

Comments on Legal Services

Standards

#	Location	Comment	DSHS Response	Determination
1	Limitations	Will there be a limitation on the number of hours to be spent or referrals an individual may be assisted during the grant year with legal services?	No, HRSA does not specify any limitations	

2	Service Provisions	<p>Include these services.</p> <ul style="list-style-type: none"> • Provision of social service counseling or legal counsel regarding <ul style="list-style-type: none"> ○ Drafting of wills or delegating powers of attorney ○ Preparation for custody options for legal dependents including standby guardianship, joint custody, or adoption. ○ Employment, ○ Housing ○ Supplemental Security Income (SSI) and Social Security Disability (SSD) ○ Public or private health insurance coverage ○ Access to and maintenance of public benefits and entitlements 	<p>Since the list is not meant to be exhaustive, we can add the additional bullets.</p>	
3	<p>Staff Qualifications</p> <p>Volunteer legal staffs are encouraged to complete HIV-specific legal training</p>	<p>Strongly feel that volunteer legal staff should also complete the HIV specific legal training being that they will assist with legal matters.</p>	<p>I am not sure we can require volunteers to complete HIV specific legal training.</p>	

4	Case Closure - Client has not had direct program contact for over six months after multiple attempts to contact	Why six months and not less?	We can certainly make this three months	
5	Documentation in the Client's Chart -Documentation of identified need	Documentation of Need	Assuming you wish for "identified" to be deleted. That is fine.	
6	Documentation in the Client's Chart Documentation of Progress Case Notes	Progress Case Notes are important in the event that no reason was documented for case closure. Example: An individual is eligible and will receive legal services. Services were initiated in FY2015 - June 2015 and client has not had direct program contact for over five months but it is now FY2016 – November 2015.	Agreed	
7	Documentation in the Client's Chart Documentation of reason for case closure	Documentation of why case is still not closed. As indicated on example above.	Case may be closed for the following reasons: Client voluntarily discontinues the service -Client improperly uses the service -Client has not complied with the client Services Agreement Therefore, there should be documentation as to why the case is still not closed.	

8	General	<p>This seems pertinent if you have a legal staff on the payroll, how does it relate if you contract out, since we will never have enough money to pay an attorney to be on staff.</p> <p>I also don't think it is realistic to expect a volunteer attorney to provide 2 non-billable hours to receive HIV legal training. I also don't see any contracted attorney "donating" two hours to attend training on HIV. Who will provide this HIV legal training, and who will pay for it?</p> <p>My honest opinion is that this will exclude from ever being able to provide legal support to clients. It simply makes it too hard to get an attorney to volunteer their service</p>	<p>These standards cover legal services that are funded through RW/State Services; either an attorney on staff or contracted attorney.</p> <p>Attorneys are required to obtain continuing education to maintain their license, so an attorney could easily attend training on HIV. They would be responsible for paying for this training themselves since it is a requirement for licensure.</p> <p>The standards do not apply to volunteer attorneys who are offering services through Legal Aid and are performing pro bono which is where most HIV clients are being referred for assistance.</p>	
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