Case Management Systems, Part I Webinar

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*Slides will be sent to you at the conclusion of the presentation.
*Slides and audio will be posted on https://cliniclegal.org/category/resources-type/webinars

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CLINIC Presenters

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Webinar Goal

- To see every charitable immigration legal program possess a case management system that is:
- complete and thorough;
- established on best practices;
- documented in a case management manual; and
- consistently used by staff and volunteers;

https://cliniclegal.org/resources/othergeneral/immigration-case-management-tools

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Webinar Objectives

- Provide information about various components of case management
- Demonstrate how strong case management systems are key to a professional and healthy immigration program.

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Webinar Agenda

- Define case management
- Explain the importance of having a policy and procedures manual;
- Describe case selection criteria and procedures;
- Define scope of representation; and
- Identify intake procedures and forms

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Questions?

- Please post your questions and we will address them at the conclusion of the webinar.

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What do we manage?

- Staff talent and time
- Client and program data
- Client behavior

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What is a Case Management System?

- A set of programmatic and legal methods documented as a protocol in order to manage staff activities and client participation and information.

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Differentiating Case Management System from a Database

- Case Management “methods” are activities documented as protocols
- Case Management database is an electronic tool to complete immigration forms and store, retrieve and analyze program and client data.

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CLINIC’s Exclusive Agreement with LawLogix

- To make LawLogix’s EDGE case management database more accessible, affordable and easier to use
- https://cliniclegal.org/lawlogix-immigration-partner-program

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When Case Management is Absent

- Lucy Legalworker meets with Ramiro who received a Request for Evidence (RFE) on his adjustment of status application. Lucy talks with him as a walk-in, looks at his documents and says, “I think I may be able to help you – I will call you back.” Ramiro leaves and does not respond to the RFE thinking that Lucy is taking care of it. Meanwhile Lucy puts Ramiro’s original documents in a pile to discuss with her supervisor. She is not sure if the agency can take on Ramiro’s case.

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Lucy Legalworker's Saga Continues

- Lucy's supervisor is very busy in court followed by a vacation. Lucy doesn't get a chance to talk over her screenings and intakes with her supervisor for two weeks. When they finally talk, her supervisor advises her not to take Ramiro's case. Lucy calls Ramiro, who is unhappily surprised that the agency is not representing him, especially since his RFE deadline is tomorrow and he has not done anything to respond to it.

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What is Wrong in Lucy Legalworker's Story?

1) No clear case selection policy
2) Lucy isn't sure about her ability to help without checking with her supervisor first
3) Lucy unintentionally misleads Ramiro to think she is his legal representative; he takes no action
4) Lucy keeps original documents instead of making copies
5) No screening or intake form used
6) No Client Agreement signed
7) No follow-up appointment scheduled
8) No concern for RFE deadline

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Why is a Good Case Management System Important?

- Consistency and uniformity lead to higher quality of work
- Allows staff to work more professionally and effectively
- Increased efficiency = more clients served
- Helps prevent staff frustration and burnout
- Helps protect against malpractice and liability

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Developing a Case Management Policy and Procedure

- Meet with staff for recommendations
- Consult with experienced charitable program directors
- Study program model from staff and client perspectives
- Review CLINIC's Case Management Toolkit with samples

https://cliniclegal.org/resources/case-management-toolkit

- Create an outline and write a draft

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Poll

- Does your immigration program have a current policies and procedures manual followed consistently by all staff?

No

Yes

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Considerations

- Keep it simple with clear English
- Practice and refine
- Educate leadership and support staff
- Train existing and new staff
- Monitor consistent use
- Study efficiencies and outcomes
- Evaluate staff success

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Questions for Martin

You previously worked for Esperanza within Catholic Charities of Los Angeles.

What process did Esperanza use to create a policy and procedures manual?

What difference did having it make?

