



COMMONWEALTH of VIRGINIA
Department for the Aging

[Click here to go to the Virginia Department for the Aging Home Page](#)

TABLE OF CONTENTS
AAA TUESDAY E-MAILING
March 17, 2009

SUBJECT	VDA ID NUMBER
<u>Educational Brochure: Economic Stimulus Package – Single Payment to Older and Disabled Persons</u> (Bill Peterson)	09-87
<u>Caregiving</u> (Ellen Nau)	09-88
<u>VAIRS Annual Conference, May 1st, 2009</u> (Pat Cummins)	09-89
<u>Training Opportunity – April 17, 2009 • 10AM to 12 Noon</u> <u>[Legal Assistance Service Standard (Revised Form – Effective 1/1/09)]</u> (Janet James)	09-90

Note: The web addresses (links) in this document may change over time. The Department for the Aging does not attempt to refresh the links once the week has passed. However, this document is maintained on the web for a period of time as a reference. Some links may require registration.

1610 Forest Avenue, Suite 100, Richmond, Virginia 23229
Toll-Free: 1-800-552-3402 (Voice/TTY) • Phone: 804-662-9333 • Fax: 804-662-9354
E-mail: aging@vda.virginia.gov • Web Site: www.vda.virginia.gov



09-87

COMMONWEALTH of VIRGINIA
Department for the Aging

MEMORANDUM

TO: Directors
Area Agencies on Aging

FROM: Bill Peterson

DATE: 3/17/09

SUBJECT: Educational Brochure: Economic Stimulus Package – Single Payment to Older and Disabled Persons

Refer to Tuesday Emailing #09-76 sent out on 3/4/09 for details about the impact of the stimulus package (the American Recovery and Reinvestment Act or ARRA) on older citizens, particularly the one-time \$250 payment from the feds that will be going out later this year to older and disabled Virginians.

Below is a link to an 8 page brochure developed by the Social Security Administration that discusses distribution of the one-time payment in greater detail. You may find this brochure a useful educational tool to distribute to meal sites, senior centers, and other venues where older citizens gather. You may also want to reproduce this information in your newsletter.

As a reminder, eligible individuals will receive a one-page notification of their payment through the mail in April, and the payments are supposed to actually arrive in May. The linked brochure will not be mailed to eligible individuals, but is available to AAAs and other service providers. You may also obtain printed copies for distribution.

If you would like printed copies of the brochure, email *Lauren Hawkins* at Lauren.Hawkins@ssa.gov. Or call her at 410-965-8726. To download a copy of the brochure go to: <http://www.socialsecurity.gov/pubs/10519.pdf>.



09-88

COMMONWEALTH of VIRGINIA
Department for the Aging

MEMORANDUM

TO: Executive Directors
Area Agencies on Aging

FROM: Ellen Nau, Human Services Program Coordinator

DATE: March 17, 2009

SUBJECT: Caregiving

Brookdale National Respite Program

A request for proposals for the development of new dementia-specific, social model day programs has been issued to qualified organizations by The Brookdale Foundation Group. The Foundation will fund up to 40 new Brookdale National Group Respite Programs or Early Memory Loss Program sites nationwide. New grantees will receive seed grants (\$7,500 in year one, renewable at \$3,300 in year two), will attend a three-day training conference in October 2009, and will receive intensive technical assistance in developing their new Group Respite or Early Memory Loss programs. Applications are due by Wednesday, July 1, 2009. Please see the information attached to this email.

Brookdale National Group Respite Program FOR ALZHEIMER'S FAMILIES

Technical Assistance Office • 2320 Channing Way • Berkeley, CA 94704 • (510) 540-6734 • Fax (510) 540-6771

March 3, 2009

MEMORANDUM

To: Colleagues in Aging and Nonprofit Networks
From: Carmen Mendieta, Director
Re: Grants Available for the Start-up of Dementia Day Programs

We are pleased to announce that The Brookdale Foundation Group will be making grants available to qualified organizations for the development of new dementia-specific, social model day programs. Enclosed is a press release, to help you publicize this opportunity and a Book Order Form of free publications to assist agencies in planning new day programs.

