

## Summary of Potential Hotline Training Topics and Available Resources

Topic/Competency	Brief Description	Module/Location	Related Resources	Potential Learning Activities
<p><i>I. Overview of Hotline Purpose and Scope of Services</i></p> <p>Why hotlines and hotline workers are critical to the delivery of legal services today.</p>	<p>Overview of purpose and evolution of hotline model, specific functions and roles hotlines fulfill in context of statewide delivery system and range of services and resources that hotlines provide.</p>	<p>Module needs to be developed</p>	<ul style="list-style-type: none"> <li>• Legal Aid History (by Alan Houseman)</li> <li>• Legal Hotline Quarterly—<i>An Invitation to a Serious Conversation about Hotlines</i> (Joan Kleinberg—CLEAR)</li> <li>• What are the Challenges of operating a legal referral hotline—APALRC p. 12</li> <li>• APALRC Handbook pp 9-10</li> <li>• LCE Manual for Hotline Attorneys p 2</li> <li>• Paralegals and Non-attorney Advocates—essential workers in legal services (focuses on social workers, holistic advocacy) (by Nisha Patel)</li> <li>• List of New England hotline programs with brief descriptions, contact persons</li> </ul>	
<p><i>II. Fundamental Competencies of Hotline workers: Non-attorneys and Attorneys</i></p>	<p>Participants will be trained in each competency according to their experience level and role within their hotline program. For example, non-attorneys might receive a brief overview on counseling, advice, and brief service, while attorneys would go through more in-depth sessions on these competencies. There would also be a new employee track as well as an advanced or refresher track.</p>		<ul style="list-style-type: none"> <li>• Self Awareness Exercise</li> <li>• What Do Your Clients Want</li> <li>• APALRC Handbook p 27, 55, 56</li> <li>• APALRC Handbook p 63—Flowchart</li> </ul>	

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Intake: Purpose & Scope	Potential topics & skills: <ul style="list-style-type: none"> <li>• Purpose and scope of intake function</li> <li>• Core legal services values underlying intake.</li> </ul>	Module adapted from LAU “Intake Training”, Session 1	<ul style="list-style-type: none"> <li>• ABA Proposed Revised Standard 3-4: Limited Representation <a href="http://www.abanet.org/legal/services/sclaid/downloads/std3-4.pdf">www.abanet.org/legal/services/sclaid/downloads/std3-4.pdf</a></li> <li>• ABA Proposed Standard: Establishing a Clear Understanding <a href="http://www.abanet.org/legal/services/sclaid/downloads/std4-2.pdf">www.abanet.org/legal/services/sclaid/downloads/std4-2.pdf</a></li> <li>• APALRC Handbook p 57--Issue Spotting</li> <li>• Ch. 7 <a href="http://www.legalhotlines.org">www.legalhotlines.org</a></li> <li>• LCE Manual for Hotline Attorneys pp 3-8</li> <li>• Beyond Screening: The Challenge of Intake (MLRI Training)</li> <li>• Basic Elements of Effective Centralized Telephone Intake and Delivery Systems—LSC</li> </ul>	<ul style="list-style-type: none"> <li>• Identify potential barriers to effective communication with client and potential strategies for overcoming these</li> <li>• Review &amp; discuss case scenarios presenting range of intake issues, e.g., eligibility, priorities, challenging behaviors; etc.</li> </ul>
Intake: Core Functions	<ul style="list-style-type: none"> <li>• Suggested protocols regarding information intake worker should communicate to the client at the beginning and end of a client meeting</li> <li>• Suggested protocols for information intake worker should receive from the client during a client meeting</li> <li>• What to do when caller is not the client</li> <li>• Developing case history and use of case notes</li> </ul>	Module adapted from LAU “Intake Training”, Session 2	<ul style="list-style-type: none"> <li>• ABA Proposed Standard on Providers Intake System <a href="http://www.abanet.org/legal/services/sclaid/downloads/std4-1.pdf">http://www.abanet.org/legal/services/sclaid/downloads/std4-1.pdf</a></li> <li>• Intake Protocol, Client Contact &amp; Service to Clients in Advice and Referral Programs</li> </ul>	<ul style="list-style-type: none"> <li>• Review &amp; and discuss "Intake Code of Conduct"</li> <li>• Identify barriers &amp; supports impeding or contributing to staff's ability to fulfill their responsibilities.</li> </ul>
Communication	Basic communication skills: <ul style="list-style-type: none"> <li>• How to “listen” to client</li> <li>• How to respond to client</li> <li>• How to keep/get client on track</li> <li>• How to respond to “emotional” client</li> </ul>	Module adapted from -- LAU “Intake Training”, Session 3  --“BLST Online”, Week 2	<ul style="list-style-type: none"> <li>• Effective Listening</li> <li>• Asking Questions</li> <li>• Spot Check Listening Assessment</li> <li>• Your Telephone Voice</li> <li>• Effective Communication</li> <li>• Plan to Apply What You Learned</li> <li>• Telephone Effectiveness Checklist</li> </ul>	<ul style="list-style-type: none"> <li>• Using case scenarios, practice listening and responding</li> </ul>

