



Legal Services Corporation

Case Service Report Handbook

2008 Edition, 2017 Cumulative Revision

INTRODUCTORY NOTE

The CSR Handbook sets out the requirements for reporting to LSC case work done by recipients of LSC funding (grantees). It summarizes and references LSC requirements, but is not a primary source of authority for any requirements other than CSR data reporting. The LSC requirements are contained in laws, regulations, program letters, advisory opinions, grant assurances, and other materials available at www.lsc.gov. The CSR Handbook does not supersede those requirements and is not updated every time those requirements change.

LSC reissued the CSR Handbook in 2008, revised it in 2011, and has made additional revisions in 2017. Prior editions contain introductory notes regarding the changes in 2008 and 2011.

For 2017, we are updating the Handbook in four areas:

- (1) Alien Eligibility—updates to conform with the 2014 revisions to 45 CFR Part 1626 regarding citizenship and alien eligibility, including incorporation of statutory changes previously addressed only in program letters, and to incorporate criteria for Part 1626 screening for group clients stated in [Advisory Opinion 2016-003](#).
- (2) Private Attorney Involvement—updates to conform with the 2014 updates to 45 CFR Part 1614 regarding private attorney involvement, including expansion to include non-attorney service providers.
- (3) Systems and Methods for Intake—updates to incorporate [Program Letter 16-2](#) and [Program Letter 16-6](#) regarding the use of electronic signatures and automated systems for financial-eligibility data collection and screening.
- (4) CSR Legal Problem Codes—addition of two new CSR codes for future implementation.
 - 87—Criminal Record Expungement
 - 98—Tribal Court—Criminal

Additionally, we have streamlined and clarified some of the text without substantive changes.

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The Legal Services Corporation sincerely thanks the following individuals who generously gave their time and talents to help draft the revised 2008 Case Service Report Handbook (CSR Handbook). LSC fully considered the valuable counsel provided by the Advisory Committee and by the draft reviewers during adoption of the final language for the CSR Handbook. The Advisory Committee's knowledge, experiences, and devotion of countless hours to frequent conference calls and to the review and edit of numerous drafts, substantially enhanced the clarity of the revised CSR Handbook. The careful review provided by the draft reviewers and their commitment to high-quality legal services was evident in the thoughtful comments they shared with LSC.

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Chapter I: Purpose, Scope, and Effective Date

1.1 Purpose

The Case Service Report (CSR) Handbook provides instruction on how to count and document cases reported to the Legal Services Corporation (LSC). The Handbook guides the gathering of quantifiable information on cases in order to ensure that LSC grantees provide consistent data that can be accurately combined to reflect the level of civil legal services provided across the nation.¹ Case statistics are an important indicator that LSC considers in evaluating a grantee's work. However, case statistics, taken alone, are not determinative of the effectiveness of the legal services a grantee provides.² The accuracy of case information submitted to LSC is vital to obtaining continued federal funding for legal services. LSC relies on statistical and other pertinent information in its annual request to Congress for federal funding for legal services.

1.2 Scope

This Handbook applies to the recording and reporting of cases as defined by § 2.1 and 45 CFR § 1635.2(a), and sets forth requirements for using automated case management systems to account for both open and closed cases. This Handbook does not apply to matters as defined by 45 CFR § 1635.2(b)—now reported as “Other Services.”

1.3 Effective Date

The January 1, 2008 edition of the CSR Handbook superseded all prior editions and prior Frequently Asked Questions and Answers. Subsequent updates in 2011 and 2017 supersede any inconsistent prior language in the CSR Handbook or other LSC guidance regarding CSRs.

¹ See § 4.4 regarding application of these requirement to subrecipients.

² See, e.g., [LSC Performance Criteria](http://www.lsc.gov) available at www.lsc.gov.

Chapter II: Key Definitions

2.1 Definition of Case

For CSR purposes, a case is the provision of LSC-permissible³ legal assistance (defined below) to an eligible client with a legal problem, or a set of closely related legal problems, accepted for assistance in accordance with the requirements of the LSC Act, appropriations acts, regulations, and other applicable law.⁴ The CSR should include all cases involving LSC-permissible legal assistance provided to clients accepted as LSC-eligible, including cases supported in whole or in part with non-LSC funds.⁵

Grantees may record and report the provision of legal assistance as a case only if:

- (a) the client meets all eligibility requirements for receiving legal assistance under the LSC Act, appropriations acts, regulations, and other applicable law;
- (b) the client's case is within *program priorities* (or is an emergency case accepted under the program's emergency case acceptance procedures);
- (c) the legal services program has actually *accepted* the client for service through its intake system or another established procedure for ensuring client eligibility;⁶
- (d) the *legal assistance provided* to the client meets the criteria of one of the CSR Closure Categories described in Chapter VIII of this Handbook;⁷

³ LSC restrictions apply to the use of LSC funds and to some uses of non-LSC funds. *See* 45 CFR Part 1610 (Use of Non-LSC Funds).

