

TO: Minnesota Supreme Court and Legal Services Advisory Committee (LSAC)

FROM: Coordinated Infrastructure Working Group

DATE: January 16, 2019

RE: Improving Coordination in Intake and Referral in Minnesota's Civil Legal Aid System

---

## I. Executive Summary

In 2016, John Tull, a consultant engaged by LSAC, studied and made recommendations for improving the efficiency and accessibility of legal aid services to eligible clients in Minnesota. His recommendations, supported by a significant amount of data, are that Minnesota Legal Aid providers should act together to:

- develop a clear referral policy and support mechanism;
- expand intake hours and services;
- improve publicity and marketing of civil legal aid; and
- improve triage and channeling, to include
  - enhanced online capability;
  - improved telephonic capacity;
  - streamlined inter-program transfers; and
  - increased advice-only capacity.

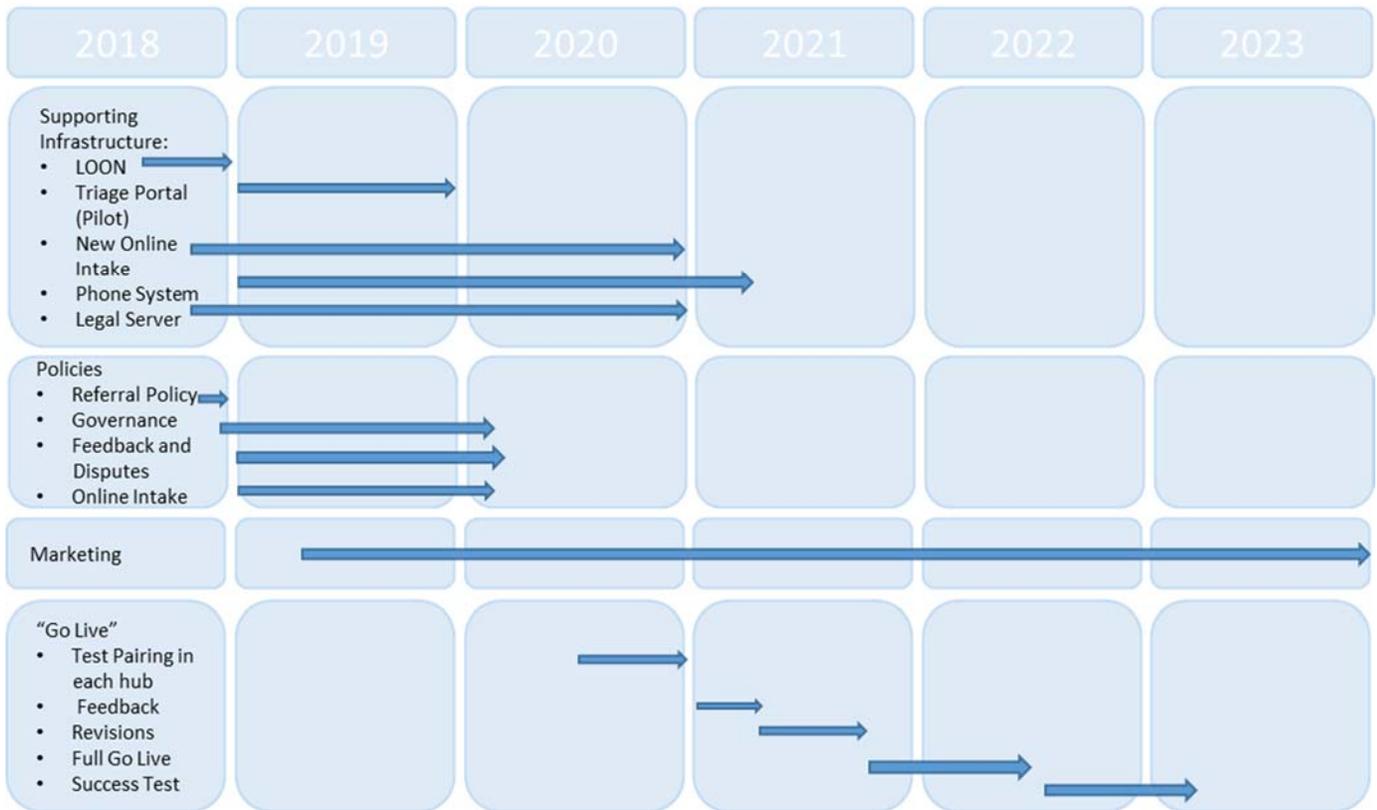
In response, the Coordinated Infrastructure Working Group (CIWG) was convened. The CIWG consists of representatives from MMLA, CMLS, SMRLS, LASNEM, LASNM, ALS, VLN, Judicare of Anoka County, VAP, LADC and LAOC and has been meeting regularly since October 2017. The CIWG has made significant progress in conceptualizing and implementing changes designed to achieve the “no wrong door” vision for access to legal services. Achievements to date include:

- Drafted a uniform referral policy to govern the referral of cases between LSAC grantees;
- In partnership with Legal Services State Support (State Support) created and implemented a provider-facing online database called LOON (Legal Organizations Online Network), which houses detailed, real-time information about the specific services offered by providers across the state and that can be searched in order to make accurate referrals between providers;
- Established a project with State Support to develop the LawHelp Guide, an online legal triage tool, that will eventually incorporate an improved statewide centralized online intake system;
- Reached consensus that each of the LSAC-funded civil legal aid providers will use the same case management system, Legal Server, subject to funding availability. Implementing a single case management system would greatly facilitate electronic case transfers and integrations with other systems, and after thorough research, Legal Server has emerged as the software best equipped to achieve the types of data transfers and

integrations needed for improved online intake, coordinated phone intake, and effective referrals between providers;

- Agreed to adopt a centralized approach to telephone intake to increase efficiency and effectiveness of intake for legal aid clients, including creating a single telephone number for coordinated access for legal LSAC grantees and exploring the option of using a common phone system across grantees.

The CIWG has captured its intake plans, including work completed thus far, in a 5-year strategic plan that will result in significant changes to how civil legal aid services are delivered across Minnesota. The graphic below illustrates the timeline for achieving the plan vision.



This timeline assumes the successful resolution of potential hurdles and the negotiation of key “critical pathways, which are described in detail in the narrative that follows. The CIWG is continuing to meet regularly to work through these issues, with help from LSAC and State Support, and is optimistic that a workable solution which improves access to legal aid services for Minnesotans will be achieved.

## II. Background

In 2016, at the behest of the Minnesota Supreme Court and in the interest of making civil legal aid more accessible in Minnesota, the Legal Services Advisory Committee (LSAC) engaged consultant John Tull to examine the efficiency and accessibility of current intake and referral

processes across providers. In June of 2017, Mr. Tull issued his final report (“the Tull Report”). The Tull report defines “intake” as “a continuum of processes that begins with initial contact by the applicant, screening for their eligibility and assessing the nature of their legal problem, and extends to a decision whether to provide services, including limited representation in the form of legal advice.” This continuum of processes includes multiple steps, some of which require legal analysis and all of which require substantive training, as well as, accessible, culturally-competent, and knowledgeable decision-making.

The Tull Report contained the following key findings:

- A lack of knowledge or understanding among potential clients of civil legal aid services available in Minnesota;
- “Bounce”: potential clients sometimes do not reach someone who can help them on their first call. They are sometimes referred between organizations or between people within organizations before speaking with someone who can address their needs;
- Minnesota's online intake system does not collect key information, leading to inefficiencies in later intake processing and follow-up efforts;
- Applicants may experience delays in learning whether their case will be accepted for service.<sup>1</sup>
- A lack of availability of intake during some of the times when potential clients are able to request assistance.

The Tull Report also makes recommendations for improving access, including:

- Development of a clear referral policy and support mechanism;
- Expanded intake hours and services;
- Improved publicity and marketing of civil legal aid; and
- Improved triage and channeling, that includes
  - enhancing online triage capability;
  - improved telephonic capacity; and
  - increased advice-only capacity.

LSAC convened the CIWG to work on addressing the Tull Report’s findings and recommendations. The Tull report cites additional areas of opportunity and recommendations for access to legal services which are beyond the scope of this memorandum. This memorandum documents the analysis completed by LSAC grantees in response to the Tull Report, the work completed to date to address the Tull Report recommendations, and the “go forward plan”

---

<sup>1</sup> Causes for perceived “delays” can be due to service providers giving full consideration to the ability to represent the client by examining documents, conducting research and performing the necessary due diligence as required by the Minnesota Rules of Professional Responsibility. Since the Tull Report was released, some programs have made changes to reduce the time between application and determination of representation. Processes continue to be examined for ways to streamline this decision-making process.

designed to achieve the Court's goal of "no wrong door" for Minnesotans seeking to access civil legal aid services.

### III. Analysis and Project Planning

The broad scope of the Tull Report produced findings and recommendations that touch many aspects of the civil legal aid infrastructure in Minnesota, from websites and tools managed by Legal Services State Support, to intake and advice processes deeply embedded in each individual provider's workflows and staff. As a result, crafting a solution to these issues required that the CIWG use a multifaceted approach as well. The CIWG broke the project into discrete phases, each with a defined set of challenges. The CIWG addressed these phases and associated challenges using a unifying umbrella concept to identify and implement solutions consistent with meeting the goals set out in the Tull Report. The approach included several steps, including:

- An examination of the internet-based information and tools available to potential clients;
- A review of current intake and referral practices and the information available to all organizations about case priorities and intake availability; and
- Analysis of intake infrastructure and systems used by legal aid programs in other states, to identify best practices and to generate new ideas for Minnesota.

