



CASE SERVICE REPORTS: HOW TO USE THEM AND HOW NOT TO

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We all know what it looks like, and many of us have had the unhappy experience of trying to explain its codes, letters and numbers to board members and new staff: The Case Service Report, or CSR. We have also tried to tell hostile LSC monitors why they should not pay too much attention to the CSR. Among its many other defects, we know that one “case” on a CSR could be a U.S. Supreme Court decision or an agreed order in the local small claims court. The closing categories are ambiguous. “Advice” to one case handler or office could be “client withdrew” to another. And, of course, the little columns and lines do not measure benefit: A lawyer who closed three cases may accomplish far more for clients than one who closed 150.

The CSR system produces crude, easily manipulated data that often have been misunderstood and deliberately misused. Standing alone, the report is virtually useless as a tool for evaluating the quantity or benefit of the work a legal aid organization does. Does that mean we should just run the CSR numbers once a year and send them to LSC? No.

When used the right way, the CSR report can offer valuable insight into what staff, offices and the whole firm is doing. It can be part of an overall commitment to self-evaluation and can help legal aid providers take an important step toward understanding that who gets served, what kind of cases get handled, and how they get handled are the result of conscious or unconscious decisions. We can make different decisions, which can produce different results.

We should use the CSR reports more effectively for three reasons. First, in most legal aid firms, they are all we have. With a little more thought and effort, they can help staff and leaders know more about what they are doing and show useful comparisons within the firm and with other providers. Second, the CSR can offer useful information about an advocate’s or firm’s work, and identify important questions that we ought to ask about what cases we handle, how we handle them, and for whom. Finally, a candid look at data

from different CSR reports can be a small step toward making self-evaluation part of a legal aid organization’s culture.

Using the report effectively demands attention to two key words: comparison and question. The CSR report, standing alone, has little value. As a tool for *comparison*, it can suggest important questions a leader or advocate should ask. *Question* is the second key word. The CSR report alone cannot establish whether a set of numbers is good or bad. A leader should not automatically conclude that a lawyer who closed three cases last year has done something wrong. It is not only OK, but necessary to ask why only three cases have been reported. If those cases involve creating a new low-income credit union, establishing a tenant-owned apartment complex and litigating a challenge to a public housing policy in federal court, then any firm could be proud of that advocate’s work. Legal aid providers should not fear low numbers when they are doing something else worthwhile with their time. It will not take much effort to explain to a funder or board member or other staff why those three cases are not only acceptable, but outstanding.

When used the right way, the CSR report can offer valuable insight into what staff, offices and the whole firm is doing.

The CSR’s use as a tool for comparison is perhaps its most valuable and least-used capability. Using the CSR database, it is interesting and informative to run reports on subgroups within the firm, and on different groups of clients. Here are some different reports the data might produce:

Advocates

A firm should routinely run a CSR report for the past year - or past quarter, or past month - for each individual advocate. Are advocates in similar situations handling cases differently, or handling different types of cases, or representing different types of clients?

Does one advocate close 95% of consumer cases as advice, and another 50%?

Does one advocate close 95% of *all* cases as advice, and another 50%?

Why, in the same unit in the same office, are 40% of one advocate's clients of one race, and 10% of another's?

(I will not say this after every example, but the reader should keep in mind that all these statistics suggest only questions, not conclusions. Even the most suspicious differences may exist for good reasons. The firm should have a way to look behind the numbers. The numbers tell what to ask, and leaders ought to be able to explain the answers.)

Local offices or units

A year's CSR report on each office or unit suggests some of the same questions listed above, and might offer different questions to explore.

Why does one office have a caseload that is 30% health care cases, and another only 2%?

Why does one office close 20% of its AFDC/TANF cases as extended service, and another none?

Race and Ethnicity

It can be informative to produce CSR reports that allow a legal aid firm to identify any differences in how cases are handled by race or ethnicity.

Does a firm know whether it has any significant difference in the percent of cases closed by extended service between white, black and Hispanic clients?

Do individual advocates, offices or units vary significantly in the way they close cases for different client populations, by race, geography, age or gender?

Are there types of cases — housing, welfare, consumer — that advocates, offices or the firm handle differently for different client populations?

Geography

All these questions can be applied to geography. A rural program, especially, ought to run annual CSR reports by county or other geographic divisions.

Do staff close more cases by advice in the county that is 80 miles away, than in the local county?

Do people in different counties receive help on significantly different types of cases?

Time

A firm's leaders can gain more information by looking at these questions over time. The reports described above, run for different periods of time, can show what kinds of changes are taking place. If no changes are taking place, is the firm keeping up with emerging client needs and changing client populations?

Are the types of closed cases changing by category? Look inside case categories: Is a drop in public housing cases a result of a deliberate priority decisions, or good behavior by the PHA, or a reflection of staff interest? Did the firm close two AFDC cases by court decision last year, and ten times that number ten years ago?

Has the percentage of "extended service" closings by an individual advocate or office or firm's closed cases changed significantly over the past five or ten years?

Has the kind of cases or the reason for closing changed over time for different client populations — by race, or county, or gender?

