

DESIGNING A COORDINATED INTAKE AND REFERRAL (CIR) SYSTEM FOR CIVIL LEGAL AID IN THE DISTRICT OF COLUMBIA

Summary of Existing Intake Network Input



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This report summarizes the learnings from focus group discussions with attorneys and intake staff representing three coordinated intake and referral networks that currently operate in the District of Columbia:

- ❖ **Family Law Assistance Network (FLAN)**, including *DC Affordable Law Firm, Legal Aid DC, and the DC Bar Pro Bono Center*
- ❖ **Landlord Tenant Legal Assistance Network (LTLAN)**, including *Bread for the City, DC Bar Pro Bono Center, Legal Aid DC, Legal Counsel for the Elderly, Neighborhood Legal Services Program, and Rising for Justice*
- ❖ **Victim Legal Network of DC (VLNDC)**, including *Advocates for Justice and Education, Amara Legal Center, American Civil Liberties Union of the District of Columbia, Asian Pacific American Legal Resource Center, Ayuda, Bread for the City, Central American Resource Center, Children’s Law Center, Christian Legal Aid of DC, Community Family Life Services, DC Bar Pro Bono Center, DC Affordable Law Firm, DC Volunteer Lawyers Project, Domestic Violence Legal Empowerment and Appeals Project, First Shift Justice Project, Georgetown University Health Justice Alliance, Legal Aid DC, Legal Counsel for the Elderly, Mother’s Outreach Network, Neighborhood Legal Services Program, Network for Victim Recovery of DC, Rising for Justice, Tahirih Justice Center, The Safe Sisters Circle, Tzedek DC, Washington Lawyers’ Committee for Civil Rights and Urban Affairs, Washington Legal Clinic for the Homeless, and Whitman-Walker Health*

We are grateful to the members of these networks for sharing their knowledge and lessons learned from their own network experience. These collaborations are essential to helping the DC Bar Foundation ensure that the District-wide Coordinated Intake and Referral System is designed and developed in way that will maximize its benefit for District residents and the legal aid provider community.

We extend our gratitude to the following partners for participating in the discussions:

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- **DC Affordable Law Firm**
- **DC Pro Bono Center**
- **DC Volunteer Lawyers Project**
- **First Shift Justice Project**
- **Legal Counsel for the Elderly**
- **Neighborhood Legal Services Program**
- **Network for Victim Recovery of DC**
- **Rising for Justice**

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INTRODUCTION

Civil legal problems, pervasive among low-income families, are often entwined with critical livelihood issues, like housing stability, family relationships, and income, and have the potential to seriously impact people’s lives. While many people experience civil legal problems, few receive legal help to address them. One reason for this discrepancy (called the “justice gap”) is the often-insurmountable challenge of finding an attorney.

With more than 50 civil legal aid providers in the District of Columbia, finding legal help can be a daunting task. It is a complex system in which legal aid organizations offer different levels of assistance, address different legal areas, use different eligibility criteria, and operate with different capacities. Many District residents never reach the door of a legal services provider to get the help they need.

Coordinated Intake and Referral System

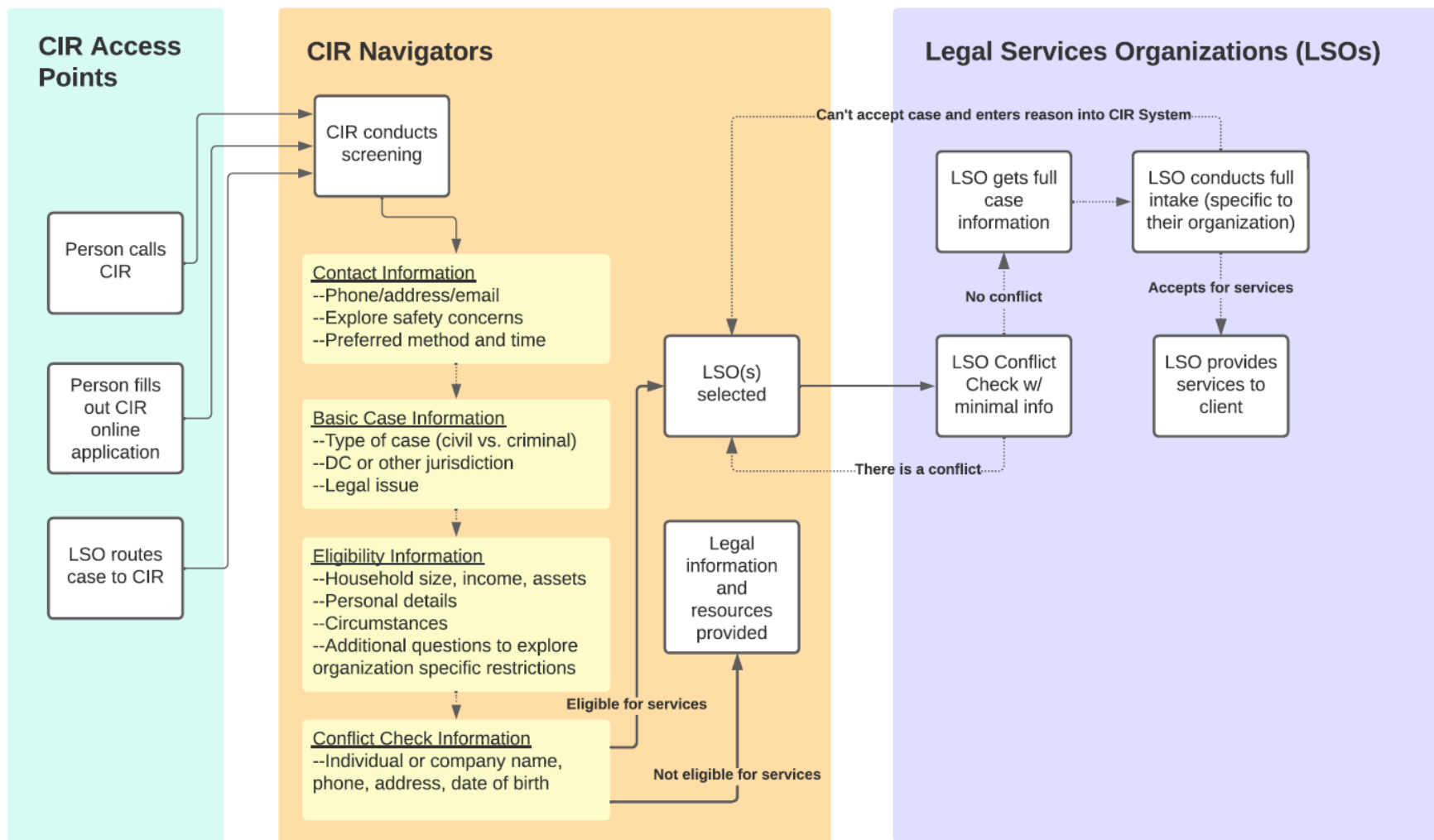
To address this dilemma, the DC Bar Foundation (DCBF) is leading the development of a user-friendly, secure, and accessible Coordinated Intake and Referral (CIR) System for District residents with civil legal needs. The goal of the CIR System is to streamline residents’ access to legal services by offering a single point of contact and generating referrals that are efficient and accurate—that is, residents are quickly connected with legal aid providers whose services match their legal needs and for which they are eligible. Exhibit 1 (next page) shows the CIR System’s process:

1. Applicant contacts the CIR System: People seeking legal assistance (“applicants”) can access the CIR System through one of three avenues: (1) calling the dedicated hotline, (2) completing an online application, or (3) being referred by a legal service organization (LSO) that cannot serve them.

2. CIR navigator conducts the eligibility screening: When an applicant contacts the CIR System, they connect with a trained navigator who conducts a brief *eligibility screening* (not a full legal intake) to obtain the necessary information to refer the applicant to a provider that can help them. The screening process gathers contact information, basic facts about the legal issue, and demographic information to assess eligibility for services by different organizations (e.g., income, household size, age, ethnicity). After completing the screening, the CIR navigator then initiates a referral to a legal services organization that matches the applicant’s legal needs and circumstances and that has capacity to take the case. If the applicant cannot be served by any of the network providers, the CIR navigator will direct them to available legal information and self-help materials and, when possible, offer recommendations for other services or resources.

3. Legal services organization reviews the referral and makes a service determination: Once the CIR navigator initiates a referral to a legal services organization, that organization conducts a conflicts check to determine whether they can serve the applicant. If there is a conflict, the case is sent back to the CIR navigator for referral to another provider. If there is no conflict, then the organization receives the full set of information collected by the CIR navigator as part of the eligibility screening and the organization contacts the applicant to complete a full legal intake. After the full intake is done, the legal services organization decides whether to accept the case. If the case is accepted, the attorney will determine the level of legal service to provide to the applicant and services will begin. If the case is rejected (e.g., full intake revealed ineligibility), then the referral is sent back to the CIR navigator for placement at another organization.

Exhibit 1: Proposed Intake and Referral Process for the CIR System



Note. Graphic created by A2J Tech.
LSO = legal services organization

Existing Intake and Referral Networks

With so many legal services organizations in the District, providers have long understood that a streamlined referral system would ease the burden on residents trying to find legal help. As a result, some issue-specific collaborations have emerged over time. While the CIR System being developed by DCBF is the largest and most ambitious effort in both size (more than 50 legal aid providers) and scope (all civil legal areas), there are successful examples of more targeted efforts, involving a smaller number of providers addressing a single legal area or specific client population. Of note are three currently operational intake and referral networks: the **Family Law Assistance Network (FLAN)**, the **Landlord Tenant Legal Assistance Network (LTLAN)**, and the **Victim Legal Network of DC (VLNDC)**.

To ensure that the CIR System incorporates the knowledge inherent in the District’s civil legal aid community, NPC, in collaboration with DCBF, conducted focus groups with representatives from these existing intake networks to learn about their experiences. Staff discussed their network’s approach to coordination, protocols for intake and referral of cases, tools for cross-organization information sharing and confidentiality protection, and strategies for maximizing efficiency and effectiveness. They also talked about their network’s strengths, challenges they encountered, and lessons they have learned.

Exhibit 2 displays key features of the three intake networks that participated in this study, and the following sections provide more detail about how each one operates.

Exhibit 2: Existing Intake Networks at a Glance

	FLAN	LTLAN	VLNDC
LSOs In Network	3	6	27
Legal Area	Family Law	Landlord Tenant Law	Civil Law
Target Populations	Parents / guardians	Tenants	Crime victims
Intake and Referral Model	Intake Screening, Referrals made according to LSO rotating schedule	Intake Screening, Referrals made according to LSO rotating schedule	Full Intake, Navigators refer to one or more specifically identified LSOs
Access Points	Phone, email, in person	Phone, online	Phone, online, referral from partner organization
Service	All eligible ^a applicants are called back by an attorney and receive at least legal advice	All eligible ^b applicants are called back by an attorney and receive at least legal advice	If no LSO accepts their case, applicants may receive legal advice from a VLNDC attorney navigator

LSO = legal services organization

^a Parties must have a case in the Domestic Relations Branch of DC Superior Court and a household income of not more than 200% of the Federal Poverty Guidelines (FPG).

^b Tenants must have an active eviction case (either a lawsuit filed against them in court or be illegally locked out) and have a household income of not more than 250% FPG.

Overview of the Family Law Assistance Network (FLAN)

The Family Law Assistance Network (FLAN) is a partnership among three legal services organizations. FLAN offers eligible individuals confidential, free legal services in custody, child support, divorce, and parentage cases heard in the Domestic Relations Branch (DRB) of the DC Superior Court.

Key out-of-network partnerships: FLAN has a close working relationship with the DRB. Court clerks, staff at the family court self-help center, and judges actively refer people to FLAN. FLAN staff have also conducted outreach in the community to make other legal and social service providers aware of their services.

Intake process: Central intake is hosted at DC Affordable Law Firm. Applicants can connect via phone or email during weekdays. Intake staff conduct a brief intake screening with applicants to gather basic information about the parties to check for conflicts, income to assess eligibility (household income may not exceed 200% FPG), and general statements about the case. Callers are not asked to tell their entire story as part of the intake screening.

FLAN attorneys are in the DRB courtrooms every week, Tuesday through Friday. On these days, applicants can meet with a FLAN attorney in person to do an intake and receive services, and court staff can make direct in-person referrals to the courtroom where FLAN staff are located.

