and referred selected clients to private attorneys under a judicare plan. Through these methods of service delivery, the project sought to increase the number of clients served, maximize the use of limited legal resources and minimize access barriers. Pine Tree received \$140,978 for a 22-month period beginning September 1, 1978, to test the new delivery system.

DELIVERY OF LEGAL SERVICES IN RURAL AREAS

The most comprehensive study of delivery of legal services to rural areas, contained in the Section 1007 (h) Report,¹ concluded that low-income residents of sparsely populated areas² have unique unmet substantive legal problems. Efforts by legal

¹ Legal Services Corporation, Special Legal Problems of Access to Legal Services, Volume 2, Chapter VI, Individuals in Sparsely Populated Areas, 1979. This report to Congress was required by Section 1007 (h) of the Legal Services Corporation Act of 1974, as amended.

² Defined as all counties with a population density of less than 50 persons per square mile.

services programs to address these needs are hindered by physical and other access barriers common to all rural areas such as long distances, almost nonexistent public transportation, harsh climates and few roads or reliable automobiles. The vast majority of rural programs rely on small, isolated offices of two attorneys or fewer and on circuit riding to increase physical access. Working conditions are made difficult by the isolation and excessive driving time required by circuit riding. These factors contribute to "burn-out" and frequent staff turnover in some offices.

Further study of circuit riding, telephone systems and other means of overcoming access problems in sparsely populated areas was recommended. The report urged the development of a standard rural delivery model applicable to different types of programs and geographical areas. Pine Tree project staff and the evaluation team believe that major components of this demonstration delivery system could be adopted by any program serving isolated rural areas to facilitate access to services in a cost efficient manner.

THE GRANTEE

Pine Tree Legal Assistance, Inc. is a statewide program serving all 16 counties in Maine. Although over a million people live in Maine, the state is sparsely populated with 36 people per square mile, and there is virtually no public transportation. Maine has one of the lowest per capita incomes in the nation. Headquartered in Portland, Pine Tree has six branch offices, one migrant unit and one legislative unit. It is staffed by 28 attorneys, 13 paralegals, three administrators

and 23 secretaries. The current annual funding level from the Legal Services Corporation is \$1,402,464.

Demonstration Project Service Area

The Pine Tree office in Machias serves Washington County, the easternmost county in the continental United States, which has a population of 34,963. Calais is the only city or town in the county with a population of over 2,500. The county covers approximately 2,420 square miles with an average of 14.4 people per square mile. There are only two major highways connecting the county with the rest of the state, 18% of the county's households do not own a car, and there is no public transportation. About 94% of households in the county have telephones, but most have party lines.³

Washington County is the poorest county in the state. As of June 1980, about one-third of the county's population either received food stamps, AFDC, SSI or Medicaid benefits or were institutionalized in nursing homes. In January 1981, the unemployment rate was 14.9 percent, the highest in the state.

There are 22 private attorneys in Washington County, all members of the local bar association. The county's court of general jurisdiction is in Machias, the county seat. For lower court trials, the county has two divisions: Southern Division cases are heard in Machias and Northern Division cases are heard in Calais, which is located about 45 miles from Machias.

³ A client satisfaction survey indicates that 88% of eligible clients in the county have access to telephones; 63% have telephones in their homes, and most of the others use neighbors' telephones.

Demonstration Project Office

Pine Tree's Machias office currently has a staff of three attorneys, one paralegal and two secretaries. During the grant period, the staff included one TEL-LAW tape receptionist/secretary and an additional paralegal.⁴ Priorities for 1980 included domestic violence, energy assistance, medical care, pesticide hazards, government benefits, special education and school discipline, landlord/tenant, utility shut-offs, divorces involving temporary restraining orders and consumer cases.

THE DEMONSTRATION PROJECT

Background

Prior to the demonstration project, free legal assistance was available to low-income residents of Washington County through a Pine Tree office in Calais staffed by one attorney. In January 1978, the office moved to Machias, and a second attorney and paralegal joined the staff.