The Request for Proposals (RFP) is now available to fund up to 40 new Brookdale National Group Respite Programs or Early Memory Loss Program sites nationwide. New grantees will receive seed grants (\$7,500 in year one, renewable at \$3,000 in year two), will attend a three-day training conference in October 2009 and will receive intensive technical assistance in developing their new Group Respite or Early Memory Loss programs.

Applications are due by Wednesday, July 1, 2009, with the announcement of new grantees to be made in September. Funding will begin in November 2009. Interested agencies may request a grant application and proposal guidelines from the above address in Berkeley, CA or download them from The Foundation's website at: www.brookdalefoundation.org.

Since 1989, we have funded more than 300 agencies to begin social model, dementia-specific respite services in communities throughout the U.S.

Thank you in advance for your assistance in disseminating information about the Brookdale National Group Respite Program, and the 2009 RFP. Please call me at (510) 540-6734 if I can provide you with any additional information.

Enclosures

Brookdale National Group Respite Program

FOR ALZHEIMER'S FAMILIES

Technical Assistance Office • 2320 Channing Way • Berkeley, CA 94704 • (510) 540-6734 • Fax (510) 540-6771

March 3, 2009

For Additional Information Contact: Carmen Mendieta,
Director, Technical Assistance Office
(510) 540-6734

FOR IMMEDIATE RELEASE

Grants Available for the Start-up of Dementia Day Programs

The Brookdale Foundation Group has issued a Request For Proposals (RFP) for the start-up of social model Group Respite or Early Memory Loss programs for people with Alzheimer's disease and their family caregivers. In November 2009, The Foundation will be awarding up to 40 seed grants for the development of dementia-specific Group Respite programs or specialized programs for people with Early Memory Loss. The seed grants are \$7,500 for the first year with an opportunity for a second year grant of \$3,000. Any 501(c)(3) or equivalent not-for-profit service agency wishing to develop a social model, day program for Alzheimer's families is invited to apply. Proposals are due at The Brookdale Foundation office in New York on Wednesday, July 1, 2009. Award announcements will be made in September.

Applications for the dementia-specific Group Respite program should be based on the best practices discussed in the manual, *How to Start and Manage a Group Activities and Respite Program for People with Alzheimer's and Their Families*. For programs focusing on Early Memory Loss, a replicable model is outlined in the guide: *How to Plan and Implement an Early Memory Loss Program*. To order either of these free publications or to download an RFP application and guidelines, visit www.brookdalefoundation.org. To obtain a hard copy of the RFP and guidelines, contact Evelyn Yuen, TA Resources Manager, BNGRP, 2320 Channing Way, Berkeley, CA 94704, **phone** (510) 540-6734, **fax** (510) 540-6771, **e-mail**: ey@brookdalefoundation.org.



09-89

COMMONWEALTH of VIRGINIA
Department for the Aging

MEMORANDUM

TO: Executive Directors, Information & Referral Assistance Specialists, and
Care Coordinators
Area Agencies on Aging

FROM: Patricia Cummins

DATE: March 17, 2009

SUBJECT: VAIRS ANNUAL CONFERENCE, MAY 1ST, 2009

The Virginia Alliance of Information and Referral Systems (VAIRS) is holding a one-day spring training and education conference on **Friday, May 1st in Richmond** at The Sheraton Richmond West Hotel in Richmond. The conference theme is "Weathering the Storm". Registration information and details are attached.

VAIRS has included many timely topics of interest including workshops on Disaster and the National Incident Management System, Challenges Facing I & R, No Wrong Door and the Aging Population, Best Practices in Aging I & R, and Veterans Services.

Note that the Best Practices in Aging I & R workshop features Mike Guy, Executive Director of the District III Governmental Coop, Mary Jane Barney-Butler, Elder Choices Coordinator at the Loudoun County AAA, and Bernice Hutchinson, Policy Advisor at NASUA. Also, Charlene Cole, VDA's No Wrong Door Coordinator will discuss the NWD initiative. We encourage you to join your I & R and aging network colleagues from around the state to hear these and other presenters!

To register (April 20th cut-off), please follow instructions in the brochure.

Please forward this information to appropriate staff.

We hope to see you there!