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			<ul style="list-style-type: none"> <li>Appendix A Telephone Communication Skills—Effectively managing client calls</li> </ul>	
Interview	<p>Potential topics &amp; skills:</p> <ul style="list-style-type: none"> <li>Suggested steps to prepare for and conduct an initial client interview;</li> <li>Specific tools to facilitate the interview including interview preparation template, active listening, funneling</li> <li>Potential barriers to effective communication with clients</li> <li>How to identify client goals</li> </ul>	Module adapted from LAU BLST Online, Week 2	<ul style="list-style-type: none"> <li>ABA Proposed Revised Standard 7.1: Establishing Relationship with Client <a href="http://www.abanet.org/legalservices/sclaid/downloads/std7-1.pdf">www.abanet.org/legalservices/sclaid/downloads/std7-1.pdf</a></li> <li>ABA Proposed Revised Standard 7.3: Protecting Client Confidences <a href="http://www.abanet.org/legalservices/sclaid/downloads/std7-3.pdf">www.abanet.org/legalservices/sclaid/downloads/std7-3.pdf</a></li> <li>ABA Proposed Revised Standard 7.2 on Client Participation in the Conduct of Representation <a href="http://www.abanet.org/legalservices/sclaid/downloads/std7-2.pdf">www.abanet.org/legalservices/sclaid/downloads/std7-2.pdf</a></li> <li>LCE Manual for Hotline Attorneys pp 13-15</li> <li>BLST article “Preparing for and Conducting Initial Client Interview”</li> <li>Krieger, Essential Lawyering, pg. 79 – 84</li> <li>Excerpt from “Difficult Conversations” re active listening</li> </ul>	<ul style="list-style-type: none"> <li>Ditto above “barriers” activity</li> <li>View and discuss video demonstrating active listening</li> <li>Using case scenarios, practice using active listening and funneling tools;</li> <li>Prepare for and conduct mock client interview</li> </ul>
Issue identification & case Analysis	<p>Potential topics &amp; skills:</p> <ul style="list-style-type: none"> <li>How to clarify goals expressed or implied by client</li> <li>Identifying potential legal and non-legal options for achieving client’s goals;</li> <li>Evaluating legal and non-legal options using a conceptual framework</li> <li>Creative methods for acquiring/developing facts necessary to prove elements of legal claim.</li> </ul>	<p>Module adapted from LAU BLST Online, Week 3</p> <p>Excerpts from MLRI Cross-Substantive Representation training</p> <p>Excerpts from MLRI 2000 Mass. “Whole</p>	<ul style="list-style-type: none"> <li>ABA Proposed Standard 7.4: Initial Exploration of the Matter <a href="http://www.abanet.org/legalservices/sclaid/downloads/std7-4.pdf">http://www.abanet.org/legalservices/sclaid/downloads/std7-4.pdf</a></li> <li>ABA Proposed Standard 3.6: Investigation <a href="http://www.abanet.org/legalservices/sclaid/downloads/std7-5.pdf">www.abanet.org/legalservices/sclaid/downloads/std7-5.pdf</a></li> <li>Cross-Substantive Representation, by Shari Zimble <a href="http://www.povertylaw.org/legalresearch/">www.povertylaw.org/legalresearch/</a></li> </ul>	<ul style="list-style-type: none"> <li>View video and brainstorm potential client goals</li> <li>Brainstorm potential strategies for discovering facts</li> <li>Using case scenarios, identify potential legal and non-legal solutions for achieving client</li> </ul>