Referral process: FLAN partners collaboratively develop a remote monthly schedule that names a primary organization and a backup for each day. When the intake screening is complete, the intake staff refers the case to that day's primary organization. That provider checks for conflicts and confirms, within an hour, whether they accept the case. If that organization cannot take the case, the case information is sent back to central intake, who refers it to the

day's backup organization. When a provider has capacity and no conflicts, the case is accepted and the accepting provider conducts a full intake and opens a case file. Then, an attorney contacts the applicant to do a full legal consult and determine the level of service to provide. FLAN aims to have an attorney call the applicant back within 2 days of the initial intake.

Legal services: FLAN attorneys provide legal advice or limited scope representation to unrepresented litigants with cases heard in the DRB. After FLAN services are complete, if litigants require and would be eligible for full representation, FLAN attorneys refer these cases to another legal aid organization or to a pro bono attorney through the organization's pro bono placement program. FLAN's process intends for all eligible applicants to receive a callback from an attorney and to receive at least legal advice.

FLAN commits to helping to every caller: FLAN partners aim to assist everyone who calls with a family law issue. If applicants are not eligible for FLAN's legal services, they will receive legal information, self-help guidance materials, and general referral information for other legal and social services providers.

Insights for the CIR System: As a small, issue-specific network, FLAN differs from the size and scope of the proposed CIR System. However, the CIR System's design can benefit from FLAN's experience as a close-knit and organically formed collaboration that prioritizes cross-organizational communication and relationship building, highlighting the value of open and trusting partnerships. Moreover, FLAN's structure also provides insight into how multi-organizational programs can develop strong working relationships with court staff and judges and become integrated into court processes.



Overview of the Landlord Tenant Legal Assistance Network (LTLAN)

The Landlord Tenant Legal Assistance Network (LTLAN) involves six legal services organizations that provide free legal services to tenants facing a loss of housing due to eviction, specifically those tenants with active eviction cases. Partners also address adjacent issues, such as substandard housing conditions, illegal rent increases, and termination of Housing Choice Vouchers.

Key out-of-network partnerships: LTLAN works with other entities to publicize its services in the community, such as having the DC Superior Court list LTLAN information on all eviction-related materials, working with community canvassers to visit homes of people with pending eviction actions, and coordinating with rental assistance providers and the DC Housing Authority.

Intake process: Central intake is operated at the DC Bar Pro Bono Center, where staff conduct brief intake screenings with applicants who either call the hotline or complete an online intake form. The intake screening gathers information about the applicant's demographic characteristics, household income (not to exceed 250% FPG), and legal issue.

Since the number of applicants outpaces attorney capacity, intake staff triage referrals depending on the status of the case. Applicants with an active eviction case—the landlord has filed a complaint against the tenant in court—are referred for services from a LTLAN partner organization. Intake staff enter this case into a referral case management system shared by LTLAN partners.

Referral process: LTLAN partners rotate the responsibility for reviewing referred cases in the shared system. During their organization's shift, an attorney reviews each new referral and conducts a conflicts check. If there is no conflict and the provider has capacity, the attorney contacts the applicant to conduct a full

legal intake and make a service determination. If the provider cannot take the case, then the referral is kept in the shared system for the next shift's organization to review. Providers are expected to take at least six referrals per shift. LTLAN's goal is for applicants with imminent hearings or urgent circumstances to be called back by an attorney within 2 business days. If the applicant's hearing is more than a month away, the callback will occur within a week.

Legal services: LTLAN attorneys offer a range of services, from legal advice to full representation, and service level decisions are made by the organization handling the case. While the providers prioritize extended services for vulnerable tenants and those with legal defenses, LTLAN intends for all eligible applicants to receive a callback from an attorney and, at a minimum, legal advice.

LTLAN aims to help all applicants: Eligible applicants, those with active eviction cases and household incomes below 250% FPG, are referred for legal services from a LTLAN partner. Those who do not meet eligibility criteria are given general legal information, self-help guidance materials, and, when applicable, information for other legal and social services providers.

Insights for the CIR System: As a network operating in an area of law that is high-volume with fast procedural timelines, LTLAN can offer insights into some of the operational challenges that a broad multi-issue intake and referral system will face. LTLAN's experience coordinating the intake requirements across six organizations and balancing urgent tenant needs with stretched provider capacity to design a single, shared case management system demonstrates their adeptness at collaborative design, process building, and decision making.



Overview of the Victim Legal Network of DC (VLNDC)

The Victim Legal Network of DC (VLNDC) is the largest of the existing intake and referral networks in size and scope. It involves 27 legal aid organizations and refers survivors of crime for legal assistance in all areas of law handled by civil legal aid providers.

Key extra-network partnerships: VLNDC is a network of legal aid providers operated by the Network for Victim Recovery of DC (NVRDC). NVRDC provides legal, advocacy, and therapeutic services to survivors of all crime. In addition to the 27 organizations within VLNDC, NVRDC has formalized partnerships with many legal, social, and therapeutic service providers in DC, and this network sets up pathways for referrals to and from VLNDC providers.

Intake process: VLNDC hosts a central intake hub that staffs three navigators. Applicants can call VLNDC directly, submit an online form, or be referred by any VLNDC partner. Navigators conduct a thorough intake (not a brief screening) with applicants to gather detailed information about them, their circumstances, and their legal issue. Importantly, VLNDC is managed by an attorney and also staffs some attorney navigators who can provide legal advice in certain areas of law.

Referral process: Navigators cross-reference an applicant's needs and circumstances with partner organizations' eligibility criteria and areas of service. Navigators determine the "best fit" organization and refer the case through the VLNDC portal, a shared system used by all VLNDC partners to send/receive referrals and information.

Each VLNDC partner organization has one to three staff members trained as VLNDC facilitators, who have access to the VLNDC portal and handle the referrals that come from the VLNDC hub. When a case is referred, facilitators at the receiving organization conduct a conflicts check and, for eligible applicants, conduct a full legal

intake to determine what, if any, services the organization can provide. VLNDC's goal is for this callback to happen within five days. If the organization cannot accept the case, the facilitator sends it back to the VLNDC hub.

Legal services: Attorneys at VLNDC organizations offer a range of services, from legal advice to full representation, and service level decisions are made by the provider handling the case. If a referral is not accepted by any VLNDC partner, it is possible for an applicant to not receive legal services. However, VLNDC attorney navigators can provide legal advice in some areas.

