



MLSC

MARYLAND LEGAL SERVICES CORPORATION

IOLTA - INTEREST ON LAWYER TRUST ACCOUNTS

Glossary of Terms

Financial Forms: Explanation of Categories

Attorneys: This category should include all salaries and wages paid to program attorneys, whether employed directly or supervised by the program, and whether part-time, full-time or temporary.

Paralegals: This category should include salaries and wages paid to program paralegals, whether employed directly or supervised by the program, and whether part-time, full-time or temporary. Paralegals are persons whose duties consist primarily of such activities as intake interviewing, case investigations, checking court records, legal research, client representation at administrative hearings, and outreach and community work.

Other Staff: This category should include salaries and wages paid to all other program staff, whether employed directly or supervised by the program, whether administrative/clerical staff, students or others, and whether full-time, part-time or temporary.

Full-Time Equivalent (FTE): An FTE is the hours worked by one person on a full-time basis. The concept is used to convert the hours worked by one or more persons into the hours worked by a full-time position. For example, two persons, each working half-time, amount to 1.0 FTE. FTE figures are to be expressed in decimals – for example, 1.5 lawyers.

Employee Benefits: This category should include all those commonly accepted fringe benefits paid on behalf of employees, such as retirement, FICA, health and life insurance, worker's compensation, unemployment insurance, and other payroll-related costs approved by the program's board of directors.

Occupancy: This category includes estimated rent, utility payments, and maintenance or janitorial expenses for each office.

Equipment Rental/Maintenance: This category includes lease or rental expenses for office furniture, fixtures and equipment (except telephone). It also includes an estimate of maintenance costs for that equipment whether pursuant to a service contract or an estimate of individual repair bills.

Supplies: This category includes all basic office accessories and supplies. All equipment purchases under \$500 may be placed under this line item.

Printing & Copying: All materials used in copiers and costs associated with reproducing materials and program literature should be placed in this category.

Postage: All postage expenses should be placed under this line-item.

Telephone & Internet: This category includes estimates for the rent of telephone equipment and long-distance calls. Similar and related expenses such as email/internet services or other telecommunications costs should be included as well.

Travel: Travel expenses directly related to specific client matters, administration of the program, etc.

Training: All non-personnel costs to be paid for with regular program funds associated with the training or continuing education of staff members or volunteers would be included here. Examples include travel to/from training events, per diem, conference registration fees or tuition, purchase of training materials, rent for facilities used in a training event, etc. Equipment purchased for training with a value in excess of \$500 should be reported under "Capital Additions." No personnel costs should be included here.

Insurance: This category includes professional liability insurance, bonding, property insurance (fire and theft), and liability insurance for property and automobiles.

Dues & Library: This category includes expenses for the maintenance and normal expansion of office libraries, including subscriptions to Westlaw/Lexis, periodicals, books, reference materials, and multiple volume sets of law books. Capital additions to the library holdings over \$500 should be included under "Capital Additions." It may also include dues for professional associations paid by program funds.

Litigation: This category includes court costs, witness fees, expert witness expenses, sheriff fees, courthouse copying fees, and other expenses incurred but not recovered in litigation on behalf of eligible clients.

Audit: This category includes expenses for auditors.

Capital Additions: This category includes equipment and library purchases over \$500 per item as well as other infrequent major expenses.

Contract Services: This category includes payments to private attorneys who provided legal services to clients and service to the program, such as legal counsel for program operations. It also includes fees to consultants (except those for training, which would be included in the Training line item), outsourced bookkeepers, outsourced information technology services, etc.

Other: This category includes all program expenses not included above.

Level of Service: Definitions

Brief Advice, Information and Referral: Action taken at or soon after intake on behalf of a client that resolved a case requiring a minimal amount of staff time and resources (i.e. approximately 30 minutes or less). This level of service is appropriate when a client is served either on the phone or in-person through brief services, *as long as the client has an applicable, civil, legal problem and you perform at least a verbal screening of income-eligibility and record that screening*. You do not need a full income affidavit for these brief services. This service can be provided both by attorneys and non-attorneys.

Counseling: Preparing and providing advice to the client requiring more than 30 minutes (e.g., reviewing relevant information and counseling the client on action that might be taken to resolve the issue or dispute).

Negotiation: Cases are to be reported closed through negotiation when an agreement has been reached between the parties and the issues have been resolved without the filing of a lawsuit.

Document Preparation: This category includes the resolution of a case through attorney assistance in preparing documents, such as the drafting of a contract, will or power of attorney, or the completion of applications for public benefits or citizenship.

Representation in Administrative Proceedings: This category should reflect cases that were closed during the period which were resolved after suit was filed in an administrative tribunal, regardless of whether the case was resolved upon a decision by the administrative tribunal or settlement between the parties.

Representation in Judicial Litigation: This category applies to cases that have been closed during the period which were resolved after suit was filed in a state or federal court, regardless of whether the case was resolved upon a decision by the court or settlement between the parties.

Other Appropriate Remedies: This category should be used when other service categories are inappropriate. For example, civil court accompaniment by a non-attorney should be included here.

Reminder: When you report cases, you are only reporting the highest level of service for each case, not every single service related to a particular case. For example, if intake is performed in-house with a referral to a pro bono attorney who then represents the client in litigation, you would report that as a pro bono litigation case and not also as an in-house referral case.

Pro Se Assistance: The assistance provided to clients through court-based or other pro se clinics should be reported as either brief services or counseling, depending upon the service provided.

Statistical Report: Definitions

Client: A person who is eligible for service and is accepted by the program to receive civil legal services (including advice or other brief services). One client may generate one or more cases.