Based on these analyses, the team created the following project structure:

<p><b>Goal Statement</b></p>	<p>Create a set of tools and processes that effectively address accessibility of civil legal aid services for eligible Minnesota clients at the time and place and in the manner most likely to meet their needs.</p>			
<p><b>Key Areas To Improve</b></p>	<p>Referral Policy And Support Mechanism</p>	<p>Expanded Intake Hours and Services</p>	<p>Publicity and Marketing</p>	<p>Triage and Channeling</p>
<p><b>Understand Client Needs and Pain Points</b></p>	<p>1) "Bounce", both internal and external 2) Delays in case acceptance</p>	<p>1) Unable to call during intake hours 2) Isolated populations 3) Language needs</p>	<p>1) Lack of awareness of service availability 2) Assumption of inferiority</p>	<p>1) Multiple entry points 2) Different Program standards 3) Lack of information</p>
<p><b>Challenges Raised by Self-Analysis And Review of Other States</b></p>	<p>1) Varying processes &amp; systems among Grantees 2) Lack of information/ out of date information about programs</p>	<p>1) Resource and system limitations 2) Time constraints 3) Rejection levels</p>	<p>1) Time and resource constraints 2) Marketing expertise and budget 3) Funder publicity regulations</p>	<p>1) Different systems 2) Different processes 3) Different priorities 4) Rate of org and grant change 5) Resource constraints</p>
<p><b>Current Plan for Resolution</b></p>	<p>State Support development and coordination of resource platform; update responsibility with individual providers</p>	<p>Optimization use of existing resources: Coordinated intake across organizations</p>	<p>TBD: coordination of efforts, development of marketing plan, significant resource issues</p>	<p>Tailored responses for online &amp; phone, move to single case management and phone system</p>

### III. Project Framework and Timeline:

The referral policy and support mechanism, and the intake availability portions of the project, have been addressed first. More complex issues, or those with more significant resource constraints, are in the analysis and planning stages.

Referral Policy And Support Mechanism

Working with civil legal aid providers statewide, Legal Services State Support has designed, developed, tested, and released the Legal Organizations Online Network (LOON), a provider-facing informational database to benefit Minnesota's statewide intake and referral network. LOON

is a mandatory system for LSAC grantees to use when referring potential clients between providers. This system contains priority, grant, and other information about each provider which allows users (intake personnel and others at each organization) to efficiently and effectively identify the organization most likely to be able to provide services to the client. LOON streamlines referrals through real-time informational updates and integration with the participants' intake and referral processes. Providers participating in LOON reviewed and updated their firms' data in the system in August of this year. Key users were trained in September, and the entire system "went live" on October 1, 2018. At the time LOON launched, sixteen legal aid providers had access to update and edit their services listings, as well as to search the service listings in LOON. That number has now grown to eighteen, seventeen of which are LSAC grantees. The importance of this database, and the quality of the data contained therein, cannot be overstated in addressing the internal civil legal aid "bounce" phenomenon noted in the Tull report.

To support the new system, the CIWG drafted and distributed uniform written referral protocols for all providers using LOON. These protocols will ensure that each system user is following the same process and standards when referring cases to another provider, ensuring that users get consistent, high quality, intake and referral treatment across the system. Directors of participating organizations will ensure that the referral protocols and LOON are being used and updated as agreed.

**Current Status:** The first version of LOON is in use by the seventeen participating LSAC-funded civil legal aid providers. Supervisors with each provider are responsible for ensuring that the LOON database and referral protocols are being followed. LSAC staff will monitor providers during site visits to ensure compliance and assess LOON's efficacy as a solution.

**Next steps:** None. This portion of the project is complete.



Expanded Intake  
Hours and  
Services

Effective intake processes include both an eligibility screening and identification of the legal issues of concern to the client. Eligibility screening encompasses a variety of factors which can include income, disability, county of residence, immigration status and more. Legal issue screening is, by its nature, more complex and requires someone, often an attorney, specially trained in listening to the clients' stories and determining whether the client has a legal issue and, if so, what that issue is. Many clients are unable to accurately self-identify the nature and cause of their legal issue. That difficulty can be compounded by communication or language difficulties, disabilities, and/or a lack of knowledge of the legal system. Participation of trained legal professionals in the screening process is critical.

Many CIWG providers are making individual efforts to understand their clients' access needs and to try to expand intake availability. As part of that effort, many CIWG providers are attempting to determine whether and which additional intake hours are most productive and responsive to client

needs. Over the last year, CMLSs, LSNM, and MMLA all have expanded their intake hours to include the midday/lunch hour and/or evening hours. Southern Minnesota Regional Legal Services is in the process of identifying a sustainable model for offering additional intake hours with current staffing.