V.A.I.R.S. Virginia Alliance Of Information & Referral Systems

Spring 2009 Training &
Education Conference

“Weathering the Storm”

Friday, May 1st, 2009
Richmond, VA

Sheraton Richmond West Hotel
6624 West Broad Street
Richmond, Virginia 23230
800-325-3535

VAIRS PURPOSE

To increase general community awareness and utilization of Information and Referral (I&R) services, improve the quality of information and referral through education, training and advocacy, foster better communications and relationships among information and referral providers, provide members with information on new human services and changes in existing services, and assist members to meet and maintain national information and referral standards as set by the Alliance of Information and Referral Systems and the national 2-1-1 collaborative.

VAIRS INFORMATION

For more information about VAIRS, visit www.vairs.org or contact VAIRS President Joan Phelps (434) 455-6906 or joan.phelps@unitedwaycv.org

CONFERENCE INFORMATION OR SPECIAL REQUESTS

If you have any questions, or need special accommodations, please contact Kristi Stilen-Lare Kristi@LoudounCares.org or (703) 669-2352

The registration deadline is **APRIL 20th, 2009** so mail your Registration Form TODAY!!

HOTEL INFORMATION:

VAIRS has secured a conference rate of \$99.00, plus tax, at the Sheraton Richmond West Hotel. You can call the hotel (800-325-3535) and mention VAIRS to get the special rate, or get the special rate online by going to:

<http://www.starwoodmeeting.com/StarGroupsWeb/res?id=0902270047&key=29EA4>

AIRS testing will be available at the conference!!

Conference registration does not constitute registration for AIRS Certification exams. If you are interested in testing, all certification materials, including the application, supporting documentation and appropriate exam fees **must be mailed to the AIRS National Office in Fairfax, VA, and must arrive by April 1, 2009, 30 days prior to the exam.** **DO NOT** send your application for Certification with your conference registration.

Spring 2009 Conference Schedule

- 8:30am Registration & Continental Breakfast
- 9:00am-11:00am AIRS TESTING— Testing begins at 9:00AM sharp so it is recommended that anyone taking the exam arrive no later than 8:30AM to allow ample time for check-in, locating the testing room, etc.
- 9:30am **Session 1:**
What's In Your I&R Toolbox? Presented by Sharon Doner-Feldman, President, Training For You
Introduction to Disaster and the National Incident Management Systems (NIMS) Process – Part I
Assisting Military Veterans Presented by Mary Livingston Azoy, Director of Community Education and Crisis Response at CrisisLink
- 11:00am **Session 2:**
No Wrong Door & The Aging Population Presented by Charlene Cole, No Wrong Door Coordinator, Virginia Department for the Aging
Working with the Suicidal Caller: Best Practices in Lethality Assessment Presented by Margaret Mathis, Director of Hotline Services and Training, and Emily Allen, Hotline Trainer, from CrisisLink
Shelter from the Storm: Difficult Interactions Presented by John Plonski, Database & Training Coordinator for Covenant House
Introduction to Disaster and the National Incident Management Systems (NIMS) Process – Part II
- 12:30pm ❖ Lunch & Keynote Address delivered by *Cathy Wilson, Executive Director of the Wounded Warrior Program*
❖ VAIRS Annual Business Meeting and Election of Board of Directors
- 2:00pm **Session 3:**
Roundtable Discussion on Veteran Services Presented by Cathy Wilson of the Wounded Warrior Program and featuring Veteran Services Advocates from around the Commonwealth
Doing More with Fewer Resources: Stormy Weather on the Sunny Side of the Street Presented by John Plonski, Database & Training Coordinator for Covenant House
Best Practices in Aging I&R Presented by Bernice Hutchinson, Senior Policy Advisor at the National Assoc. of State Units on Aging, Mary Jane Barney-Butler, Elder Choices Coordinator at the Loudoun County Area Agency on Aging, and Mike Guy, Executive Director of the District Three Governmental Cooperative
Connecting Faith-Based and Community Organizations to Workforce Development through the SHARE Network and 2-1-1 VA Presented by Kathy Thompson, State SHARE Network Coordinator
- 3:30pm Closing Remarks from VAIRS President Joan Phelps