VLNDC commits to helping every applicant: During the initial intake conversation, applicants to VLNDC receive legal information and, when applicable, legal advice from the attorney navigators. After the referral, if no VLNDC partner organization accepts the case, then navigators will provide the applicant with cold or warm referrals to out-of-network legal and social service providers and additional legal advice, if possible.

Insights for the CIR System: Due to its size and scope, the VLNDC shares several characteristics with the proposed CIR System and can provide insight into the logistics of managing a network with a diverse array of organizations and the requirements of an intake process that addresses a diverse array of legal issues. VLNDC navigators can offer advice about fielding a high number of calls across a wide range of issues and discerning specific legal needs in conversations with callers who may not know what their legal issues are.



EXISTING NETWORKS' EXPERIENCE AND GUIDANCE: FOCUS GROUP LEARNINGS

The foremost goal of the CIR System is to streamline District residents' access to legal services when they are faced with a civil legal problem. Within this overarching goal are two important priorities:

- First, **the CIR System must be user-centered** in that its design and operation must prioritize the experience and needs of the people using it—in short, the System must be designed *for* the users.

To support this first aim, NPC and DCBF have gathered input from more than 100 District residents to inform the CIR System's design. [Summaries](#) of key learnings are available.

- Second, **the CIR System must be a collaborative effort**, collectively stewarded by the District's civil legal aid community. With dozens of providers, DC's legal aid community is broad, diverse, and filled with experienced professionals whose input can strengthen the System's design. This is especially true of the providers that have successfully launched smaller-scale coordinated intake and referral networks. The staff involved in these efforts have specific expertise regarding how to design coordinated efforts that are logistically feasible for legal services providers to undertake and sustain. Their input can help ensure that the CIR System capitalizes on the knowledge inherent in DC's community, implements lessons learned from other efforts, and incorporates protocols that facilitate providers' participation.

The current report supports this second aim by summarizing the focus group discussions held with representatives of FLAN, LTLAN, and VLNDC about their experiences with coordinated intake and referral.

During the focus groups, participants described their individual network with regard to the following:



The initial intake process, including the information they gather, the extent to which they incorporate trauma-informed approaches, and how they share information and handle informed consent.



The referral process, including initiating referrals to legal services partners, monitoring the referral to ensure case placement, orienting applicants to the referral process, and assisting applicants whom the network providers cannot serve.



The overall collaboration, including the how the network is administered, what data are gathered to track progress, the network's strengths, and the impacts of network participation on the organization.



The Initial Intake Process

The initial intake is the applicant's first contact with anyone from the network. As such, it is critical that the intake specialist provide applicants with an experience that makes them feel comfortable and heard, while also collecting enough information for an effective referral. Focus group participants underscored the importance of intake protocols that balance these goals. First, it is imperative that the initial intake provide enough information to refer the case to a network partner that can provide services. This means that the intake must accurately assess the applicant's legal needs and identify any eligibility criteria that may disqualify one or more network partners. Second, this information gathering must be done in the context of a seamless, trauma-informed user experience that minimizes the number of times that applicants must tell their story before they can connect with an attorney.

Information Collected During the Initial Intake

As small, single-issue networks that consist of partner organizations with similar eligibility requirements and that guarantee some level of legal services to every eligible applicant, FLAN and LTLAN employ a brief *intake screening* that collects enough information to determine that applicants meet the basic eligibility criteria and have a legal issue addressed by the network. FLAN conducts a short intake screening during which applicants are asked to provide their household income, basic demographic information (e.g., gender, race), enough information for organizations to conduct a conflict check (e.g., name, date of birth), case number, and a brief description of their legal issue. During the focus group, FLAN staff emphasized their efforts to limit applicants' story-telling burden and therefore do not ask for detailed information that applicants will need to repeat when speaking with an attorney.

LTLAN's brief intake screening similarly asks for information about the applicant (for conflicts check), household income (for program

eligibility), demographic characteristics, and the legal issue. Like FLAN, LTLAN's intake screening does not have to account for organization-specific eligibility requirements, because any differences are addressed by the standard intake questions. For example, one LTLAN partner only serves senior citizens, and this information is derived from applicant date of birth which is part of the general intake screening protocol.

In addition to this basic screening information, LTLAN intake staff also gather information about the status of the eviction case. Because the number of LTLAN applicants has increased over time, while provider capacity has largely remained flat, LTLAN partners have had to refine their referral triage protocols to ensure that the tenants with the most urgent legal needs are prioritized for service. Currently, applicants are eligible for referral to a LTLAN partner for legal services only if they (1) meet income eligibility and (2) have an active eviction case (the landlord has filed an eviction complaint in court) or have been illegally locked out. Applicants with active eviction cases but who are not income eligible are referred to the Landlord Tenant Resource Center (not part of the LTLAN), where they may receive brief assistance from volunteer attorneys. Applicants who do not have an active eviction case are provided with general legal information. This additional step during the intake process requires intake staff to collect more detailed information about the legal issue and status of the case.

Unlike FLAN and LTLAN, VLNDC is a multi-issue network with 27 partner organizations that accept many case types and have different eligibility requirements. Given this diversity, VLNDC navigators conduct a thorough initial intake interview to gather enough information about the legal issue(s) and applicant characteristics to ensure that they can make an accurate referral—one to an organization that handles the specific legal issue and for

which the applicant is eligible. This intake interview was developed jointly by VLNDC partners to ensure that it gathers the information necessary to assess eligibility for all of the participating providers. Although VLNDC's intake protocol is lengthy, navigators believe that it eliminates the need for an applicant to tell the same story multiple times and streamlines the applicant's experience by maximizing the chance of the first referral being accepted.

Conducting a Trauma-Informed Intake

During the focus groups, all staff underscored how they incorporate trauma-informed principles into their network's intake protocols. FLAN and VLNDC staff noted that many applicants are stressed, frustrated, and, often, survivors of traumatic events like domestic violence, sexual assault, and other crimes. Further, it is common for applicants to come to the network after having contacted other legal aid providers that could not help them. A VLNDC staff member stated that their navigators are trained to have a high tolerance for challenging conversations and to provide callers with ample space to express their emotions, understanding that the information necessary to ascertain the legal issue is often easier to access after the person has vented their frustration. Knowing that this level of attention requires extra time, VLNDC culture prioritizes care over urgency and navigators are encouraged to make sure that callers feel heard and respected, even if doing so prolongs the time spent for the intake interview. Experienced staff and supervisors are also available to help field difficult calls.