**Current Status:** Each LSAC grantee is working independently to expand intake hours, as intake models, current hours, and resource constraints vary by grantee. The CIWG sees this expansion as an interim step as it works towards the centralized intake system described below.

**Next steps:** Each grantee will continue to report on progress at CIWG meetings.

*Potential Challenge or Resource Issue:* Many providers are stretched to provide intake under current hours. Providing additional hours will be a challenge for some providers without investment in new intake personnel. In addition, changes to intake processes and referrals should increase the number of potential clients accessing civil legal aid services. However, without a corresponding increase in attorney hours available to represent these clients, any number of additional clients coming into the current legal aid providers will quickly overwhelm the ability of the staff to deliver high quality legal services. Increasing the percentage of clients rejected at intake or providing less than the level of legal help necessary to resolve the additional problems presented due to resource limitations would be antithetical to the CIWG's foundational goal of enhancing meaningful access to justice in the most effective, client-centered manner possible.

It should be noted that increasing numbers of clients are accessing civil legal services through non-telephonic means. In addition to traditional clinics and outreach, collaborations with Community Action Programs and unique service models like Medical Legal Partnerships are providing access to Civil Legal Services to new clients in new locations.

Publicity and  
Marketing

A coordinated marketing campaign is needed to inform Minnesotans about the availability and range of civil legal aid's work in communities throughout the state. An effective campaign should also include information about how a person can access the civil legal aid resources in the person's geographical area. The campaign should consider the most effective media for communicating with our client population, community partners who can help spread the message, and cost-effective ways to access media in locations most likely to reach clients. Marketing messages should be tailored to the location of the outreach effort and highlight the provider(s) in that area. Because most legal aid providers have long-term relationships with their local human services agencies, shelters, government agencies, and other community partners, the marketing campaign will need to be multi-faceted, broad-based and sustained, to ensure that all intended recipients are reached.

To shape the public's perception of civil legal aid, a campaign is needed featuring clients who are willing to discuss positive outcomes with their legal provider. Media stories or messages about the legal professionals conducting these services would also be effective, but would need to

account for funder regulations, client respect and confidentiality, local impact/appeal, and special messages to isolated populations.

Marketing efforts for the new online triage portal and a statewide intake phone number should be coordinated.

A successful marketing campaign will draw additional potential clients into the Legal Aid system. Significant planning and resource allocation work will need to be completed ahead of the launch to ensure that the client experience is not negatively impacted by the increased volume.

**Current Status:** Work on this portion of the project has been deferred until we better understand outcomes of the rest of the project, so that any marketing push can be more effective.

**Next steps:** Hold for outcome of triage and website work.

*Potential Challenge or Resource Issue:* Marketing campaigns of the scale and variety contemplated in this memo can be extremely costly, and none of the providers are resourced to pay for such an effort. Research should be conducted into the most cost-effective way to conduct marketing for this effort, and a centralized model should be used to coordinate timing, messaging, and effectiveness of the effort. Resources for marketing must not impact or deplete funds allocated for direct client services.

Triage and  
Channeling

Improving triage and channeling for potential clients is the most complex area of the CIWG's work, due primarily to the variety of existing intake models. Currently, most LSAC grantees are providing intake in four ways: online, telephone, walk-in, and various community-based outreach and clinic models. As noted in the Tull report, walk-in and outreach/clinic intake is deeply rooted in the service models of each grantee and often driven by special, localized project funding. Because of this, a decision was made early on to exclude those processes from consideration under this project. Each grantee will continue to provide their own walk-in, outreach, and community-based intake services.

An important item to note here are the restrictions and mandates that impact the Legal Services Corporation funded programs. Substantive changes to LSC grantees' processes must be reviewed and approved by the Compliance division of LSC. The changes to triage and channeling contemplated by this project reach the threshold of LSC review, a step which adds complexity and time to the process. Given the roughly \$4.4 million dollars in annual funding that LSC provides in the State of Minnesota, these processes must be planned for and followed.

## **Online Intake:**

As noted in the Tull Report, twelve<sup>2</sup> of the LSAC grantees already accept cases through the online intake system created by Legal Services State Support. The availability of a centrally created, coordinated, and managed online intake system is a valuable tool for grantees in Minnesota to reach clients who are geographically or otherwise isolated, unavailable to call during regular intake hours, or more comfortable disclosing personal information through an online interaction. Any future solution would need to continue to address those needs.