Organizational Client: MLSC funding may be used to provide legal services to organizations composed primarily of individuals who are themselves eligible to receive MLSC-funded legal assistance. Eligible groups may receive legal representation, such as nonprofit incorporation, by-laws, and community issues such as nuisance abatement. One organizational client may generate one or more cases.

Intake: The process of getting information from a caller or walk-in applicant to determine financial and case acceptance eligibility for civil legal services by staff, pro bono or reduced-fee attorneys.

Case: A distinct civil legal problem or a set of closely related legal problems of a client, and the legal activities or processes used in resolving those problems. A case includes brief services, such as advice, information and/or referral, as well as other types of legal representation. A client with two or more closely related legal problems will be considered as presenting a single case if all the problems will be resolved through a single legal process or forum. For example, a domestic matter involving the issues of divorce, child custody, support, and visitation is considered one case if it is resolved through the same court action. If the client also has a landlord/tenant problem, it would be counted as a separate case.

Reminder: Clients who attend workshops or general presentations, but do not go through intake nor receive individualized services, do not count as cases. They are reported as "other legal services provided to individuals."

Open Case: A case is "opened" when the provider has determined the client's income eligibility and obtained demographics of age, gender, race and geographic location. Brief services may be counted as a case without an affidavit of eligibility.

Handled In-House: Although most cases involve some work by in-house staff members or contractual attorneys (i.e., intake, factual work-up, etc.), cases reported as "handled in-house" should reflect only those cases opened which will be **resolved** by project staff members or contractual attorneys without referral to a pro bono or reduced-fee panel attorney.

Referred to Pro Bono: Cases reported in this category are cases that have been opened by the project and referred to a volunteer attorney affiliated with the project who has offered to represent the client without charging a fee, with case closure information expected to be reported back to the project.

Referred to Reduced Fee: Cases reported in this category are cases that have been opened by the project and referred to an attorney affiliated with the project who has agreed to represent the client at a significantly reduced hourly rate or flat fee, with case closure information expected to be reported back to the project.

Closed Case: A case in which there is a resolution of the client's problem(s) and the case is closed, or those instances in which the client's problem is not resolved but it is determined that no further action will be taken on the case.

Closed In-House: Cases in this category have been handled by in-house staff members or contractual attorneys and have been closed during the reporting period upon resolution by in-house staff members or contractual attorneys.

Closed Pro Bono: Cases in this category should reflect only those that have been opened and referred to pro bono private attorneys for handling, and have been closed during the reporting period upon resolution of the case by the pro bono attorney with case closure information reported back to the project.

Closed Reduced Fee: Cases in this category should reflect only those that have been opened and referred to private attorneys handling the case for a reduced fee, and have been closed during the reporting period upon resolution of the case by the reduced fee attorney with case closure information reported back to the project.

Additional Calls: In addition to cases defined above, the number of calls your program handled during the reporting period that are not reported as opened cases (e.g. callers who do not have a civil legal problem, do not meet your eligibility requirements, are not within your program priorities, etc.).

Rejected Applicants: Applicants who have a civil legal problem and are financially eligible but are turned away because of lack of program resources, conflict of interest, not in program's priorities or other reason.

Impact Case: A civil legal case that (1) affects significant segments of the eligible population, and (2) achieves or is expected to achieve relatively permanent improvement in the legal rights or basic living conditions of those affected. An example of an impact case is an action on behalf of a client or clients resulting in a judicial decision to eliminate a widespread practice of violating rights of low-income tenants. Another example is an action resulting in an administrative decision that effects a change in eligibility criteria for a public benefits program. An impact case is not defined solely by complexity or high level of effort – for example, a case should not be deemed “impact” solely because it took 100 hours to resolve.

Volunteers Served on Panel(s): Volunteers who currently are signed up to participate in your program; may or may not have been requested to provide services during the reporting period.

Volunteers Provided Case Services: Volunteers who accepted or closed one or more cases during the reporting period.

Volunteers Provided Other Services: Volunteers who provided client services that are not considered case services, such as pro se training, legal education, etc., as well as in-house services such as intake, answering phones, clerical support, accounting, etc.

Legal Problem: Examples

Consumer/Finance

Bankruptcy/Debtor Relief
Collection (Repossession/Deficiency/Garnishment)
Contracts/Warranties
Credit Access
Energy (Other than Public Utilities)
Loans/Installment Purchase (Other than Collection)

Education

Special Education
School Records
Suspension/Expulsion
Other Education

Employment

Expungement of Criminal Records
Job Discrimination
Wage Claims
Other Employment

Family

Adoption
Custody/Visitation
Divorce/Separation/Annulment
Domestic Violence/Peace Orders/Protective Orders
Guardianship/Conservatorship
Paternal Rights Termination
Paternity
Support
Other Family

Health

Medicaid
Medicare
Other Health

Housing

Federally Subsidized Housing Rights
Foreclosure
Home Ownership/Real Property
Landlord/Tenant
Public Housing
Other Housing

Immigration

Immigration Status (employment, family and other legal problems should go in another appropriate category)

Income Maintenance

Black Lung
Food Stamps/Commodities
General Support/Other Welfare
SSI/SSDI
Unemployment Compensation
Veterans' Benefits
Workers' Compensation
Other Income Maintenance

Individual Rights

Disability Rights/ADA Issues
Mental Health
Prisoners' Rights
Other Individual Rights

Juvenile

Delinquent
Other Juvenile

Wills/POA/Trusts

Advanced Medical Directives
Other Estate Planning

Miscellaneous

Incorporation/Dissolution
Indian/Tribal Law
License (Auto & Others)
Name and/or Gender Change
Torts