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Policies and Procedures Manual Topics

- Telephone calls from prospective clients
- Models to see clients: appointment, walk-ins, clinics, workshops
- List of services provided
- Fees Schedule
- Fee Collection
- Consultation
- Intake
- Staff assignments
- Opening a case

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Policies and Procedures Manual Topics, Cont'd.

- Client Agreement and client documents
- Scope of representation
- Communication with clients
- Case notes
- Mail procedures
- Database management
- File maintenance
- Government notices
- File review
- Open/closed case decision
- Archiving files

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Developing Standardized Communications

- Time to respond to client calls/emails
- Letters of engagement
- Letters informing client of developments in the case
- Letters informing client of changes in the law
- Letters integrating checklists for applications and remedies (client "to do" list)
- Deadlines, statutes of limitations internally and with client
- Case closures with grant of immigration benefit or termination

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Question for Jeff

You've been assisting CLINIC affiliates for 17 years. How have you seen case selection work well and possibly not so well?

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Case Selection

- What does the mission, manual and supervisor say about the kind of cases staff should take?
- Is an "any and all" approach wise?
- Is "let the staff decide on their own" approach wise?
- What are the staff time demands and financial consequences of your selection?

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Considerations for Case Selection

- Staff availability and expertise
- Conflicts of interest
- Client income
- Availability for better representation elsewhere
- Needs/special needs of clients
- Likely success of the case
- Agency financial circumstances

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Scope of Representation

- What is the extent of your immigration services to your clients?

  Terms:
- Pro se
- Assisted pro se
- Limited scope representation
- Full representation

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Scope of Representation: Practice before USCIS

- Submitting Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative
  - Pros: Can track case, communicate with CIS, submit additional evidence, attend CIS interviews with clients, advocate as a legal rep.
  - Cons: More management time, service hours lengthen,

  Advisory warning:

  Revised 8 CFR 292.3 adopts grounds of discipline under 8 CFR 1003.102
    - Sanctions for failing to file Notice of Appearance if engaged in practice or preparation

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Intake

- With whom and how do potential clients first interact with agency?
- Who preps potential client to arrive prepared
- What happens during first meeting?
- How, when, who decides to represent the potential client or not? How is this communicated to a potential client?
- 100% eligible, ready, paid – 10 days to file

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Intake Procedures

- Appointment vs. Walk-in Model or both? (true for clinics, workshops and in-office visits)
- Who is the best person to do intake?
- Forms/tools (e.g. checklists)
- Referral lists that are open and appropriate

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Appointment Model

- Some Pros:
  - No need for a large waiting room and less space needed for confidential interviews
  - Less stressful for staff and they can maintain more control over their time
  - Client confident in being seen on time
- Some Cons:
  - No-show rate
  - Appointment calendar may fill up far in advance
  - Staff time needed to monitor and maintain appointment calendar
  - Fewer clients helped

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Walk-In Model

- Some Pros:
  - No staff time spent scheduling appointments and maintaining calendar
  - Convenient for clients
  - Staff may gain wider experience due to diversity of types of cases presented
  - Access to greater number of immigrants can mean more immigrants helped
  - Greater visibility for program in community
- Some Cons:
  - Need for larger waiting area and more confidential interview space
  - Clients have to wait to be seen and may not be seen
  - Safety and security issues because of larger number of people waiting
  - Hard to predict day-to-day volume of clients and demand
  - Usually more work for staff to juggle

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Domestic Violence Cases – Special Concerns

- Specialized training for staff
  - Cultural competency with DV survivors
- Confidentiality
- Explaining options, benefits and risks
- Safety planning
  - Client, caseworker, agency staff
- Subpoenas for documents and case file
- Collateral legal issues and litigation
- Wrap-around services and good referrals

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Intake Form

- Consultation concludes eligibility for benefit and agency services, plus immigration
- Conflicts of interest check
- Personal information
- Family information
- Immigration status and history
- Brevity vs. Length
- Sample at:

https://cliniclegal.org/resources/othergeneral/immigration-case-management-tools

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Questions?

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