The Tull Report also noted some dissatisfaction from the LSAC grantees using the current version of the online intake system. Those grantees noted significant opportunities for improvement in the existing system that will be addressed in the online triage portal currently being developed. Specifically, the current process

- does not always capture enough information to direct clients to the most appropriate provider and can result in “bounce”;
- does not always capture adequate information or the right information to streamline intake when the prospective client is contacted by the grantee, resulting in frustration for both the client and intake worker, and;
- can result in additional delays, as online applicants are often difficult to reach for intake follow up and services.

All of the above-referenced issues are compounded by the current (and longstanding) lack of resources to meet all of the existing, known demand for civil legal aid. As improvements are made to the current online intake system, these areas will need to be addressed to improve the client experience. This will involve ensuring that the questions and guidance provided are at an appropriate level of understandability for potential clients, including those with limited English proficiency, low literacy levels, disability-related or other communication barriers, to guide the client to the most appropriate grantee for services. It is anticipated that online intake will require telephone follow up by the receiving legal services providers as legal issue analysis is nuanced, and even the best online systems do not currently have the technical capability to replace an attorney’s professional judgment.

Data privacy and security is a concern that will need to be addressed. Hacking and security breaches are becoming more common and more sophisticated and the newly created online intake and data transmission systems will need to have strong protections in place for client information.

Legal Services State Support is developing centralized online triage portal that incorporates a series of focused questions designed for a positive, user-centric experience. The portal will be called the LawHelp Guide. As potential clients work through the branching series of questions presented in the LawHelp Guide, underlying algorithms will align the client’s personal and

---

<sup>2</sup> The Tull Report states 13 of the LSAC grantees already accept cases through the online intake system. The actual number is 12.

situational attributes to generate a customized set of self-help resources and legal help referrals. The LawHelp Guide — which will exist within the well-established LawHelpMN.org platform, a trusted brand in Minnesota's civil legal aid system, the broader legal community, and the social services community — will both 1) enhance efficiency and effectiveness of seeking help within Minnesota's civil legal aid system and 2) benefit justice system stakeholders external to civil legal aid providers.

The LawHelp Guide will feature a “mobile-first” design making it easy to use on mobile devices. At launch, mobile LawHelp Guide users will be able to easily access intake within the system by either clicking on a provider’s intake phone number to access intake or clicking on a link to the current online intake system to submit an online intake application.

The long-term vision, however, is that users will access online intake directly within the LawHelp Guide, rather than switch to a separate website, for a seamless user experience from the online triage system to an online intake application. This integrated online intake system will initially be offered through a pilot project for users who match with Hennepin County civil legal aid providers. The pilot project will teach us: 1) whether the LawHelp Guide is gathering the information needed to make a quality referral, thereby reducing “bounce”; 2) whether changes made to the type of personal data collected improve the experience for applicants and program intake staff; 3) best practices for integrating online intake with Legal Server; 4) whether the design of the new online intake system and any revisions made by the pilot providers to their internal protocols help facilitate and ease follow-up communication with online applicants; and 5) what statewide coordination and policy development is necessary to expand the new online intake system beyond the pilot.

**Current Status:** Development of the LawHelp Guide is being led by Betsy Parrell and Jenny Singleton of State Support, as part of the larger LawHelpMN.org website rebuild project, with input from the CIWG.

**Next Steps:** The LawHelpMN site will launch in early 2019. When the LawHelpMN site launches, the LawHelp Guide will be available to guide users to appropriate self-help resources and legal referrals. Integrating the new online intake system will then proceed in stages: 1) As described above, at the time of launch, users who want to apply for services online will use the current online intake system; 2) Later in 2019, the pilot of the new online intake system will be integrated within the LawHelp Guide, with a limited number of Hennepin County providers; 3) State Support and CIWG members will study the results of the pilot online intake system to learn from on-the-ground experience during the pilot, and develop a plan to scale the pilot system statewide. Each additional program added to the integrated online intake system will first need to transition to Legal Server. In addition, as the integrated online intake system expands statewide, providers will coordinate and develop policies regarding internal protocols that relate to the new system and acquire any additional resources needed to modify the system as a result of lessons learned during the pilot.

*Potential Challenge or Resource Issue:* Unanticipated costs or delays in the development or testing cycles could result in the statewide release of the LawHelp Guide - or the subsequent development of the integrated pilot online intake system - being delayed or scaled back. Every effort is being made to proactively identify and address these issues to mitigate any potential impact to legal services delivery. Use by LSAC grantees of one case management system, Legal Server, is a prerequisite to the efficient transfer of case information contemplated by the new coordinated online intake system. To date, less than half of the service providers that would participate in the process have made the transition to Legal Server. The remaining providers had not budgeted, nor are they resourced, to fund this transition on their own. This portion of the project is dependent upon the identification and acquisition of funding resources from sources other than client service funds.