Before the demonstration project, the Washington County office had generally conducted intake in person at the office, a circuit riding site or, if necessary, the client's residence. Intake was almost never conducted over the telephone; clients were told not to call for advice, and staff made home visits or conducted telephone interviews only in emergency cases or if clients were physically unable to get to the office. All Pine Tree area offices, including Machias, had

⁴ An attorney hired for the grant transferred to another Pine Tree branch office and was replaced by an attorney who was previously a law clerk on the staff. The secretary also had been on staff, funded by CETA prior to the QUIP grant.

one outgoing toll-free line, but no office had an incoming toll-free line.

Throughout Maine, many clients needed only information or advice, and about 40% of Pine Tree's cases were negotiated settlements that did not require pleadings. However, the program required personal client interviews before providing any services. This policy made advice-only interviews and negotiated settlements costly and time-consuming for both clients and staff. Attorneys and paralegals were exhausted by round trips of 45 to 150 miles several times each week to circuit riding sites and courthouses and occasionally to client residences.

Project Design

Pine Tree proposed an innovative delivery system to improve service to its eligible client population. This system included four major changes for the Machias office:

- Installation of two incoming toll-free telephone lines for county residents who live outside the Machias area and an additional outgoing toll-free line to supplement the existing one.
- Implementation of a telephone intake system and the use of the telephone and mail to advise and represent clients when personal contact was not necessary.
- Development of a TEL-LAW tape recorded telephone advice system to provide basic legal information to clients.

- Coordination of a judicare system to refer non-priority cases requiring litigation in the Northern Division to private attorneys there.

Through these methods of service delivery, the project sought to increase the number of clients represented, maximize use of limited legal resources and minimize access barriers.

Project Operation

Use of Telephone and Mail

The Machias office installed two incoming toll-free lines for use by clients and a second outgoing toll-free line for the demonstration project. Staff routinely used the outgoing toll-free lines to call clients, government agencies and other offices. Clients living outside the local calling area used the incoming toll-free lines to communicate with the Machias staff.

After the new delivery system was instituted, intake was done by telephone unless the client appeared at the office. The telephone receptionist initially screened clients to determine in general whether they met the office's eligibility requirements for residence, income and type of problem. A staff person completed intake for eligible clients over the telephone. Intake was conducted only once a week for five hours, unless there was an emergency problem, such as a filing deadline.

During the telephone interview, the staff member completed an intake form with detailed information regarding the nature of the problem and financial eligibility. Clients were asked to mail any necessary documents to the office. If more documents were required, the staff either called clients or

sent a letter. When the case required records from other agencies, clients were sent an authorization form to sign and return by mail.

Except in emergency cases, the staff met weekly to review each intake, including advice provided immediately during the initial intake interview or subsequent client contacts before the case was accepted. Each case was assigned to a staff member, usually the one who did the intake interview, unless another staff member requested the case. Clients were required to come to the office only if there were communication problems or if the case was complex. Otherwise, clients only had to travel to the office before a court appearance or an administrative hearing.

TEL-LAW Tape System

Pamphlets listing the tapes were distributed throughout the county to encourage low-income residents to call the local number or toll-free line (if they lived outside the local calling area) to listen to a tape. When prospective clients called, but did not request a particular tape, they were asked to describe their problem and were offered the opportunity to hear a relevant tape.

There were 39 tapes, each approximately five minutes long, and they covered a range of legal problems including government benefits and consumer, housing and family law.

Each tape ended by telling callers to stay on the line if additional assistance was desired. The tape receptionist would then determine financial eligibility and would tell clients that an attorney or paralegal would call back to complete the

intake. If callers were not interested in a tape, they were referred to an intake worker immediately.