For detailed seminar descriptions and speaker bios, please visit
www.VAIRS.org

VAIRS 2009 CONFERENCE REGISTRATION FORM – PLEASE use ONE form per person

Name:	
Title:	
Agency:	
E-mail:	
Phone#:	
Mailing Address:	

VAIRS Spring 2009 Conference

Friday, May 1st, 2009-- **PLEASE Select 1 Option:**

_____ **\$40** for AIRS Members

_____ **\$80** Non-members of AIRS – or go to www.airs.org to get a Basic AIRS membership for \$50

_____ **\$25** Fee for those not attending VAIRS conference and only taking a certification exam

The AIRS Certification Exams will be administered from 9:00am-11:00am. **If you are taking the exam you are encouraged to arrive no later than 8:30am.** Only candidates accepted by the AIRS National Office in Fairfax, VA will be admitted to the exams.

Registration must be postmarked by APRIL 20th, 2009

To Register-- Complete the Registration Form (one form for each conference attendee) and mail with payment to:

Loudoun Cares
ATTENTION: Kristi Stilen-Lare
PO BOX 83
Leesburg, VA 20178

REGISTRATION IS NOT COMPLETE UNTIL PAYMENT IS RECEIVED

Cancellations: If VAIRS receives a written notice of cancellation by April 23, 2009 the registration fee will be returned less a \$10 processing fee. Sorry, no refunds after that date.

QUESTIONS??? If you have any questions, please contact Kristi Stilen-Lare at (703) 669-2352 or via e-mail at Kristi@LoudounCares.org



09-90

COMMONWEALTH of VIRGINIA
Department for the Aging

MEMORANDUM

TO: Executive Directors
Area Agencies on Aging

FROM: Janet James, Esq. – State Legal Services Developer, Public Guardian
Program Coordinator

DATE: March 17, 2009

SUBJECT: TRAINING OPPORTUNITY – April 17, 2009 • 10AM to 12 Noon
[Legal Assistance Service Standard (*Revised Form* – Effective 1/1/09)]

Attached is the revised service standard for *Legal Assistance* in effect as of January 1, 2009 (Please reference my prior email on this subject dated 10/15/08).

VDA is offering step by step training on this revised service standard. Training will be held at VDA on Friday April 17, 2009 from 10:00 a.m. until 12 Noon. Video conferencing will also be available if you submit the name and location of the local health department, including contact person, you plan to use by March 31, 2009.

Also attached is a registration form. Please fax completed registration forms to (804) 662-9354, to the attention of Janet James. If you have questions, please contact me at (804) 662-7049 or by email at janet.james@vda.virginia.gov.

It is a pleasure to serve you.
Thank you.

LEGAL ASSISTANCE
VIRGINIA DEPARTMENT FOR THE AGING
SERVICE STANDARD¹
(Effective 1/1/09)

I. SERVICE PROVIDED

Legal Assistance funded by Title III-B of the Older Americans Act (OAA)

II. DEFINITIONS

“Legal Assistance” as defined in the Older Americans Act --

(A) means legal advice and representation provided by an attorney to older individuals (60 years of age and older) with economic or social needs; and

(B) includes--

- (i) to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and*
- (ii) counseling or representation by a nonlawyer where permitted by law.*

Public Law 109-365, §102(33) enacted 10/17/06²

In Virginia, “Legal Assistance” also may include –

Outreach to those in greatest social or economic need targeted under the Older Americans Act, education, group presentations and training designed to protect the legal rights of older adults using materials developed under the direct supervision of an attorney.

Terms used in the OAA definition of Legal Assistance have the following meanings:

- **“Attorney”** means: A lawyer licensed and authorized by the Virginia State Bar to practice law in the Commonwealth of Virginia.
- **“Nonlawyer”** means: A person who is not a licensed attorney, but who is specifically permitted by federal or state law to provide limited counseling or representation (for example representation in Social Security administrative hearings and certain other public benefit hearings).
- **“Economic Need”**: The OAA does not define this term, but it does define

¹ If you have questions about anything contained in this Standard, please contact the Legal Services Developer at the Virginia Department for the Aging