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	<ul style="list-style-type: none"> <li>Identify alternative solutions for achieving client goals</li> </ul>	Client” training19	<ul style="list-style-type: none"> <li><a href="#">manual/Cross-sub.pdf</a></li> <li>Krieger, Essential Lawyering, “Lawyering as Problem-solving”, c. 4.</li> <li>Cross-Substantive “grid” – What advocates specializing in one substantive area need to know about issues in other areas to successfully represent their clients</li> </ul>	goals.
Referrals	Potential topics & skills: <ul style="list-style-type: none"> <li>Purpose and scope of referral function</li> <li>When and how to refer</li> </ul>			<ul style="list-style-type: none"> <li>Review and discuss hypothetical client cases presenting issues for intake, screening, referral</li> </ul>
Counseling	Potential topics & skills: <ul style="list-style-type: none"> <li>Distinction between “counseling” – process of helping clients make decision – and “advice” – recommendations regarding course of action for client to pursue.</li> <li>Ethical issues related to client counseling</li> <li>Suggested steps to prepare for and conduct counseling session: re-establish relationship, clarify client goals; present and discuss alternative solutions; help clients make decision; develop action plan</li> <li>Suggested tools for delivering bad news</li> </ul>	Module adapted from BLST Online – Week 4	<ul style="list-style-type: none"> <li>Create an Action Contract</li> <li>Summary and Action Planning (worksheet)</li> <li>LCE Manual for Hotline Attorneys pp 15-17, 31-34</li> <li>Krieger, Essential Lawyering, c. 18 – 19</li> <li>ABA Standard 7-8: Legal Counseling <a href="http://www.abanet.org/legalservices/sclaid/downloads/std7-8.pdf">www.abanet.org/legalservices/sclaid/downloads/std7-8.pdf</a></li> </ul>	<ul style="list-style-type: none"> <li>Using case scenarios, identify &amp; problem-solve how to address potential ethical issues</li> <li>Practice delivering bad news (e.g., can’t represent client; client doesn’t have legal claim, etc.)</li> </ul>
Advice	Potential topics & skills: <ul style="list-style-type: none"> <li>Categories of advice to offer: preventive, defensive, affirmative</li> <li>Distinction between information &amp; advice</li> </ul>		<ul style="list-style-type: none"> <li>ABA Standard 3.4-1: Legal Advice <a href="http://www.abanet.org/legalservices/sclaid/downloads/std3-4-1.pdf">http://www.abanet.org/legalservices/sclaid/downloads/std3-4-1.pdf</a></li> </ul>	

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	<ul style="list-style-type: none"> <li>• How to present advice so layperson can understand</li> <li>• Factors to consider regarding advice to offer, e.g., person’s ability to pursue on their own, complexity of arguments, etc.</li> <li>• Ethical issues related to advice, e.g., informing client as to limit of representation</li> </ul>			
Brief Service	<p>Potential topics &amp; skills:</p> <ul style="list-style-type: none"> <li>• What constitutes brief service</li> <li>• Distinction between brief service and full representation</li> <li>• Factors to consider when determining level of support to offer client</li> <li>• Types of brief service (e.g., calls to 3<sup>rd</sup> parties, negotiation, document preparation, etc.)</li> <li>• Provider responsibilities to client when offering brief service</li> <li>• Ethical issues related to brief service (e.g., communication with other parties)</li> </ul>		<ul style="list-style-type: none"> <li>• ABA Standard 3.4 Brief Service <a href="http://www.abanet.org/legalservices/sclaid/downloads/std3-4.pdf">http://www.abanet.org/legalservices/sclaid/downloads/std3-4.pdf</a></li> <li>• ABA Standard 3.4-1 Legal Advice <a href="http://www.abanet.org/legalservices/sclaid/downloads/std3-4-1.pdf">www.abanet.org/legalservices/sclaid/downloads/std3-4-1.pdf</a></li> <li>• ABA Standard 3.4-2 – Brief Service <a href="http://www.abanet.org/legalservices/sclaid/downloads/std3-4-2.pdf">www.abanet.org/legalservices/sclaid/downloads/std3-4-2.pdf</a></li> <li>• Ch. 6 <a href="http://www.legalhotlines.org">www.legalhotlines.org</a></li> <li>• App B of <a href="http://legalhotlines.org">legalhotlines.org</a>—article by Wayne Moore</li> <li>• LCE Manual for Hotline Attorneys p 17-19, 34-39</li> </ul>	
Legal Information	<p>Potential topics &amp; skills:</p> <ul style="list-style-type: none"> <li>• What constitutes “legal information”</li> <li>• Distinguishing “Legal information” from “legal advice”</li> <li>• Factors associated with creation of attorney-client relationship in context of providing legal information</li> <li>• Provider responsibilities with regard to provision of legal information</li> <li>• How to convey legal information in ways that are accessible</li> <li>• Factors to consider vis a vis client’s</li> </ul>		<ul style="list-style-type: none"> <li>• ABA Proposed Standard 3.6: Provision of Legal Information <a href="http://www.abanet.org/legalservices/sclaid/downloads/std3-6.pdf">www.abanet.org/legalservices/sclaid/downloads/std3-6.pdf</a></li> </ul>	

