Monitoring Tool
For
Area Agencies on Aging

Program organization and management

1. What experience and demonstrable capacity does the provider have to:
    a. Provide effective administrative and judicial representation?
    b. Provide staff with expertise in specific areas of law affecting older persons?
    c. Deliver services to the targeted populations under the Older Americans Act:
        i. Low-income
        ii. Low-income minorities
        iii. Persons with Limited English Proficiency
        iv. Persons residing in rural areas
    d. Provide support to the Long Term Care Ombudsman Program?
    e. Provide services in the principal language spoken where significant numbers do not speak English?

2. How is the Legal Assistance Program providing legal advice and representation?
    a. What proportion of the provider's time is devoted to giving advice?
    b. What proportion of the provider's time is devoted to representing clients in judicial or administrative proceedings?

3. How many staff members provide direct client representation? Name the staff members, their titles and specific Legal Assistance Program duties. This includes paid and unpaid staff.

4. To the extent that the provider utilizes paralegals, law students or non-lawyer advocates, what system exists to ensure adequate supervision by an attorney?

5. Are changes needed in staffing patterns to meet service needs (e.g. addition/change of staff composition)?

6. Are older individuals with legal problems being assisted through other sources of funds (e.g. Legal Services Alabama, United Way)
    a. If so, what is the amount of these sources of funds and how many clients are served through funds?
    b. What types of services are being provided with those funds?

7. How do the AAA and legal provider work together to assure that legal services are equally available in all areas? Is there any particular area that is lacking in service more than others?

8. Have problems been identified in making services available across the PSA? If so, what has been done to overcome the problems?

9. What is the response time on referrals from the AAA, other agencies, SUA?

10. If intake interviews are generally by appointment only, is there a set procedure for handling walk-ins? If so, what is that procedure? What is the average wait time for a client for an appointment?

11. How much time elapses on the average between the date of the initial contact and the date of the intake interview?

12. How long does a client wait in the office or other meeting location on the average before being interviewed?

13. What problem identification checklist does the intake person use, if any, to determine whether clients have problems of which they are unaware?

14. What specific review of the merit in a claim or defense occurs as a condition of case acceptance? Is there adequate legal staff or legal supervision available to provide the case management?

15. For cases not accepted, what kind of information is retained (e.g. type of problem, reason case was not accepted, advice and referrals provided)? Is denial of acceptance of a case reviewable by someone in a supervisory capacity?

16. Are there procedures in place to protect against possible conflicts of interest? If so, what are those procedures?

17. Has a formal case review process been established? If so,
    a. Who does the reviews?
    b. How often are they done?
    c. What percentage of cases is reviewed each month?

18. Is there an established procedure for handling emergency cases? What is that procedure?

19. What is the provider's policy on appeals, including judicial review of administrative decisions? (e.g. Is an appeal automatically filed in the event that a decision is unfavorable; when is a decision made; when will a client be notified?)

20. What system has been established for referral of fee-generating cases?
    a. Has this system been reduced to writing?
    b. Is there any follow-up by provider staff regarding fee generating cases which have been referred to private attorneys?

21. Is there an established protocol for referral of ineligible clients? If so, what is that procedure?

22. If there have been instances of referrals, what was done to ensure that the clients' rights were not jeopardized while the case was being referred?

23. What happens when the provider's staff reaches its limit on the number of cases that can be handled at one time? Describe the procedure for notifying clients, the AAA, and the State Legal Services Developer.

24. Has the program been closed to intake at any time or has intake been severely reduced at any time since the last assessment? What is the explanation for this?

25. Is there a system for easily ascertaining how many cases are open at any given time and who has responsibility (and the file) for any given case?

26. Is there a tickler system for docket control and case activity that ensures timely action on all cases and compliance with all deadlines and obligations to appear? If so, explain how the system operates. If not, explain what systems are in place to ensure that timely action on all cases is taken.

27. Is there a master calendar to assure availability and notice for meetings and court or administrative appearances? Who has responsibility for the master calendar?

28. Are there established standards procedures for case file maintenance and case handling techniques that provide for recording all facts and transactions, providing a detailed chronological record of legal work done on each matter, and setting forth the planned strategy for the case? If so, briefly explain the nature of those procedures.

29. Is there a system for accounting for funds received from clients or on clients' behalf? Explain the system and who is responsible for insuring adherence to the system?