FLAN staff echoed this sentiment and described their intake approach as treating applicants with dignity and respect and giving them the time and space to talk as much as they need to during the initial intake screening. One FLAN staff member explained that many applicants are looking for "emotional justice," which is only possible when they feel respected. To support this, FLAN intake specialists focus on being applicant-centered and compassionate

during the intake screening. If applicants feel emotionally overwhelmed or need to take a break, the intake specialists offer them the opportunity to schedule a callback to finish the screening.

All focus group participants highlighted the importance of being clear with applicants about response timelines (e.g., when a callback will happen) and potential services (e.g., that legal representation is not guaranteed), so that they know what to expect and when. Staff underscored that it is especially important not to overpromise what the network can provide.

Obtaining Informed Consent

Staff from all three networks noted the necessity of obtaining informed consent from applicants to share their information with partner organizations during the referral process. FLAN and LTLAN intake staff give applicants a verbal description of the network's information sharing and confidentiality protocols, including how applicant information is kept and how partner organizations share information about applicants as part of the referral process. Applicants are asked to provide *verbal* consent to allow their information to be shared with partner organizations.

VLNDC intake staff also summarize the network's information sharing and confidentiality protocols during the initial intake conversation. However, applicants are asked to provide *written* consent to share their information with partner organizations. The VLNDC referral portal includes a standard consent form that navigators can send to applicants via text or email (hyperlink) or regular mail (hard copy). The consent form explains VLNDC's protocols for information sharing and confidentiality protection and it also gives applicants the opportunity to identify which organizations can receive their information. This form must be signed and returned to the VLNDC navigator before the referral process can be initiated.

Informed consent typically permits intake staff to share applicant's intake information with the organization to which they are referring the case, but not the reverse. A VLNDC staff member pointed out that occasionally a VLNDC provider may receive a referral and, during the process of conducting the full intake, learn something about the case that makes it impossible to pursue, even if the applicant is otherwise eligible. The provider rejects the referral, without stating why, and the applicant bounces back to the VLNDC hub for reassignment. Subsequent referrals end in the same way, increasing navigator workload and frustrating the applicant. VLNDC staff thought that this could be avoided if providers had consent to share (limited and relevant) new information learned after receiving the referral (e.g., a custody case is open in another state).

In addition to obtaining consent from applicants to share their information, VLNDC staff also pointed out the importance of ensuring that applicant information is stored in a secure manner to prevent inadvertent access. As an example, although VLNDC is a project operated by the NVRDC, all of the information collected and used by VLNDC navigators is firewalled off from NVRDC.



Considerations for the CIR System Intake Protocols:

A large intake network with diverse legal services providers may require an expansive intake protocol to accurately determine applicant eligibility and fit for services. Participating providers will have input on the intake protocol form to ensure it meets their needs. The protocol development process should be collaborative.

By design, a coordinated intake network must share applicant information across organizations, and there are ethical and logistical considerations regarding how to do this well. Discussions with ethics committees and experts can help ensure that protocols sufficiently inform applicants, protect their confidentiality, and afford the network sufficient flexibility to process referrals.

A client-centered approach to intake involves giving applicants space to express themselves without judgment or criticism. However, there are limits to what frontline intake workers should be expected to manage, and it is important to set clear boundaries that safeguard staff's well-being and empower staff to step back when they need to.

The CIR System intake protocol must consider whether and how to:

- Balance the need for detailed information to initiate accurate referrals with the commitment to limit storytelling burden on applicants
- Incorporate trauma-informed principles, especially when assisting applicants with histories of trauma or collecting sensitive information to assess eligibility (e.g., domestic violence, immigration status)
- Provide intake navigators with the skills, knowledge, and support to offer consistently high-quality and applicant-centered service, even when intake conversations are stressful. Developing scripts and providing practical training (i.e., practice calls and shadowing) can help ensure navigators feel prepared for the work.
- Collect informed consent (whether verbal or written) from applicants to share their information with partner organizations. A simple, easily sharable form that explains confidentiality disclosures can help applicants make informed decisions about granting the CIR System permission to share their information.
- Share applicant information across legal services providers or from providers back to the central intake hub. In particular, consider a “shareback” provision in which clients consent to allowing providers who have assessed the applicant’s case share relevant information with the intake navigators to support subsequent referral placement or applicant communication.



The Referral Process

Once the initial intake is complete, the more complicated work of case referral begins. The referral process involves multiple steps, and network intake staff must track the progress and intervene as necessary to ensure that cases are placed as often and as quickly as possible. First, these staff determine which organization is the best match for the applicant's needs and then initiate the referral to that organization. Next, these staff monitor the referral, ensuring that the provider reviews the case and makes a service decision in a timely fashion. Throughout the process, network intake staff must communicate with applicants about the status of their case, as well as respond to applicants whom the network cannot serve.

Initiating Referrals

As single-issue networks with constituent organizations that offer similar services and use similar eligibility criteria, FLAN and LTLAN employ a straightforward process to assign referrals that is both efficient and equitable. Each of these networks collaboratively generates a schedule that rotates the partners through shifts. When an intake specialist completes an intake screening and confirms eligibility, that case is referred to the on-call provider. For FLAN, the intake specialist sends an email to the on-call provider, who runs a conflicts check and responds within an hour to say whether their attorney will contact the applicant for a full intake. If there is no conflict and the organization has capacity, the provider will follow up with the applicant, conduct a full intake, and provide either legal advice or limited scope representation. If the on-call organization cannot take the case, then they send the case back to the central intake hub and the intake specialist refers it to the day's backup organization. Then, that organization runs a conflicts check and responds within an hour to confirm whether they can take the case and follow up with the applicant.

For LTLAN, when the intake staff completes an intake screening and confirms eligibility, they enter the case into a referral case management system shared among the LTLAN partners. The on-call organization reviews the referral, runs a conflicts check and, if there are no conflicts, the attorney contacts the applicant to do a full intake and determine what level of service to provide. If the on-call provider cannot take the case, the referral rolls to the partner on-call for the next shift. While partners can reject referrals for capacity reasons, they cannot do so until they have accepted at least six referrals during the shift.