² All sections of the Older Americans Act as Amended in 2006 {Public Law (P.L.) 109-365} referenced in this Standard can be found on both the Administration on Aging and The Center for Social Gerontology web sites: http://www.aoa.dhhs.gov/OAA2006/Main_Site/oa/oa_full.asp and <http://www.tcsq.org/law/2006OAACompleteComp.pdf>

“Greatest Economic Need” as “... *the need resulting from an income level at or below the poverty line.*” (P.L. 109-365, §102(23),(43))

- * “**Social Need**”: The OAA does not define “social need,” but it does define “Greatest Social Need” as “... *the need caused by non-economic factors, which include –*
- (A) *physical and mental disabilities;*
 - (B) *language barriers; and*
 - (C) *cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, that –*
 - (i) *restricts the ability of an individual to perform normal daily tasks; or*
 - (ii) *threatens the capacity of the individual to live independently.*
- P.L. 109-365, §102(24)

“**Unduplicated Client**”: The US Administration on Aging requires states to report the numbers of “unduplicated” persons served with OAA funds. For legal assistance, this means the number of different individuals who received legal assistance from the legal provider during a federal fiscal year. For the “unduplicated count,” a client is counted only once for the year regardless of how many times the client returned that year for assistance on either the same or different legal issues. Thus the number of “cases” handled by a legal provider is often greater than the number of “unduplicated clients.”

III. ELIGIBLE POPULATION

As defined in the OAA, Legal Assistance is for *persons aged 60+ “in social or economic need.”* The Act further specifies that services be particularly targeted to older individuals: with greatest economic need; with greatest social need; at risk for institutional placement; with limited English proficiency; low-income minority older individuals; and, those residing in rural areas. (See for example, P.L. 109-365, §306(a)(4)). In Virginia, residents of long-term care facilities are also a very important group to be targeted for legal assistance.

However, while the Act requires that these groups be particularly targeted for service, mechanisms to achieve targeting may not include the use of a means test. Allowable and effective mechanisms to achieve targeting without means testing include strategic outreach to specific target groups of older persons and/or persons who work with them, and focusing on particular types of legal issues that reflect the most critical and basic needs of the target populations, for example public benefits, housing, and long term care.

IV. SERVICE DELIVERY ELEMENTS

A. TYPES OF LEGAL ASSISTANCE PROVIDERS

Legal assistance must be provided by an attorney or by a paralegal/law student

under the direct supervision of a licensed attorney. The Act calls for Area Agencies on Aging (AAAs) to select as their legal assistance provider the entity that is best able to provide the targeted legal services described in the Act. Examples of things to consider in selecting the “best entity,” include such things as the capacity of the provider to:

- ◆ Protect the autonomy, dignity and independence of vulnerable older persons;
- ◆ Focus outreach and service on those in the greatest social and economic need – often those least able to advocate on their own behalf;
- ◆ Foster cost-effective, high quality legal services, having maximum impact on those in greatest social and economic need and their most critical legal needs;
- ◆ Assist vulnerable older persons in preventing legal problems through education and outreach; and
- ◆ Be accessible throughout the Planning and Service Area (PSA), particularly to the target populations specified in the OAA.

See the OAA, P.L. 109-365, §307(a)(11) for required contract provisions or contact the State Legal Services Developer at VDA for technical assistance (see Footnote 1).

AAAs can accomplish this through one, or a combination, of the following methods:

1. CONTRACT WITH A LEGAL AID FUNDED BY LEGAL SERVICES CORPORATION (LSC).
This means that the AAA contracts with an existing licensed local legal aid program that is funded by the LSC and operates in accordance with Federal law.
2. CONTRACT WITH A LEGAL AID NOT FUNDED BY LSC.
This means that the AAA contracts with an existing licensed local aid program that is not funded by the LSC. In this case, the OAA requires the Legal Aid not funded by LSC to coordinate services with any existing LSC-funded program in the area (usually a different local legal aid program) in order to maximize the use of limited OAA Title III-B funds.
3. STAFF ATTORNEY HOUSED IN AAA:
This means an attorney employed by the AAA who provides legal assistance directly to older clients in social or economic need. In this case, the OAA requires coordination of services with an existing LSC-funded program (usually a local legal aid program) in order to maximize the use of limited OAA Title III-B funds. It is important that, under this model, the attorney not serve as in-house counsel to the AAA. Further, under the OAA, the AAA would need a waiver from VDA in order for the AAA staff attorney to provide direct service to clients.
4. CONTRACT WITH A PRIVATE ATTORNEY.
This means that the AAA contracts with a private attorney to provide legal assistance to older clients in social or economic need. In this case, the

OAA requires coordination of services with an existing LSC-funded program (usually a local legal aid program) in order to maximize the use of limited OAA Title III funds.