### **Telephone Intake:**

The vast majority (78.1%, according to the Tull Report) of applicants applied for legal aid services first by telephone. Therefore, significant improvement in the triage and intake functions for Minnesota legal services rests squarely on creating and implementing thoughtful, effective changes to telephone intake. The Tull Report analyzed and reported on differences in the existing telephone intake systems across LSAC grantees. That analysis formed the basis for the CIWG's project plan but is not repeated in this memorandum.

The first step taken by the CIWG was to research centralized telephone intake systems used by other Legal Services around the country, to understand the best innovations and best practices, as well as to avoid any potential pitfalls in making systemic changes. The CIWG conducted many hours of interviews with providers of centralized phone intake in the Chicago area, Connecticut, Nebraska, New Mexico and Washington. Following these investigative interviews, the CIWG spent additional hours analyzing and discussing the information obtained in the interviews. Below is a summary of key learnings:

- *“Centralized” phone intake providers were neither uniformly centralized nor comprehensive.* For example, Nebraska has eight different phone numbers based on law type. Washington's system excludes intake for King County, which includes the Seattle metropolitan area. Connecticut's system excludes specialized civil legal aid providers, including primarily programs doing broad poverty law casework.
- *Minnesota handles a higher volume of calls and covers a larger geographic area than any of these providers.* We estimate that Minnesota legal services providers handle more than 100,000 calls per year in a large service area that encompasses urban, suburban, and rural populations. In contrast, New Mexico's intake program handles only 18,000 calls per year. Connecticut's system results in only 7,700 cases. Washington's centralized intake — which, of the surveyed providers, serves a geographical area and population most analogous to that of Minnesota (but which excludes the Seattle metropolitan area in King County) — handles 21,000 intakes, providing advice service in 15,000 of those cases. The Chicago area service — serving only an urban-metropolitan area — was closest to

Minnesota providers' collective volume, with 50,000 consultations and 28,000 cases.

- *Call volume and long wait times are still an issue.* Even with generally lower volumes of callers, the surveyed phone intake providers described call volume as a consistent challenge. In some cases, increased wait times have created a poor customer experience for clients.
- *Intake hours were more limited.* The surveyed phone intake providers had similar or more limited hours of availability than civil legal aid providers presently do in Minnesota.
- *Building a thorough screening system is critical.* Ensuring that the compliance needs of all programs are met in the screening protocols is paramount. In New Mexico, the screening program was not an LSC grantee and its screening protocols did not cover all of the requirements of its LSC partners. Thus, clients were required to be re-screened a second time when they were transferred to the LSC grantee, resulting in frustration and delays for the client and unrealized efficiencies in the system.
- *Concerns about quality of issue spotting in programs using attorneys who are not case handlers to perform screening.* In multiple interviews, there were concerns that high-volume advice attorneys lacked representation experience to provide meaningful and practical advice in certain instances. Minnesota has providers with experience in this area who can provide insight into building “checks and balances” into the system to help minimize some of this tension.
- *Centralization is expensive.* The Chicago area provider, providing a regional high-volume advice and referral service in just an urban-metropolitan area, has an annual budget of over \$2 million. In Minnesota, it will be imperative that efficient use of resources be taken into consideration. Clients are increasingly seeking legal aid services online, in person at staffed offices and clinics, on-site through community partners and other means, thus maintaining the highest quality of client service requires non-telephonic intake staff resources at each organization. It is important that resources not already committed elsewhere be used to effectuate the “no wrong door” philosophy.

The CIWG is fully committed to the ideal vision of a robust “no wrong door” system for legal services intake in Minnesota. With the internal assessment of current systems and the information gleaned from external research, plus information gathered during research of costs and potential vendors, the CIWG has developed the following project plan, designed to achieve full realization of this vision in the next 3-5 years, assuming appropriate resource investment.

Recommended approach:

To streamline implementation and minimize time to launch a single 1-800 number for civil legal aid services in Minnesota, a coordinated intake hub approach to intake is recommended. Applicants for legal services will call one statewide number where customized call center software will be utilized to route the call to the appropriate coordinated intake hub. Clients will be required to enter minimal information at the statewide number, potentially as simple as stating the city they

are calling from, to be routed to the appropriate coordinated intake hub, where intake will occur. Grantees will follow predetermined agreements about what questions will need to be asked and what information recorded during intake to ensure effective handoffs to the appropriate services provider.

A decision has been made to exclude certain organizations from statewide telephone intake at this time. Due to the culturally specific nature of the intake and high number of walk-in intakes at Anishinabe Legal Services, it will remain a stand-alone program for purposes of coordinated intake. However, Anishinabe Legal Services will continue to work closely with LSNM and LASNEM on continuous improvement for client intake. Immigration specific providers are, likewise, not participating in statewide intake at this time, with the focus of the effort centering on general poverty law providers at this time. As such, Immigrant Law Center and The Advocates for Human Rights are not participating in the CIWG. Many states with centralized intake have separate intake and hotline models for immigration services. Full consideration of the best pathway for these services will be undertaken at a later date.