As a large, multi-issue network with constituent organizations that offer different services and use different eligibility criteria, VLNDC has a more complex process to assign referrals. After completing an intake interview, navigators use a detailed referral map that delineates providers' eligibility criteria and legal service areas to determine the best matched provider(s) for the applicant's case. If more than one organization is a match, navigators prioritize the one with the strictest eligibility criteria, because there are generally fewer opportunities to refer to them. Navigators then refer the case through the VLNDC portal, a shared referral system used by all partner organizations. VLNDC navigators will sometimes make simultaneous referrals to more than one organization.

Each VLNDC partner organization has one to three staff members who are trained VLNDC facilitators who access the portal and handle the referrals that come from the VLNDC hub. When a case is referred, facilitators conduct a conflicts check and, for eligible applicants, a callback to do a full legal intake. If there is no conflict, providers are expected to contact the applicant for a full intake within five days of receiving the referral. If the organization cannot accept the case for full representation, the facilitator updates the

VLNDC hub on the level of service provided (none, information, advice, brief services). Depending on the applicant's remaining needs, the VLNDC navigators may continue to assist the applicant in finding legal help. If the organization cannot accept the case due to a conflict, capacity, or other reason, the facilitator alerts the VLNDC navigators, who then assess next steps for assisting the applicant, which may include referrals to other partners.

Monitoring Referrals

After a referral is initiated, intake staff monitor the referral to ensure that it is fielded by a provider and communicated to the applicant. For FLAN and LTLAN, this process is relatively quick. On-call organizations confirm their receipt of the referral within an hour and, if there are no conflicts, attorneys commit to calling applicants back within two business days (a week for eviction cases with a hearing that is more than a month away) to do the full intake and make a service level decision. Service decisions are made by the provider handling the case. If a case is assessed to be eligible for representation (limited scope for FLAN; limited or full scope for LTLAN), attorneys begin services after the full intake. When representation is not feasible or warranted (e.g., insufficient merit, too early), attorneys provide legal advice over the phone, send it in written form, and close the case. In this way, FLAN and LTLAN aim to provide all eligible applicants with a timely callback from an attorney and, at a minimum, legal advice. In addition, when FLAN attorneys complete services, they send the litigant all relevant documents and a letter that summarizes the legal advice provided.

Importantly, FLAN and LTLAN intake specialists do not monitor cases through service provision. When a partner organization commits to calling an applicant back to do a full legal intake, the intake staff consider the referral placed and stop monitoring. If during the full legal intake, the organization determines a conflict or eligibility issue, they may refer the case back to the central

intake hub and intake staff will then resume monitoring the referral until it is placed elsewhere.

For VLNDC, monitoring referrals can take longer, largely because VLNDC navigators continue to monitor referrals until partners update the navigators on the referral outcome—specifically, until the providers update the portal with the determination of services to be provided to the applicant. This extra step takes additional time, which can create longer monitoring times for navigators. Also, VLNDC partners are not required to provide service to every applicant who is referred to them, so when a provider rejects a referral, the applicant is bounced back to the VLNDC hub to be referred to another provider, sometimes without receiving service. Rejected referrals can bounce back to the hub more than once, which can also lead to longer monitoring times for navigators and longer wait times for callers. To help prevent this, VLNDC navigators will sometimes initiate simultaneous referrals to more than one organization.

Orienting Applicants to the Referral Process

All staff underscored the importance of clearly articulating to applicants that a referral does not guarantee them to receive representation from an attorney. Managing applicant expectations is key to limiting confusion, frustration, and further alienation.

FLAN and VLNDC staff recommended orienting applicants to the process by explaining that they have reached a central intake service that will collect some basic information so that their case can be referred to a legal services organization, and that the next step is for a legal aid organization to reach out directly to the applicant to discuss their legal issue. At the end of the intake conversation, FLAN's intake specialists take care to confirm what was heard from the applicant, explain that they will receive a callback from an attorney and an estimated time for that callback,

and try to resolve any issues that can lead to a missed connection (e.g., applicant does not have voicemail set up) so that when the attorney calls back, they are likely to connect. The intake staff also remind the applicant that the callback does not guarantee that an attorney will represent them in court.

While VLNDC navigators do not promise a callback from a legal aid provider, they do confirm that the applicant's issue has been sent to a legal aid organization for review and that response can take up to five days.

Assisting Applicants Whom the Network Cannot Serve

Staff from all three networks explained that it is inevitable that the networks receive calls from applicants seeking more legal services than the network partners can provide. There are two common scenarios that can lead to applicant frustration:

- *Applicants do not receive the level of service that they expect.* Most callers do not understand the distinction between levels of legal services, and, as such, believe that an attorney who offers legal services will represent them. However, attorneys in all three networks routinely provide limited scope services and, in some instances, provide only legal advice. To avoid confusion, intake staff are deliberate about ensuring that applicants are clear about the services they may (or may not) receive.
- *Applicants do not have an issue that the network can address.* It is not uncommon for people to contact the intake networks with an issue that outside the scope of network providers. This can be a legal issue in an area not served by the network or an issue that is not legally actionable.

When the network cannot address an applicant's issue, intake staff offer other types of assistance. Applicants with legal issues are directed to legal information, self-help materials, and sometimes

referral information for out-of-network providers. Applicants with issues that are not legal are given information for relevant social and community-based resources.

For the LTLAN, when applicants have an eviction case filed against them in court but are not income eligible for services, they are referred to the Landlord Tenant Resource Center (LTRC), where they can receive brief assistance from a volunteer attorney. Tenants can also be referred to the LTRC if they received legal advice or limited scope services from a LTLAN attorney and they desire additional assistance. When applicants do not have an active eviction case (i.e., the landlord has not filed an eviction complaint with the court), LTLAN intake staff provide legal information over the phone using scripts developed by LTLAN attorneys. When applicants have an issue that is not related to eviction or housing conditions, LTLAN intake staff provide general referral information for other social services.

When VLNDC navigators are unable to place a referral with a partner organization, they work to provide applicants with cold and warm out-of-network referrals. In addition, VLNDC attorney navigators can provide legal advice to applicants in some areas, such as protection orders, anti-stalking orders, crime victim's rights, torts, and DC's Crime Victims Compensation Program.



Considerations for the CIR System Referral Protocols:

Streamlining residents' access to legal services implies efficiency in the intake and referral process. Referral protocols must balance speed with capacity, outlining the fastest possible turnaround times that are reasonable for providers. In larger networks, referrals may be rejected and bounced back to the intake hub to be reassigned. This redundancy, if unchecked, can reduce efficiency, increase navigator workload, and expand applicant wait times. Having partner organizations commit to quick turnaround times for initial intakes and consistent communication will help the coordinated process remain organized. This will also help ensure that no referrals languish or fall through the cracks.