⁴ Chapters VI and VII of this Handbook contain further guidance on when to treat service to a client as a case. A corresponding definition of a "case" for timekeeping purposes appears at 45 CFR § 1635.2(a). Chapter IV of this Handbook contains additional guidance regarding LSC reporting requirements.

⁵ *See* § 4.3 regarding reporting of non-LSC funded cases and § 4.4 regarding cases handled by LSC subrecipients. Recipients are permitted to use non-LSC funds to provide otherwise permissible services to a client who exceeds the Part 1611 financial eligibility limits, but the case may not be reported to LSC for CSR purposes.

⁶ The point at which a case is "accepted" for service depends on the type of service provided and the process by which the program provides the service. For example, when an eligible applicant seeks advice over the telephone, "acceptance" occurs when a staff member or participating private attorney determines that the applicant qualifies for service and indicates acceptance of the case through assignment of a case number or other means of demonstrating case acceptance (e.g., a notation in the file or in the case management system).

⁷ The legal assistance must actually be provided to the client in order for the assistance to be reported as a case in a CSR. For example, if the program performs legal research but does not advise the client of the results of the research, this would not constitute a CSR-reportable case. Similarly, if the program sends a letter to a client containing legal advice which is then returned to the program as undeliverable (and the program has not orally advised the client), this also would not constitute a CSR-reportable case.

- (e) the type of *legal assistance* provided to the client is a permissible use of LSC funds (e.g., not a class action); and
- (f) the *legal problem(s)* of the client are ones for which LSC funds may be used and not of a type prohibited by the LSC Act, regulations, or other applicable law (e.g., abortion litigation).

Cases that meet these criteria are included in the CSR regardless of compliance with the requirements of 45 CFR § 1611.9—Retainer Agreements or 45 CFR Part 1636—Client Identity and Statement of Facts.

2.2 Definition of Legal Assistance

For CSR purposes only, legal assistance is the provision of limited service or extended service on behalf of a client or clients that meets the criteria of the CSR Closing Categories contained in Chapter VIII.⁸ Legal assistance is specific to the client’s unique circumstances and involves a legal analysis that is tailored to the client’s factual situation. Legal assistance involves applying legal judgment in interpreting the particular facts and in applying relevant law to the facts presented.⁹ The provision of legal assistance creates an attorney-client relationship.¹⁰

2.3 Definition of Legal Information

For CSR purposes, legal information is defined as the provision of substantive information not tailored to address a person’s specific legal problem.¹¹ As such, it is general and does not involve applying legal judgment and does not recommend a specific course of action. For example, providing only a pamphlet or brochure is legal information and not legal assistance. Providing general information, such as the number of days following service when an answer is due, is not tailored to the specific facts and is legal information. The provision of legal information does not create an attorney-client relationship.

Legal information alone is not legal assistance and the provision of legal information alone may be reported only as an Other Service for Other Services Report (OSR) purposes. A program may not provide or report the same level of assistance as a case for an eligible client and as an Other Service for an ineligible client.

⁸ This use of “legal assistance” applies only to the CSR Handbook and to references to cases as defined in the Handbook. A different definition of legal assistance appears in the LSC Act and regulations. 42 U.S.C. § 2996a(5), 45 CFR § 1600.1.

⁹ Assistance that is not legal in nature (e.g., provision of a social service, referral for financial assistance, or other assistance) is not legal assistance.

¹⁰ See [ABA Standards for the Provision of Civil Legal Aid](#) 137 (2006), Standard 3.6 on the Provision of Legal Information (“The giving of legal advice is legal representation and creates an attorney-client relationship.”).

¹¹ For CSR purposes, LSC has adopted the definition of legal information in Standard 3.6 on the Provision of Legal Information in the [ABA Standards for the Provision of Civil Legal Aid 136–144 \(2006\)](#).

2.4 Definition of Client

For CSR purposes, a client is defined as a person (or group) who is:

- (a) *financially and otherwise eligible*¹² to receive LSC-funded legal assistance under the LSC Act, appropriations acts, regulations, and other applicable law (regardless of source of funding used by the program for the services to that client);¹³ and
- (b) *accepted* for legal assistance through an intake system or other established program procedure for ensuring client eligibility.¹⁴

2.5 Who Can Provide Legal Assistance

Legal assistance in a case must be provided by:

- (a) an attorney authorized to practice law in the jurisdiction where assistance is rendered;
- (b) a non-attorney permitted to provide representation in a legal matter such as an SSI case in which the non-attorney has been accepted as qualified by the administrative tribunal; or
- (c) a non-attorney under the direct supervision of a licensed attorney in accordance with the rules of practice in the jurisdiction(s) where the program provides assistance (unless the jurisdiction or forum allows waiver of attorney supervision or allows legal assistance by a non-attorney under **specific circumstances**).

A person providing assistance in a case need not have the job title of “attorney” or “paralegal”, but any such individual must be authorized to provide legal assistance in accordance with applicable rules of practice and must keep time records as required by 45 CFR Part 1635.

¹² Examples of LSC eligibility requirements can be found at 45 CFR Part 1611—Financial Eligibility, 45 CFR Part 1626—Restrictions on Legal Assistance to Aliens, and 45 CFR Part 1637—Representation of Prisoners.