Judicare System

The project referred certain non-priority cases requiring litigation in Calais to private attorneys in the Northern Division. Six private attorneys handled 31 referral cases: 27 domestic relations and four non-fee-generating consumer cases. Contracts stipulated fee and reimbursement arrangements and case responsibilities. Private attorneys agreed to provide services for \$20 per hour. Fees could not exceed \$160 per case without prior approval from the directing attorney in Machias. In addition, Pine Tree would reimburse attorneys for all necessary costs and expenses such as court filing fees, sheriff fees, photocopying and long distance telephone calls. Once a case was referred and accepted, the private attorney was solely responsible for the case.

Cases eligible for referral were processed like others: a Machias staff member determined financial eligibility and completed a client intake form and the staff decided whether to accept the case. Emergency cases were referred to a private attorney prior to a case acceptance meeting. A referral became effective when the clients received, signed and returned by mail (1) a form letter stating that the client requested a referral and (2) a form authorizing Pine Tree to release confidential information.

EVALUATION

The telephone intake and representation system, particularly the toll-free lines, was extremely beneficial to both clients and staff. Although staff were initially reluctant to rely on the telephone, instead of face-to-face contact, the demonstration convinced them that the telephone is generally an effective means of client contact, especially in view of the alternatives of circuit riding or servicing fewer clients.

During the demonstration, about 84% more clients were served than during the preceding comparable time period, and almost 60% of client intake interviews were conducted by telephone. A client satisfaction survey indicated that clients served only by telephone during the new system were as satisfied with services received as those served in person.

Major findings of the project include:

- Extensive use of toll-free telephone lines to provide service can:
 - Increase access for clients, especially those in remote areas. The new system provided service to more clients from the half of the county where the office was not located than before, including clients from parts of the county that had not been previously served at all. On the average, clients served during the new system who lived more than 45 miles from the office preferred using the toll-free telephone lines to traveling to the office.

- Eliminate the need for in-person interviews except in cases involving trials, hearings or complex factual situations. During the telephone delivery system, about half of the clients represented were assisted entirely by telephone, as were almost three-quarters of the clients who lived in the two-thirds of the county farthest from the office. Only 6% of households in the county do not have telephones; clients without telephones often used a neighbor's to contact the office.
- Save considerable travel time and expenses for clients. Those clients who were assisted only by telephone in 1979 saved an estimated total of \$9,112.00 and 45,662 miles of travel because office interviews were not necessary.
- Reduce staff time per case. Clients accepted in 1979 required two hours of staff time per case if assisted only by telephone, compared with five and one half hours for each case handled in person.
- Save considerable travel time for staff. Staff travel decreased from an average of about 28 miles per client served to approximately 20 miles per client.
- Decrease operating cost per client served. The operating cost per client decreased by about 12%.
- Accomplish the above savings without a loss in work quality or client satisfaction.

- Establishment of a TEL-LAW tape system in this rural area did not justify its cost because the tapes were not helpful to a large enough segment of the client population and were used infrequently despite continuing, extensive publicity. Staff found that many clients did not understand the tapes and that the recordings could not substitute for assistance by an attorney capable of answering specific client questions.
- The private attorney referral system for the Northern Division handled 31 domestic relations and non-fee-generating consumer cases. Six participating private attorneys provided 124 hours of service for \$20.00 per hour. It was estimated that this saved staff considerable travel, court and case preparation time. Although they appreciated these time savings, staff underutilized the referral system because they were reluctant to refer more cases to private attorneys who they believed lacked the expertise to handle poverty law cases.

The Machias office continues to use the telephone system, and the program is currently implementing a telephone system on a statewide basis. Both the TEL-LAW tape and private attorney referral systems were discontinued at the end of the grant.

RECOMMENDATIONS

In addition to the conclusions and other information contained in this report, the following recommendations and advice are offered by the Pine Tree staff and the evaluation team to any legal services program contemplating instituting similar activities.

Telephone Intake and Representation System

- Use of the telephone delivery system for client intake, advice and representation is recommended as a very effective way to serve legal services clients. Programs which use circuit riding and scattered one- or two-person offices should consider implementing a telephone delivery system as an alternative means of reaching clients. Actual experience using a telephone delivery system can be used to overcome any initial reservations of program staff.