All CIWG organizations have begun speaking with their Boards of Directors to prepare their organizations for the coming changes.

#### Project Goals and Principles:

**Desired Outcome:**

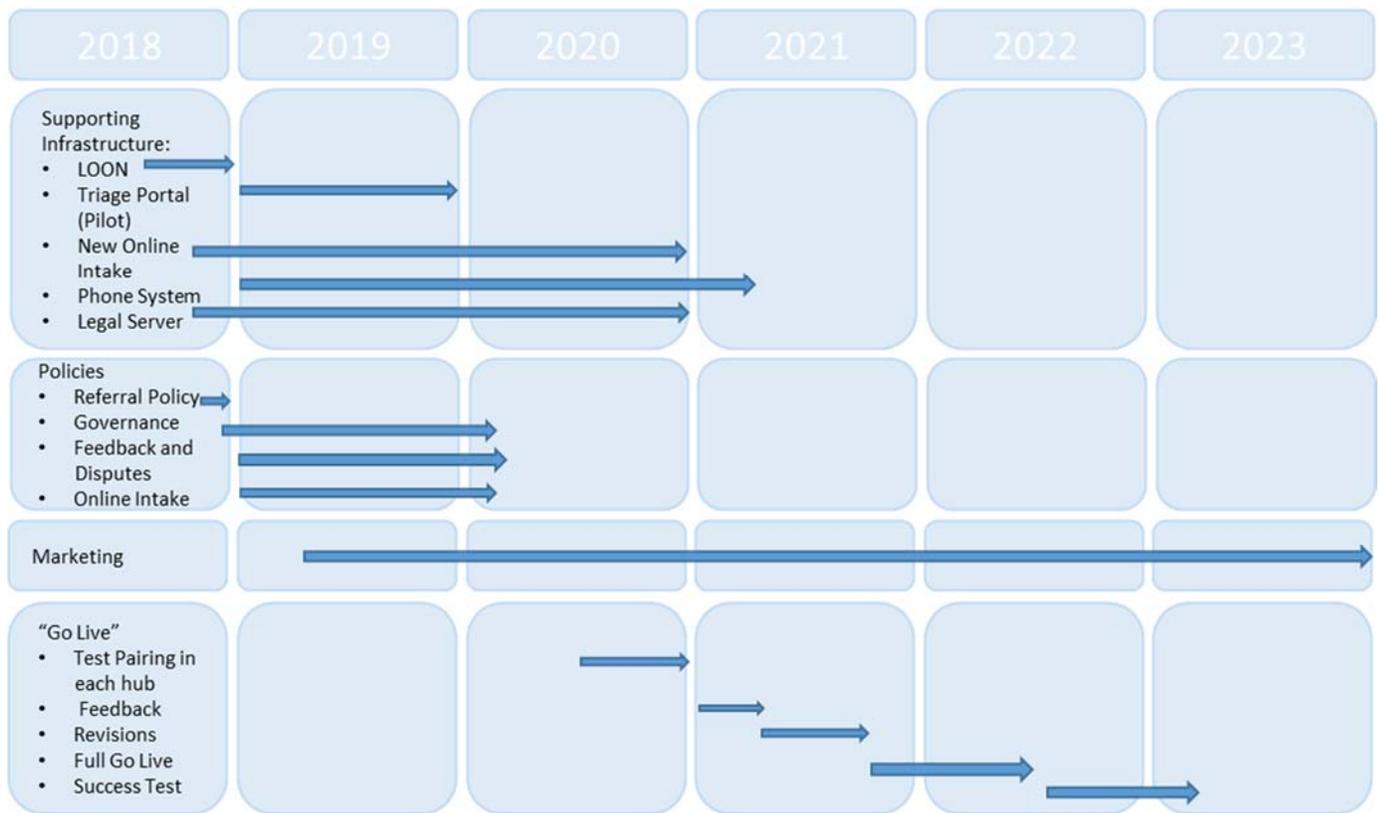
An easy to use, robust telephone intake system that operates from one, well-publicized phone number, minimizes calls and transfers for clients, and allows for easy transfer of clients and client information between LSAC grantees.

**Requirements:**

- 1) To support call and information transfers, all Minnesota Civil Legal Aid Providers must be operating on the same phone and case management systems.
- 2) LOON will be integrated into all relevant processes for all LSAC grantees to facilitate real-time electronic and telephonic routing of cases, information from the case management system, and calls fielded throughout the state network.
- 3) The uniform written referral protocols must be followed by all LSAC grantees.
- 4) Statewide governance protocols related to which grantee handles and “gets credit” for advice only and full representation cases must be drafted and adhered to.
- 5) A process must be created for providing feedback and resolving disputes relating to intake and triage among grantees in a designated region.
- 6) An agreement about how to handle intake for state-wide providers must be created and approved.