5. CONTRACT WITH A LAW SCHOOL CLINICAL PROGRAM.

If an AAA is considering a law school, please contact the Legal Services Developer at VDA (see Footnote 1)

In all cases where practical, an attempt should be made to involve the private bar in legal assistance activities, including groups within the private bar willing to furnish legal assistance to older adults on a pro bono or reduced fee basis.

B. PRIORITY SERVICES:

The Older Americans Act uses the term “priority services” in two ways.

First, it designates legal assistance services as one of three priority services (access, in-home, and legal) that in the absence of a waiver from VDA, must be funded by every AAA. At a minimum, each AAA must fund each of the priority services at a base level established by VDA. The current base level for Virginia is 1% of Title III-B allocated funds. However, AAAs are permitted and encouraged to increase the base level as appropriate.

(P.L. 109—365 §306(a)(2), §307(a)(2)(C))

Second, the Act addresses the types of legal issues that are to receive priority in delivering services. It requires that in funding legal assistance services, area agencies “... *give priority to legal assistance related to income, health care, long-term care, nutrition, housing, utilities, protective services, defense of guardianship, abuse, neglect, and age discrimination.*”

(P.L. 109—365 §307(a)(11) (E))

C. OUTREACH TO TARGET GROUPS, EDUCATION, TRAINING & PRESENTATIONS:

Recognizing that OAA III-B resources are inadequate to meet the legal needs of all older persons, legal assistance services must be particularly targeted to older persons in greatest economic and social need. The OAA specifies a number of target groups, with emphasis on low-income older persons, low-income minority older persons, older persons with limited English proficiency, and those residing in rural areas. Often, the target populations don’t recognize their problems as being legal in nature and don’t know where or how to access affordable legal services. Further, they are often the least able to advocate on their own behalf, while they are the most difficult to reach and serve. Targeted outreach and strategic education/presentations on critical legal issues affecting the most vulnerable older persons are essential to effective targeting. This type of outreach and education is best achieved through joint planning by the AAA and legal provider and coordinating efforts to conduct outreach and education. Qualified individuals will conduct outreach, education and training, and legal training materials will be developed under the direct supervision of an attorney.

D. PROHIBITED SERVICES:

Legal Assistance will not be provided for:

- Any criminal matter;
- Any civil action involving post criminal conviction relief;
- Any action concerning euthanasia or abortion;
- Any strike, boycott, picketing or demonstration; or
- Any illegal activity.

See 42 United States Code §2996e; 42 United States Code §2996f and 42 United States Code (USC) §14404.

Further, the OAA Regulations (Title 45 Code of Federal Regulations (CFR), §1321.71(g)-(k)) include prohibitions specific to III-B legal assistance providers and the use of III-B legal assistance funds. These include:

- Providing legal assistance in fee-generating cases, with certain exceptions (45 CFR §1321.71(g));
- Engaging in specified prohibited political activities (45 CFR §1321.71(h));
- Engaging in lobbying activities as described in the Regulation (45 CFR §1321.71(i));
- Participating in any public demonstrations, boycotts, etc. as described in the Regulation (45 CFR §1321.71(j));
- Paying dues exceeding \$100 to any organization (other than a bar association) that engages in the above prohibited activities (45 CFR §1321.71(k)).

V. ASSESSMENT:

The Virginia Service Quick Form (July 2008)³ is used for legal assistance services. Federal poverty should be determined and documented on this form.

A. ADMINISTRATIVE/REPORTING ELEMENTS

1. UNITS OF SERVICE DEFINED:

As used here, “unit of service” is for reporting purposes only, not for billing purposes. Under the Administration on Aging NAPIS reporting system, a unit of service for legal assistance is one hour. What this means is that each hour of providing legal assistance (including such things as case preparation, legal research, drafting documents, preparing materials for outreach/community education, conducting the outreach/education, etc.) is equal to the corresponding number of “units.”

