Legal Services Corporation
America's Partner For Equal Justice

Program Letter 13-4

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TO: All LSC Program Directors

FROM: James J. Sandman, President

DATE: November 25, 2013

SUBJECT: Self-Inspection of 2013 CSR Data

The purpose of this Program Letter is to inform all Legal Services Corporation (LSC) programs that LSC will require each program to conduct a Self-Inspection of a sample of closed cases prior to submitting 2013 Case Service Reporting (CSR) data to LSC. The Self-Inspection must be completed, and the enclosed Certification and Summary Forms signed and submitted electronically to LSC, no later than February 15, 2014.

Introduction

The Self-Inspection process for the 2013 CSR is substantially the same as that for 2012.

LSC is committed to providing Congress and the public the most accurate information possible. Closed case statistics are a major component of the data on program activities collected by LSC and an important measure of the impact of federal funding on the civil legal problems of people living in poverty. The Self-Inspection helps ensure the accuracy of the 2013 CSR data and is also an important quality assurance tool for LSC programs and for LSC.

The Self-Inspection provides a national statistical measure of the accuracy of LSC grantee CSR reports. National CSR error rates were 4-5% range in 2001-2003, 3.9% in 2004, and 3.0-3.5% range in 2005-2012. The Self-Inspection therefore gives us useful validation for national CSR statistics.

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The Self-Inspection also allows LSC to identify programs that are having difficulty with CSR reporting and to contact these programs to discuss these problems and provide technical assistance and training.

Many programs have used the Self-Inspection to identify weaknesses in their CSR reporting and case management systems. There is significance not just in the number of errors, but also in the type and distribution of errors. For example, two common problems are documentation of citizenship and lack of written evidence of legal advice or representation in the case file. Each of these can constitute the majority of a program's CSR errors, indicating a need to revise grantee procedures and remind staff of these requirements; alternatively, the errors may be concentrated in one office, indicating a need to train the staff of that office in CSR requirements.

Eligibility -- Reporting of Title III Cases and Expansion of Eligibility for Certain Aliens

Cases reported in the CSR must have, among other things, both financial and citizenship/alien eligibility documentation. However, the total number of cases funded under Titles III and IV of the Older Americans Act that lack financial eligibility documentation, but would otherwise be eligible, should be reported separately in the CSR (see Program Letter 03-2). Such cases do not count as part of the "total cases reported" for the purposes of the Self-Inspection. If any such cases occur in the Self-Inspection sample, they are to be counted as exceptions for lack of financial documentation. LSC keeps a separate total of such cases for other programmatic and reporting purposes.

Through the Violence Against Women Act 2006 Amendments (VAWA 2006), the Kennedy Amendment exception for service to otherwise ineligible aliens who have been battered or subjected to extreme cruelty was expanded to include additional allowable categories of clients and cases and to allow the use of LSC funds for such cases (see Program Letter 06-2 -- also in the Appendix to the CSR Handbook -- for details of this expanded eligibility). Similarly, under the Trafficking Victims Protection Act (TVPA), as amended in 2003, otherwise ineligible alien victims of a severe form of trafficking and certain family members are eligible for services (see Program Letter 05-2 -- also in the Appendix to the CSR Handbook -- for details of this expanded eligibility). **Consequently, such cases are considered LSC-eligible and may be reported without the documentation of citizenship or eligible alien status otherwise required in Section V of the 2008 CSR Handbook, as amended in 2011.**

The Self-Inspection Process

Standards for Accuracy – 2008 CSR Handbook, as amended 2011

Standards for accurate reporting of CSR data are contained in the 2008 CSR Handbook, as amended in 2011. Sections 3.2, 3.3, and 5.2 of the Handbook contain specific guidance on single recording of cases, timely closing of cases, and documenting client eligibility. Section VI of the 2008 CSR Handbook, as amended 2011, contains guidance on the reporting of different levels of case services, Section VII contains guidance on the reporting of referrals, and Section X contains guidance on reporting and documentation of PAI cases.

Sample Selection Procedure

To reach a level of absolute confidence that every 2013 closed case is accurately reported to LSC, program staff would need to review each individual case. For most programs, such a review would be impractical. Therefore, the Self-Inspection process relies on the selection of a sample of cases from which programs can draw some inferences about the overall number of cases reported to LSC. In order for the inferences to be reliable, the sample must be reasonably representative of the total number of cases reported to LSC.

The enclosed Sample Selection Procedure details a process for selecting a sample of cases for review. The Procedure requires programs reporting 2,000 or more total closed cases to select a sample of approximately 150 closed cases, and more in some large programs with multiple offices. Programs reporting 1,000 to 1,999 cases will need to select a sample of only 100 closed cases. Programs with fewer than 1,000 total closed cases will need to select a sample of 75 closed cases. Each grantee should document the steps taken in the Selection Procedure and should clearly indicate any departures from the Selection Procedure. Please contact Bert Thomas at LSC if you would like to discuss the sampling procedure.

Review of Sampled Cases – Use of Case Review Form

The purpose of the Self-Inspection process is to give programs a means to verify, by reviewing a sample of cases, that their CSR data meet LSC standards for accuracy. The enclosed Case Review Form contains a list of questions that identify key requirements for reporting a case to LSC. If the answers to the questions in the Case Review Form are generally "Yes," then the sampled cases generally meet the requirements for reporting cases to LSC, and no further inquiry is necessary -- unless program staff have reason to believe that the sample selected was not representative of the total number of cases to be reported to LSC or, for other reasons, problems outside the sample would affect the accuracy of the CSR data.