#### Project Framework and Timeline:

The Coordinated Infrastructure Project is currently planned for a five-year implementation horizon. This includes four critical pathways, each with unique variables and potential roadblocks. Details are outlined below.



### “Critical Pathways”

The overall success of the project is dependent upon success in key “critical pathways”. Some of these pathways depend on the availability of funding, some on the completion of technical installations and conversions, and others on the ability of the CIWG to build consensus and gain approvals from their individual Boards of Directors.

The critical pathways are:

- The ability to locate funding for the conversion to LegalServer, the case management software selected for this project. This will be an expensive proposition. LSNM has already transitioned, and MMLA and CMLS are currently transitioning, at an approximate investment of \$250,000, just for the software. This figure does not account for staff time or other labor costs, nor does it include lost productivity time for troubleshooting or other transition issues. It is estimated that an additional \$300,000 will be needed to cover software costs to transition the remaining grantees. LSAC is trying to identify potential new resources to cover this cost. LSAC is committed to setting aside resources to cover any amount that isn’t raised separately to ensure that the LegalServer rollout will occur in 2019-2020. The transition to the new software is challenging and lengthy. LSNM’s recent experience is that the transition can take over a year. Additional time will be needed for larger organizations like MMLA, CMLS and SMRLS. It is recommended that a shared Legal Server expert be hired to support the participating organizations. This person would

be responsible for technical and application support, troubleshooting and the development and promulgation of best practices, through the transition and beyond.

- Coming to consensus on a governance policy and structure, particularly with regard to the handling or referral of advice only cases, will take time and negotiation. The policy will need to address the myriad of issues presented by a complex service delivery system consisting of a network of separate non-profit organizations. Examples of items to be covered include key issues such as conflicts, ethical obligations imposed by the Rules of Professional Responsibility, the processing and referral of advice only cases, and regulations and obligations required by other funders. Since funding for legal services organizations is often tied to the number of cases handled, ensuring that the move to coordinated intake does not unfairly impact any one organization is critical.
- The content and scope of the marketing plan is entirely dependent on locating funding to support the effort and agreement on messaging and timing.
- Statewide “go live” will depend on the number of issues surfaced during the initial test period.

**Current Status:** The CIWG is meeting regularly to advance the telephone intake portion of the project. Because work on the project will not progress without understanding the associated costs and the sources of funds, the CIWG is proposing using the funds available to the CIWG to engage with an outside expert to assist us in evaluating telephonic-infrastructure costs. We will report the outcome of this cost analysis, including presumably our evaluations of different system-wide structural models for realizing this vision at different resource-investment levels. At the same time, LSAC is leading the search for funding to support the investment in Legal Server.

**Next steps:** Development of a Governance Policy and creating an acceptable pathway for feedback and dispute resolution is in the early stages. Once funding is located for the technology investments, decisions on the timing of transitions for each organization will need to occur.

*Potential Challenge or Resource Issue:* Funding is the most significant roadblock to the success of this project. Just the initial estimates for the transition of all grantees to Legal Server, changes to call center technology, and software investments and marketing could easily top \$750,000. None of the LSAC grantees have placeholders in their budgets for these expenditures and funding restrictions make it difficult to reallocate funds from direct services. For some organizations, adoption of Legal Server may lead to higher ongoing maintenance costs than current case management systems.

## **Conclusion:**

The CIWG envisions the fulfillment of the vision of “no wrong door” through the development and implementation of a single phone access point and a single online access point for legal services statewide - a 1-800 number and the LawHelp Guide. As CIWG works towards this vision, we may learn of ways to integrate these two access points, while at the same time building upon what is working well in the existing system of coordinated intake. Regardless, no matter which door potential clients use to enter the system, the use of one connected phone system and the same case management system is required to support the referral of applicants to the program most likely to be able to serve them. Finally, we need to make potential clients aware, through

a coordinated, widespread marketing campaign of the availability and quality of legal services available. It is also imperative that this development and forward-looking step not occur at the expense of legal services to clients. The investments needed to make this vision a reality cannot come from the pools of funds available for client service. New sources will be needed.

The above described efforts will make Minnesota's intake and referral system better. But to realize the ideal described above, each future action step must be supported by new investment of resources while — at a minimum — sustaining the current level of support for direct legal service to Minnesotans and keeping the forced-turnaway rate (currently 60% of eligible clients seeking civil legal aid services) static.

The CIWG will continue to provide updates to the Court on the efforts to implement this project.