Providers' experience of the referral process is important. To this end, the CIR System referral distribution should be accurate (i.e., referrals match providers' service areas and eligibility criteria), equitable (i.e., referrals are distributed equitably across the system as is reasonable given eligibility constraints), and effective (i.e., intake forms give providers what they need to take next steps). Achieving these goals for a large, multi-issue network will require collaborative planning and the ongoing collection of feedback to improve and refine processes.

Ensuring that applicants understand the referral process is paramount. This includes explaining what will happen and when, and what the applicants can expect. It is especially important to be clear that the CIR System provides referrals for services, but cannot guarantee services.

The CIR System referral protocol must consider whether and how to:

- Determine and clearly articulate the expected response times for organizations to accept or reject a case
- Handle referrals for applicants who have multiple legal issues that may require assistance from more than one organization
- Assist applicants for which no partner organization can provide extended legal services (Will there be a way for all applicants to receive legal advice? Or will some applicants be turned away without receiving any legal assistance?)
- Develop robust protocols for clear and consistent communication between (1) the CIR intake hub and providers and (2) the CIR intake hub and applicants during the referral process. CIR navigators must monitor the progress of pending referrals, prompt providers for a response, and maintain contact with applicants until the case is placed or closed.
- Maintain updated directories of local service providers and available resources, including direct and easily shareable links to legal information and self-help resources



The Overall Collaboration

This report has described elements of protocols to conduct intakes and initiate referrals in a coordinated, trauma-informed, and efficient way. While these tasks are central to a coordinated intake and referral system, the system will only be as effective as it is coordinated. Effective coordination of multiple independent organizations does not happen on its own. A healthy collaboration requires concerted effort and intentional structure, and often yields benefits for participating organizations.

Network Administration

All three of the existing intake networks have regular partner meetings. FLAN and LTLAN meet at least monthly to discuss what's working and what needs to be adjusted. While these meetings are focused on the practical aspects of implementation, they indirectly strengthen relationships among staff and increase communication across organizations. Network partners also meet regularly with affiliated court staff and community organizations.

VLNDC hosts quarterly meetings of all 27 partner organizations, which entail information sharing, feedback sessions, and connection time. VLNDC staff routinely offer partner organizations opportunities to give feedback about the portal, referral process, and ideas for future directions. The VLNDC intake manager also has an annual one-on-one meeting with each partner organization to discuss, at a granular level, what that organization needs for the coordinated referral process to work best for them. Lastly, the VLNDC intake hub uses an internal case management system (separate from the referral portal) for navigators to record information about cases, and to track which intakes are being worked on, which referrals are pending, who has touched which case, and every case's current status. This database coordinates the navigators and serves as a central repository for their work.

Data Collection and Tracking

All of the networks track the number of calls received by their hotline and the number of applicants assisted by staff. Managers also review the basic information gathered during the initial intake, such as applicants' demographic characteristics, Ward of residence, household size, income, and language. With this data, they can report who has received assistance from their network.

A FLAN supervisor added that they really want to know, but do not currently have the ability to track, more specific elements of the process, such as how many calls are answered live and how many go to voicemail, how long it takes the attorney to call the applicant back, the more specific legal issue (more nuanced description than just "child custody"), the stage of the case when an applicant first calls, and the stage of the case when a returning client calls again.

A VLNDC manager noted the importance of collecting data for intake navigators, such as real-time, daily counts of applicants and intakes, including how many intakes came in, how many were completed, and how many were archived. This information helps navigators chart the overall intake flow and know in real-time how many applicants are in the queue. If the queued number of intakes exceeds the number that can be finished in a day, then the navigators know that they are in danger of not being able to keep the timeline promises made to new callers. Tracking data to better assess the backlog helps navigators more realistically communicate response times to applicants. This staff person said that they need "data that helps you do your job and keep your promises, because keeping promises to clients is key."

Network Strengths

Staff were asked to describe some of their network's strengths. Responses for each network are summarized on the next page.

FLAN. FLAN has prioritized *interpersonal relationships* and devoted time for team building, through informal meeting times like lunch dates. As a result, FLAN partners have a strong collaboration, marked by authentic relationships and easy cooperation. They remain close to each other and close to their purpose. As one staff put it, “All of our conversations stay grounded in why we are doing the work we are doing.”

FLAN has also *articulated clear expectations* for the network and each partner. They normed practices early on and reflect on them frequently, staying in close communication so that all partners *implement a consistent process* ensuring that every FLAN client gets roughly the same process. They have regular meetings to ensure they stay aligned. When new attorneys join the team, partner organizations train them, so that all attorneys are quickly connected to the partners and clear about the FLAN processes generally.

FLAN provides *rapid services for clients*, connecting applicants to an attorney within two days. The network also has developed a strong *working relationship with the court*, becoming well integrated into court processes and referral streams and continuing to work to meet the needs of the court and their clients.

LTLAN. LTLAN fields a *high volume of calls* and has established protocols to efficiently connect a large number applicants to legal services. They collaborated to implement a *shared referral case management system* that facilitates intake staff’s ability to complete intake screenings and initiate referrals to partner organizations quickly, supporting a faster response time for applicants. They *provide rapid services for applicants*, connecting tenants with urgent circumstances with an attorney within two days.

LTLAN partners described that their intake network has served as a launch pad for other collaborative efforts and that they have *expanded their collaboration beyond just coordinating intake*. They have jointly developed and undertaken community outreach plans,

advocacy efforts, and pro bono training programs. One staff person stated that their continued work together has “engendered a genuine spirit of collaboration and that ‘we are all rowing the boat in the same direction.’” The staff acknowledged that building *meaningful cross-organization relationships* takes intentional effort and that building an effective collaboration can be time-consuming, especially when no one is in charge.