2. PROGRAM REPORTS:

³ The Virginia Service Quick Form was revised in July 2008 to make clear that name, address and telephone numbers are not permitted for Legal Assistance and Elder Abuse Services. In order to protect client confidentiality and the attorney-client relationship, a unique number (or numbers and letters) should be used to track services and outcomes.

Information to be reported is captured at three different points: (a) at client intake; (b) at case closing; and (c) when special outreach/community legal education activities are conducted.

(a) At Client Intake: At the time of client intake, a client- specific assessment should be performed to capture information relevant to targeting and needed for reporting. This includes:

- Client demographics/characteristics such as age, gender, ethnicity, race; and
- The type of legal issue on which the client is seeking assistance.

(b) At Case Closing: Information to be captured at the time of case closing includes:

- The type of legal issue on which service was provided to the client;
- The outcome of the service for the client; and
- The total number of hours (“units”) spent by the provider on the client’s case.

(c) When Special Outreach/Community Legal Education Activities are Conducted: Information to be captured will include:

- Dates and locations of outreach and educational activities;
- Type of outreach conducted or topic of educational presentation;
- Specific groups targeted by the outreach or types of persons attending the educational activity;
- Estimated number of people reached through the outreach or educational activity;
- Estimated number of hours spent in preparation, travel, and conduct of the outreach or educational activity.

3. INFORMATION REPORTED TO VDA & DUE DATES

The information that must be reported by AAAs to the Virginia Department for the Aging (VDA) includes:

- Number of “Unduplicated” Clients/Persons Served. *See the definition of “unduplicated” under roman numeral II above.*
- Number of Hours/“Units of Service” provided. *See definition of “unit of service” under V.A. 1. above.*

Due Dates: Aging Monthly Report (AMR) must be submitted monthly to VDA by the 12th day of the following month. Client level data must be transmitted to VDA by the last day of the following month.

Optional Group Units cannot be entered into AIM/NWD tools but may be reported on the AMR Optional Unit Report. These include:

- Group Participants – Number of people attending a presentation, meeting or program provided to more than one person.
- Group Presentations – Number of education/training group presentations on legal assistance topics.

B. QUALITY ASSURANCE & CAPACITY

1. LEGAL ASSISTANCE PROVIDER/STAFF QUALIFICATIONS:

AAAs are to select as their legal providers, the entity that best meets certain capacity criteria that are important to quality assurance. Examples of important elements of quality assurance include:

- All attorneys are licensed to practice law in the Commonwealth of Virginia and adhere to the Virginia Rules of Professional Conduct and all professional regulatory requirements to practice law in the Commonwealth;
- Program staff (including attorneys and paralegals) have experience in serving older adults, and knowledge and understanding of legal issues most critical to those in greatest social and economic need;
- Programs have mechanisms in place to protect against conflict of interest and to assure client confidentiality.

2. CRIMINAL BACKGROUND CHECKS:

VDA strongly recommends that the agency and its contractors protect their vulnerable older clients by conducting criminal background checks for staff providing any service where they visit or enter a client's home.

3. STAFF TRAINING:

At a minimum, legal provider staff must meet continuing legal education requirements to practice law in the Commonwealth. In addition, they should have sufficient training to remain current on the most critical legal issues affecting older persons in greatest economic or social need.

4. PROGRAM EVALUATION (BEST PRACTICE RECOMMENDATION):

The agency should conduct regular and systematic analysis of the persons served and the impact of the service. Service providers should be monitored annually. Evaluation may include client satisfaction surveys.

5. RECORDS:

The AAA or service provider must maintain specific program documentation that includes:

- A unique identifier for each client served (e.g. case number)
- Virginia Service Quick Form or electronic data equivalent
- Service provided and case outcome if applicable

Acknowledgment

VDA gratefully acknowledges the assistance of The Center for Social Gerontology, Administration on Aging, Virginia Poverty Law Center, Virginia Area Agencies on Aging and Legal Aid Programs of Virginia for legal research, formatting and other valuable contributions to this Legal Assistance Service Standard revision.