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	abilities to understand & use legal information			
Assistance to Pro Se Litigants			<ul style="list-style-type: none"> <li>ABA Proposed Standard 3.5: Assistance to Pro Se Litigants <a href="http://www.abanet.org/legalservices/sclaid/downloads/std3-5.pdf">www.abanet.org/legalservices/sclaid/downloads/std3-5.pdf</a></li> </ul>	
Cross-Substantive Representation	Potential topics and skills: Strategies for helping clients address multiple issues contributing in different ways to legal and other problems.	Module to be adapted from MLRI training “Cross-Substantive Representation”, 2000.	<ul style="list-style-type: none"> <li>Cross-Substantive Representation by Shari Zimble, <a href="http://www.povertylaw.org/legalresearch/manual/Cross-sub.pdf">www.povertylaw.org/legalresearch/manual/Cross-sub.pdf</a></li> <li>Cross-substantive “grid”</li> </ul>	
<i>Understanding the impact of poverty</i>		<ul style="list-style-type: none"> <li>“Representing the whole client”, session 1</li> <li>Poverty simulation training</li> <li>“Mona” video from BLST Online, week 2</li> </ul>	<ul style="list-style-type: none"> <li>LCE Manual for Hotline Attorneys p 27</li> <li>Appendix A Telephone Communication Skills—Working with assertive callers, angry callers, talkative callers</li> <li>Privacy Consciousness Exercise</li> <li>Additional Resource: “Welfare Simulation” module</li> </ul>	
Working with clients from diverse cultures	Potential topics and skills: <ul style="list-style-type: none"> <li>Impact of culture – by race, ethnicity, culture, and socio-economic backgrounds.</li> <li></li> </ul>	Module to be adapted <ul style="list-style-type: none"> <li>“Representing the Whole Client”, Session 2</li> <li>Community Lawyering, Session 8</li> </ul>	<ul style="list-style-type: none"> <li>Ecotonos Game—multi-cultural myth creation</li> <li>Espoused values in your legal service program worksheet</li> <li>Breaking the Belief Barriers—Marshall Ganz</li> </ul>	
Working with non-English speakers and LEP clients	Potential topics & skills: <ul style="list-style-type: none"> <li>Distinctions between professional and “ad hoc” interpreters</li> <li>How to work with interpreters, both professional and <i>ad hoc</i>, and other approaches to dealing with language</li> </ul>	Module to be adapted from “Representing the Whole Client”, Session 3	<ul style="list-style-type: none"> <li>LCE Manual for Hotline Attorneys p 24</li> <li>How to Use an Interpreter (by Michael O’Laughlin)</li> <li>Serving Vietnamese Clients</li> <li>Guidelines for working with Latin</li> </ul>	