- To accommodate the increased client demand for assistance generated by a telephone intake system, a program must establish adequate case load control mechanisms, including intake procedures, case acceptance standards and procedures, a case priority system and staff time allocations.

- Client intake should be scheduled on both an appointment and call-in basis one day per week rather than daily to permit better staff time management. Publicity should tell clients to call on the designated intake day. When clients call at another time, staff should tell them to call again at a specific time on intake day, unless they have an emergency problem. Clients should send required documents

prior to scheduled telephone intake appointments to facilitate communication with the attorney or paralegal.

- The program should consider making arrangements to assist clients with emergency cases immediately -- for instance, one attorney or paralegal could be assigned emergency intake duty each week.

- In a telephone delivery system, it is even more important for the staff to regularly review files and to maintain regular written communication with clients, even on inactive cases, to avoid losing contact. When clients lose contact with the office, the staff should write and ask them to call.

- Clients should be offered the option to visit the office if they only have access to a party line and would prefer to discuss their problems privately.

- Training prior to the implementation of a telephone delivery system would be helpful to sensitize the staff to any problems and to overcome any reluctance to use the new system. Skills training in telephone interviewing could be provided to attorneys and paralegals, as well as to receptionists who perform initial screening of callers and conduct preliminary intake.

Toll-Free Telephone Lines

- Toll-free lines are a cost effective means of providing advice and counsel to outlying areas where clients would otherwise need to pay for toll calls.

- Publicity is most effective when focusing on the toll-free lines and the types of cases the program accepts rather than general announcements to call on intake day.

- If possible, list the toll-free telephone lines with both the long distance operator and incoming WATS directory assistance (800-555-1212). A program may wish to limit the listing to the service area. Governmental agencies should be persuaded to inform potential clients of the toll-free line.

TEL-LAW Tape System

- Establishment of a TEL-LAW tape system in a rural area may not justify its cost because it may not be generally useful to legal services clients and staff. Tapes might not be effective in sparsely populated areas with relatively small populations, low telephone access or educational level, but might work more effectively in metropolitan areas or when used by client populations with higher income levels.

- Further research into the effectiveness of other tape systems and more experimentation with tape systems is necessary before concluding that they are not useful to legal services clients and staff.

- Tapes might be considered for use in the early stages of some advice-only cases to present certain kinds of immediate information -- e.g. what to do if you are evicted. A small set of tapes could be developed for the areas of law in which legal services clients frequently have questions which only require advice -- e.g. public benefits, domestic relations, wills, landlord/tenant.

- Regardless of whether a tape system is utilized, a brochure should be available to explain office priorities and acceptance criteria to clients.

- Tapes cannot offer a practical substitute for community legal education because they are brief, general and allow no opportunity for questions. However, tapes may be most useful if they provide simple information on types of cases not handled by the office and for which fairly simple self-help remedies exist -- e.g. rights in creditor harassment -- or to provide basic information for more complex cases -- e.g. divorces.

- Information pamphlets similar to tape scripts may be just as useful to distribute to clients either by mail or in the office.

If, in spite of the disadvantages of a tape system discussed above, a program wishes to try a tape system because of local considerations that distinguish a program from Pine Tree, several suggestions on how to develop and implement a tape system are provided below:

- Both the ability of the tapes to transmit basic legal information and the tape scripts themselves should be systematically pretested on eligible legal services clients. The tape scripts should be systematically reviewed and edited to insure that the tapes match the verbal comprehension level of the audience.

- Provide as specific information as possible in simple language outlining steps to take concerning particular problems.

- Do not present information on more than one topic on each tape.

- Callers should not be pushed to listen to a tape because they might hang up.

- If a tape concerns a particular problem which the office handles, the caller should probably be advised to talk to a staff member before taking any action.

Private Attorney Referral System

- Any program wishing information on implementing a private bar referral system should contact the appropriate LSC regional office for information from the Delivery System Study demonstration projects.

- Any private bar system in which cases are referred should include some mechanism for quality control.