30. How are clients kept informed of the progress of their cases?

31. Are clients routinely sent copies of important legal documents and correspondence?

Coordination with other agencies

32. If the provider is not a legal services corporation program, is there an adequate system of coordination with LSC programs to focus on Title IIIB services on those in the greatest social and economic need?

33. What plan of coordination has been implemented with the Legal Services Alabama Regional Offices where the geographic boundaries of the PSA exceed the geographic bounds of the LSA service area?

34. Has the provider approached social service and aging network employees to encourage their participation in recognizing the legal needs of their older clients and referring them to local legal assistance provider?

35. What efforts has the provider taken to identify other sources of legal assistance?

36. What other sources of legal assistance have provided service? Are the results of this assistance documented?

37. Does the provider have a plan to ensure that the private bar has adequate and accurate information about local aging programs and services to increase awareness about the needs of older persons?

38. What efforts have been made or are being made to involved the private bar in serving older persons (e.g. legal services: pro bono, reduced fee, co-counsel, training, elder rights activities)?

39. Describe the efforts of the provider to involve the private bar in the support of older individuals. How are private attorneys recruited? How are private attorneys used? Do private attorneys receive any special orientation on OAA issues or requirements?

40. Has a list of willing private attorneys been compiled to facilitate the referral of appropriate clients? Is the list updated regularly? (Review a copy of the list if it exists)

41. What kind of recommendation is the provider able to make to clients about the private bar attorneys recruited?

42. Has the provider approached local law schools (if applicable) to encourage law student participation in serving the elderly?

Targeting
43. What system has been established to assure that particular attention is paid to serving the target populations under the Older Americans Act?
    a. Low-income
    b. Low-income minorities
    c. Persons with Limited English Proficiency
    d. Persons residing in rural areas

44. How is targeting those in the greatest economic need accomplished without a means test?

45. How are the following populations informed of available services and served?
    a. Low-income
    b. Low-income minorities
    c. Persons with Limited English Proficiency
    d. Persons residing in rural areas

Education and Outreach
46. Is there a regular program of community education?

      a. How and where is it conducted? (i.e. Is there a schedule for circuit riding and community education?)
      b. What topics are addressed?
      c. Is a set schedule the best way to reach as many seniors as possible? Can the schedule be improved upon?
      d. What kind of notification system is in place when changes in the schedule must be made?

47. Has the provider established priorities concerning outreach activities and community education sessions? What are those priorities? How were they established?

48. Do adjustments need to be made to target under-served populations? If yes, what kind of adjustments?

49. Does the provider have and distribute pamphlets/flyers describing the program and its services?

50. Are there any new publications developed and distributed by the program since the last assessment?

51. Has the provider used local or other media to publicize its availability? Have there been any new newspaper articles or press releases since the last assessment?

52. Has the provider used local or other media to publicize issues of interest to the senior population?

53. Is there a need for change in the provider's community education efforts for the area's seniors (e.g. change in scope, content, number and types of trainees, number of sessions?) If yes, specify recommendations.

Client accessibility to services

54. Where are project offices and intake centers located throughout the public service area?

55. Approximately what percentage of clients served is unable to come to the program offices or intake centers? How are they served?

56. How are the nursing home and/or adult care population being reached and served by the project?

57. Are bi-lingual written materials about the program and services available in areas where there are large numbers of a non-English speaking group of older persons? Describe what materials are available and the languages in which they are written.

58. Specifically describe what efforts are undertaken to inform the target populations of the existence of the program and services provided.

Client satisfaction/grievances

59. Has the provider developed and implemented a procedure to measure client satisfaction? If yes, please describe the procedure. What have clients said about satisfaction?

60. Does the provider have a grievance procedure? If yes, please describe the procedure.

61. How and when are the clients informed of the grievance procedure?

62. Can eligibility for service be reviewed through the grievance procedure?

63. Have any grievances been filed by clients or applicants for service? If so, how many, what was their nature, when were they filed and how were they resolved?

64. Have any individuals, groups or organizations complained about the services, practices, or policies of the program? If so, what were the nature and frequency of the complaints? How were they resolved?

Contributions

    65. Does the provider provide each older person with a free and voluntary opportunity to contribute to the cost of the services? What method is used to provide this opportunity? Is there any indication that clients think that they must pay fees or contribute in order to receive services?

Identified needs

    66. What identified needs does the provider have? How can the Area Agency on Aging be of additional help? How can the Department of Senior Services be of additional help? How can the Legal Services Developer be of additional help?