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	barriers, particularly over the phone.		Americans <ul style="list-style-type: none"> <li>• The 5 Habits: Building Cross-Cultural Competence in Lawyers</li> <li>• How to Use an Interpreter (by Michael O’Laughlin)</li> <li>• Representing the Whole Client (by Ellen Hemley)</li> </ul>	
Working with Clients with Functional Limitations	Potential topics & skills: <ul style="list-style-type: none"> <li>• Overview of types and impact of functional limitations, physical, mental, emotional, addictive, etc.,</li> <li>• Strategies for recognizing and working with clients under these circumstances.</li> </ul>	Module to be adapted from MLRI “Functional Limitations” training	<ul style="list-style-type: none"> <li>• Understanding, Identifying, and responding to People with Cognitive Impairments</li> <li>• Suggestions for Accommodating People with Cognitive Impairments</li> <li>• LCE Manual for Hotline Attorneys p 24</li> <li>• Ethical Duties of a Lawyer who represents a Questionably Competent Client (by Paul Tremblay)</li> <li>• Working with Clients with Chemical Dependence (by Robin Barnes)</li> <li>• Approaches to Different Client Behaviors (chart—Robin Barnes)</li> <li>• Recovery Poems</li> <li>• Case Examples</li> </ul>	
Working with other challenging clients			<ul style="list-style-type: none"> <li>• Guidelines for working with clients with specific psychiatric impairments (by Lynn Barenberg) Assertive Clients</li> <li>• Dealing with Angry Callers</li> <li>• The Talkative Client</li> </ul>	
<i>IV. Documenting Hotline Service</i>	Potential topics: <ul style="list-style-type: none"> <li>• Best practices for each competency, according to their experience level and role within their hotline program.</li> </ul>		<ul style="list-style-type: none"> <li>• LCE Manual for Hotline Attorneys pp 20-21</li> </ul>	

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Case Notes			<ul style="list-style-type: none"> <li>LCE Manual for Hotline Attorneys pp 20-21</li> <li>Appendix B Casenote Considerations—article by Alan Herman and Shoshanna Ehrlich</li> </ul>	
Disposition and Referral			<ul style="list-style-type: none"> <li>LCE Manual for Hotline Attorneys pp 20-21</li> </ul>	
Tickle and Follow-up			<ul style="list-style-type: none"> <li>LCE Manual for Hotline Attorneys pp 20-21</li> </ul>	
Completing and Closing the Case			<ul style="list-style-type: none"> <li>LCE Manual for Hotline Attorneys pp 20-21</li> </ul>	
<i>V. Professional and Ethical Concerns</i>	Potential topics: <ul style="list-style-type: none"> <li>Ethical issues related to hotline programs</li> <li>Strategies for addressing potential ethical issues.</li> </ul>	Excerpt from BLST Online, Counseling session.	<ul style="list-style-type: none"> <li>Primer on Representing Questionably Competent Client, Paul Tremblay</li> </ul>	
Overview of ethical rules related to hotline practices			<ul style="list-style-type: none"> <li>APALRC Handbook p 59—Telephone “Don’ts”</li> <li>ch 4 www.legalhotlines.org</li> <li>LCE Manual for Hotline Attorneys pp 9-13</li> <li>LCE Manual for Hotline Attorneys pp 27-31</li> </ul>	
Specific Rules			<ul style="list-style-type: none"> <li>APALRC Handbook p.25, 26</li> <li>ABA(?) Rule 6.5 Nonprofit and Court-annexed limited legal service programs</li> <li>Second Draft Opinion for BBA Ethics Committee—Lawyer for a Day Problem</li> <li>MBA Ethics Opinion No. 98-1</li> <li>Alan Rodgers’ response to MBA’s Ghostwriting opinion</li> <li>SJC Ethics opinion 95-6</li> <li>Lawyers Negotiating with Pro Se</li> </ul>	

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			Parties raises ethical concerns (Russel Engler)	
<i>VI. Other Hotline Activities</i>	Participants would gain strategies for achieving goals identified by programs.			
Outreach to underserved communities		Module to be adapted from “Community Lawyering” training		
Community Legal Education		Module to be adapted from “Community Lawyering” training		
Supporting Pro Se Litigants		Module to be developed using materials from “Seeking Justice for Unrepresented Litigants”	<ul style="list-style-type: none"> <li>• LCE Manual for Hotline Attorneys p 16</li> <li>• Writing User-friendly documents</li> <li>• Plain English Network webpage</li> <li>• Developing Law-related informational programs for limited English speakers (bulleted list of tips)</li> <li>• Checklist for easy to read materials</li> <li>• Effective practices: tested ideas from the field in Pro Se Access to Justice Innovation (Draft)</li> </ul>	
<i>VII. Hotline Administration</i>	Participants would share knowledge, be updated on recent research, and obtain resources drawn from a wide range of sources to help address needs identified by programs.	Module to be developed	www.legalhotlines.org	
Best Practices			<ul style="list-style-type: none"> <li>• Stress: How Can I Cope</li> <li>• Stress: How to Cope Better with Life’s Challenges</li> <li>• Stress at Work</li> </ul>	