VLNDC. As the largest and longest-running intake network, VLNDC has developed a robust infrastructure over time to support its ability to perform effective intake and referral. For example:

- VLNDC created and maintains a *comprehensive and detailed “legal map”* that navigators use for referral analysis. The map includes service and eligibility details for all 27 VLNDC partners, is viewable by all VLNDC facilitators (as a community resource), and is updated regularly by VLNDC staff.
- VLNDC navigators have created and compiled *stock templates for emails and text messages* to applicants that navigators can copy, paste, and customize. This saves navigators a lot of time and ensures that applicants receive consistent messaging.
- VLNDC created, and its navigators implement, a *thorough intake interview* that incorporates all of the information needed to assess the legal issue and eligibility status for all 27 partner organizations. The form was developed collaboratively with partners, increasing the quality of the product and buy-in from providers.
- VLNDC manages a *secure referral portal* shared by all VLNDC partners, which streamlines and secures the exchange of confidential information and consolidates referral information in one place. Importantly, the portal has been augmented to enable VLNDC navigators to *send a consent form at the touch of a button*. This functionality has radically streamlined the process of obtaining consent and has reduced the burden on applicants.

Perspectives of VLNDC Participating Organizations

A small group of staff from VLNDC partner organizations (legal and social services providers, none of whom participated in the earlier network staff group) participated in a separate focus group to discuss their experience of participating in the network.

When asked what motivated their organization to join the network, legal services providers described wanting to increase access to their services. They felt that VLNDC would help their services reach clients that they otherwise might not reach. One person who works for a small legal aid provider serving a narrowly defined client population also appreciated being connected to and learning about other legal aid organizations, which increased their ability to offer wraparound services for clients via warm handoffs instead of a resource list. Staff from social services providers stated that they were motivated to join VLNDC to better enable their clients to find needed legal assistance. Referring clients to the VLNDC hub ensures the case is in knowledgeable hands and also takes the pressure off social workers to try to figure out which legal aid organization would serve their client.

This group was then asked about any impacts that VLNDC participation has had on their organization. Social services staff were quick to point out that referring clients to VLNDC, rather than searching for legal aid on behalf of a client, has freed up social workers' time to attend to other client needs, which has been a significant benefit. Legal services staff reported that participating in VLNDC has expanded their understanding of and relationships with other legal aid providers in the District, increased cross-organization communication, and, as hoped for, increased their service reach.

Legal services staff reported that participating in VLNDC did not prompt them to change their internal intake procedures. This was mainly because VLNDC referrals accounted for a small number of

their overall intakes and because, as per their procedures, they still have to conduct their own intake with each potential client. So, when they call the VLNDC-referred applicant, they still must confirm all of the information in the intake conducted by VLNDC navigators. One person explained that this follow up is necessary because attorneys who specialize in a particular type of law know what additional questions to ask. As one participant put it, "When a generalist does an intake, there is often nuance that is missed. When an attorney talks further to the client, another fact emerges and the merit totally changes. If the intake staff are generalists (they can't specialize in everything), they cannot be that much in the details. And the devil is in the details regarding whether we can provide advice or full representation." While this challenge may exist for any intake navigator who works with cases across multiple areas of law, it was thought that navigators who are also attorneys may be more able to draw out relevant details that those who are not attorneys. Lastly, one person commented that, when their organization cannot serve a litigant (including when they have provided advice and counseled the litigant that their case lacks merit), and the litigant wants further service, they will refer the person to VLNDC intake hub.

When asked about any challenges of the VLNDC referral process, legal services providers indicated few challenges, primarily because VLNDC referrals comprise a minority of their overall intakes. If that proportion increased, they would want the VLNDC portal to be better integrated with their case management systems so that they would not have to work in two separate systems. Beyond that future need, staff acknowledged that the most time-consuming part of the current VLNDC referral process is having to call the applicant back, which often turns into an extended game of phone tag.



Considerations for the CIR System Collaboration:

Launching a collaborative effort of this size and scope will necessitate a concerted effort to create and maintain community, uniting independent organizations on common ground and behind the shared purpose of increasing access to legal services for District residents. The work of conducting intakes and placing referrals is one aspect, and the work of cultivating a healthy multi-partner collaboration is another. For the CIR System to be successful, it will require both.

The CIR System, inclusive of DCBF and its partners, must consider whether and how to:

- Foster a sense of community among participating legal services providers, including fostering a sense of collective investment in and stewardship of the CIR System
- Establish a governance structure that supports collaborative design, process development, and decision making
- Determine the most effective host organization for the CIR intake hub and home for the CIR navigators
- Develop robust technical infrastructure and tools to support CIR navigators' work
- Track data over time to assess the implementation of the CIR System (Much of this analysis can likely be accomplished with data collected by the System as part of routine intake and referral protocols.)
- Engage providers in ongoing communication about the System to support consistent implementation and inform System improvements over time and as necessary
- Identify other entities, outside of the civil legal aid community, to affiliate with the effort to fully embed the CIR System in the broader net of services accessed by District residents

SUMMARY

This report summarizes some key topics raised during discussions with representatives from three existing intake networks: FLAN, LTLAN, and VLNDC. These networks vary in their size, structure, areas of law served, technical infrastructure, intake protocols, referral processes, and approaches to cross-organization communication and information sharing. This diversity in structure and approach served as a foundation for a robust discussion that identified converging experiences and perspectives shared across the networks, while also highlighting how network size and scope can create unique opportunities and challenges. In general, the representatives from each network felt that coordinated intake provided a valuable service to District residents by improving access to free civil legal services and that their organization's ability to advance its mission was supported by participation in the network. Staff also acknowledged that operating an efficient and effective coordinated intake and referral network requires a considerable investment of time, effort, and resources, particularly for a large network that involves member organizations across a diverse spectrum of legal areas.

This report briefly summarizes the learnings from the focus group sessions. However, this synopsis merely scratches the surface of the knowledge held by staff participating in these existing networks. Their collective experience is both deep and broad, and their advice regarding the design of the CIR System is invaluable. Inviting these individuals to participate, through workgroup involvement or other thought partnership opportunities, in the CIR System development and stewardship will no doubt strengthen the effort.

In conclusion, the nuts and bolts of the CIR System—the protocols, workflows, and technical tools—will be critical and necessary ingredients for its effectiveness. However, the true success of the System will depend on the people who power it, including the CIR navigators and program managers, the intake staff and attorneys working in the participating legal services organizations, and the vision-holders and supporters at the DC Bar Foundation and allied funders. Engaging people from across the civil legal aid system, learning from their insights and expertise as this report sought to do, and cultivating their connection to each other and to the larger System will help to weave the fabric that will make broad-scale coordination a realistic proposition.