If there are "No" answers to one or more of the applicable questions in 10 percent or more of the cases sampled (look to the Certification Forms, not the Summary Forms to calculate the 10% figure), or if the use of case management system queries reveals problems in a larger number of cases, then program staff will need to determine whether to initiate corrective action to remedy the problems identified.

For some problems, such as untimely closing of cases or duplicate reporting of cases in a particular branch office or unit, the effort needed to identify the total number of affected cases may be justified. Case management system queries and reports could provide an easy means of detecting such cases. To achieve accurate reporting of closed cases, further effort to correct problems might be justified, provided doing so would not have a disproportionate impact on client services. While the decision to undertake corrective action rests with the program, we strongly encourage consultation with LSC before initiation of any corrective action. You may contact John Meyer to consult with LSC as to whether corrective action is advisable or for other Self-Inspection questions (except sampling or case management queries). If general corrective action is not taken before submission of the CSR, any corrections in the sample cases

must be carefully documented and the documentation preserved with the case files, so the sample is preserved for any future review.

For each case in the sample, the enclosed Case Review Form must be completed, and a "Yes," "No," or NA (not applicable) answer must be recorded for all questions. Not all questions will be applicable to all cases. Upon completion, each Case Review Form must be retained for audit purposes.

Several questions in the Case Review Form require a determination whether a "notation" is present in the case file or in the case management system record. The following standards apply to these questions:

Questions (1) and (4) – Notation indicating no income or assets

A notation indicating that a client household has no income or assets may be the number zero, the word none or a similar descriptive term to that effect.

Question (4) - Receipt of government benefits

A notation indicating that a client receives government benefits that required testing for assets may be the name of the government agency, or a brief description of the type of benefits received.

Question (5) – Citizenship or alien eligibility – telephone cases

A notation indicating that a client in a telephone case is a citizen or an eligible alien may be the word "Yes," the letter "Y," or a checkmark or other written indication in the appropriate section of an intake sheet (See 2008 CSR Handbook, as amended 2011 Section 5.5).

Question (6) – Attestation of citizenship

The attestation signature may be on an intake sheet, retainer agreement or other document containing language stating that the client is a United States citizen. Whether in a separate document or not, it must be a separate signature tied directly to the citizenship attestation as provided in Section 5.5 of the 2008 CSR Handbook, as amended in 2011.

Use of Case Management System Queries

LSC encourages programs to use their case management systems to augment the Self-Inspection process. Case management system queries and reports can easily provide useful information about all closed cases, not just a sample of cases. For example, a case management system query could readily identify cases that lack either income or assets information. For assistance with case management system queries, please contact your vendor or LSC staff member Glenn Rawdon.

Certification Process – Certification and Summary Forms

All programs must electronically submit Self-Inspection Certification and Summary forms to LSC by February 15, 2014, regardless of the results of the Self-Inspection.

Certification Form: This form requires submission of information about the number of cases found to have one or more problems in the Self-Inspection, as well as information about whether action was taken before, during, or after the Self-Inspection either to remedy problems found or not to report some cases at all. It also includes a report on the number of cases that were excluded (removed) from the CSR report because of corrective action taken **after** the Self-Inspection. The purpose of collecting this information is to enable LSC to determine the accuracy of CSR submissions and the frequency with which programs are unable to report cases because they do not meet LSC reporting requirements. **Please be sure to enter all requested information, especially inserting the number of cases reviewed and exceptions found, before submitting the Certification Form.**

Self-Inspection Summary Form: This form collects information about the types and frequency of exceptions noted during the Self-Inspection process. The twelve categories listed in the Summary Form correspond with the twelve questions in the Case Review Form. The "Numbers of Cases" column in the Summary Form should accurately reflect the numbers of sampled cases for which exceptions were noted (by "No" answers) in the completion of the Case Review Forms for cases sampled. The collection of this information will enable LSC and program staff to identify those areas where LSC reporting requirements may have been difficult to meet, as well as to indicate where programs should focus their efforts to achieve further improvements in the accuracy of their case reporting.

The Summary Form also collects information as to whether programs undertook any corrective action as a result of the Self-Inspection process that resulted in adjustments to the CSR data submitted to LSC. If corrective action is undertaken, it must apply to all affected cases, not just to cases in the Self-Inspection sample. Programs undertaking corrective action that resulted in adjustments to the CSR data submitted to LSC should note the categories in which they have taken corrective action in the Self-Inspection Summary Form. This information will enable LSC to determine the extent to which programs have been able to correct problems identified during the Self-Inspection process.

Note – in past years, the third part of Form G-6 was Unreported Non-LSC Cases and such reporting is still required, but the location of this report has been transferred to Form G-2

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Attachments

(1) Self-Inspection Certification Form (Sample - Actual Form is in the "Submit Form G-6" module in LSC Grants)

(2) Self-Inspection Summary Form (Sample – Actual Form is in the "Submit Form G-6" module in LSC Grants)
(3) Self-Inspection Case Review Form
(4) Self-Inspection Sample Selection Procedure

LSC Staff Contact List

Modifications of Self-Inspection; General Self-Inspection Questions
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Sample Selection
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Case Management System Questions
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