Conclusion and Caution

The most important value of doing more with CSR data may not lie in gaining new information, but in encouraging self-evaluation and a deliberate, proactive approach to client service. Legal aid firms should demonstrate a commitment to knowing as much as possible about what they are doing, how and for whom. When they look at that information, even in a format as crude as the CSR report, they gain not just information, but the ability to change.

Ironically, a few legal aid leaders have rejected the use of CSR data because of the fear that the examination will change behavior. There is a concept in physics — the Heisenberg Uncertainty Principle — that says that observing a particle can change its behavior. Some directors fear that counting cases will just make staff want to produce more cases. This may not be a bad thing for some staff, but it may not be the best result in some situations. If the firm's leaders present the information effectively, changing behavior can be a good thing for the organization and its clients.

When I encountered a director who refused to give evaluators CSR data because of the Heisenberg Uncertainty Principle — and as Dave Barry says, I am not making this up — I asked my son, then a college physics major, how to answer that concern. He said, "Tell him that people are not particles. Good lawyers

ought to be able to use new information the right way and good leaders ought to be able to make sure they do”

If a firm knows that it is closing 10% of its housing cases for black clients by extended service, and 40% of its housing cases for white clients by extended service, it can ask why and, if necessary, do something about it. If it has made health access a priority, and learns that 25% of one branch office’s cases involve health access, and another only 2%, it can identify the practices that produced that result and encourage others to use them. If it knows that in the same benefits unit, one advocate closes 10% of his cases by court decision, and another hasn’t had a court decision in five years, it can ask questions about the difference and do something about it if necessary.

This information can help a program understand itself and help leaders recognize that, consciously or unconsciously, they are making choices about what they do for clients. Having the information should give a firm and its leaders a more affirmative sense of the

choices they can make. This information can reinforce the recognition that a firm can do something to change the good or bad practices it finds from such data, and help it actively shape how it serves clients.

Legal aid firms make choices every day about who gets served and what they get. Firms, offices and advocates make choices every day that determine the kind of benefits they will produce for clients. CSR reports, when used in a more sophisticated, analytical way, give a firm the opportunity to look more deliberately at the impact of these decisions. This information can give the firm more active control over what it does for clients and help promote a culture of self-examination and active engagement with clients and their communities.

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Sample Case Service Report														
<i>Basic Field</i>	Counsel & Advice A	Brief Servc B	Refd C	No Merit D	Client w/Drew E	—Negotiated— No Lit F		Lit G	Agency Decis H	Court Decis I	Change Elig J	Other K	Total Closed Cases	CSR
CONSUMER														
Bankruptcy	111	1	0	0	0	0	0	0	0	2	0	0	114	01
Collection	51	7	0	1	1	3	7	0	1	0	0	3	74	02
Contract/Warranty	10	2	0	2	0	2	1	0	2	0	0	1	20	03
Credit Access	2	0	0	0	0	0	0	0	0	0	0	1	3	04
Unfair Sale Pract	1	0	0	0	0	0	0	0	0	0	0	0	1	08
Other Consumer	8	1	0	0	0	0	0	0	0	0	0	0	7	09
Subtotal	181	11	0	3	1	5	8	0	5	0	0	5	219	
EDUCATION														
Education	0	1	0	0	0	0	0	0	0	0	0	0	1	11
Subtotal	0	1	0	0	0	0	0	0	0	0	0	0	1	
FAMILY														
Adoption	1	0	0	0	0	0	0	0	0	0	0	0	1	30
Custody Visit	12	0	0	0	0	0	0	1	0	0	0	15	31	
Divorce	29	5	0	0	6	0	1	0	10	0	0	0	51	32
Spouse Abuse	380	15	0	1	9	0	4	0	58	0	0	13	480	37
Support	2	2	0	0	0	0	0	2	0	0	0	1	7	31
Other Family	3	1	0	0	0	0	0	0	0	0	0	0	4	39
Subtotal	427	25	0	1	15	0	5	2	69	0	0	14	558	
HEALTH														
Medicaid	101	76	0	1	1	1	1	36	2	0	0	0	223	51
Medicare	10	46	0	1	0	0	0	0	0	0	0	0	57	52
Other Health	1	0	0	0	0	0	0	1	0	0	0	0	2	59
Subtotal	112	124	0	2	1	1	1	39	2	0	0	0	282	
HOUSING														
Fed Sub Hous	43	26	0	1	2	11	35	2	21	0	0	0	141	61
Homeowner	23	10	0	1	2	8	7	0	6	0	0	5	62	62
Landlord/Ten	48	10	0	0	1	4	6	0	1	0	0	0	72	63
Oth Pub Hous	0	0	0	0	0	0	1	0	0	0	0	0	1	64
Other Housing	0	0	0	0	0	1	0	0	1	0	0	1	3	89
Subtotal	112	124	0	2	5	24	51	2	29	0	0	6	279	
INCOME MAINTENANCE														
Food Stamp	0	0	0	0	1	0	0	1	0	0	0	0	2	73
SocSecurity	14	73	0	0	0	1	0	8	0	0	0	0	94	74
SSI	30	82	0	0	2	0	0	14	1	0	0	0	129	75
Subtotal	44	155	0	0	3	1	0	21	1	0	0	0	225	
GRAND TOTAL	878	362	0	8	25	31	65	164	106	0	0	25	1564	