¹³ See § 4.3 regarding reporting of non-LSC funded cases.

¹⁴ See [Program Letter 16-6](#) regarding automated systems (such as online or telephone systems) for collecting financial-eligibility information and/or making financial-eligibility determinations.

Chapter III: Case Management Systems

3.1 Use of Automated Case Management Systems

Grantees shall utilize automated case management systems (CMS) with procedures that ensure the accurate and timely recording of information necessary for the effective management of cases. Such systems and procedures must ensure that grantee management has:

- (a) timely access to accurate information on cases; and
- (b) the capacity to meet funding sources' reporting requirements.

To meet reporting requirements, grantees' case management systems and procedures must include the ability to report cases by funding source, grant type (e.g., Basic Field—General, —Agricultural Worker, —Native American), Private Attorney Involvement (PAI) component, jurisdiction (e.g., county or city), and individual office.

Case management systems should also employ sufficient technological capacity to ensure cost effective and efficient management of data and workflow. Hallmarks of sufficient technological capacity include:

- single entry of data;
- automated reporting that eliminates onerous and time consuming manual calculation or tabulation;
- the ability to readily review data and information from multiple perspectives; and
- the promotion of data integrity including assistance in identification of erroneous data.

Furthermore, grantees should keep their case management system technology sufficiently up-to-date to enable them to benefit from future technological advances.

3.2 Single Recording of Cases

Through the use of automated case management systems and procedures, grantees shall ensure that cases involving the same client and same legal problem are not recorded and reported to LSC more than once. *See* §§ 6.1 through 6.5. Such systems and procedures shall include a process for checking for duplication among both open and closed cases. The checking process may occur either:

- (a) at the point when cases are first entered into the case management system; or
- (b) at a later time when case information can be systematically reviewed, but before the cases are reported to LSC.

One method for systematically reviewing case information involves the generation of case management reports that list instances of two or more open and/or closed cases involving the same client and legal problem. A review of such multiple cases identified in the reports may indicate that duplicate records are present in the case management system. Grantees must take steps necessary to eliminate duplicate cases prior to the reporting of case service information to LSC.

3.3 Timely Closing of Cases

Grantees shall ensure the timely closing of cases so that case service reports submitted to LSC contain current and accurate information about both open and closed cases for the grant term (typically January 1 through December 31). After the close of the grant term, LSC provides 45 days for grantees to take reasonable and necessary steps to ensure that cases in which legal assistance has ceased, and is not likely to resume, are closed prior to the submission of case service reports to LSC. For PAI cases, please see § 10.3 for timely case-closing requirements.

The goal is for grantees to report cases as having been closed in the grant year in which assistance ceased, and grantees must always report all cases by the end of the grant year following the grant year in which assistance ceased. The following are requirements for timely reporting—no case can be reported that does not meet these requirements.

- (a) The goal is for grantees to report cases as closed for CSR Limited Service cases (Categories A and B) in the grant year in which the case was opened; however, such cases may also be timely reported at a later date as follows:
 - (i) if the case is opened after September 30, it may be reported either in the year opened or the following year; or
 - (ii) if there is any entry in the file or in the case management system stating a reason why the case should be held open into the following year, the case shall be closed in the grant year in which assistance on behalf of the client was completed.
- (b) The goal is for grantees to report cases as closed for CSR Extended Service cases (Categories F through L) in the grant year in which assistance on behalf of the client was completed; however, such cases may also be timely reported in the grant year following the completion of work.¹⁵ A case shall be considered ongoing during a grant year if (1) it is pending before a court or administrative agency in that year; or (2) there is a record of any legal work done for the client in that year; or (3) an entry is made in the case management system or file stating a reason why the case should be held open through that year.

Grantees shall employ one or more methods of ensuring timely closing of cases. For example, one method is the generation of case management reports that indicate the length of time cases have been open. A review of such reports would tend to indicate whether cases are being timely closed. Another method is to run a report of open cases that have had no time-keeping entries recorded for the past 90 days. This method provides a potential indication that a case might have been completed but not closed.

¹⁵ For example, if the last assistance on behalf of the client was noted in the file in May 2010, the case must be closed no later than grant year 2011 and must be reported in the CSR reports for that grant year.

3.4 Management Review of Case Service Reports

Grantees shall institute procedures for ensuring management review of case service information for accuracy and completeness prior to its submission to LSC. At a minimum, such procedures shall include either a review of management reports, such as those described in §§ 3.2 and 3.3 of this Handbook, or another method of review that ensures that cases are timely closed and are not reported more than once in the same year.

In addition, prior to submission of CSRs to LSC, the executive director, or a designee, shall review them to ensure that the information in the CSRs fairly represents the volume and types of CSR cases that the program provided during the grant year. Grantees must have the capacity to generate a detailed listing of open and closed cases to support case service information reported to LSC and to help determine the accuracy of that information.

3.5 Identification and De-selection of Non-CSR Cases

Grantees shall establish a method in their case management systems that will de-select case files for CSR reporting that were opened as LSC-eligible but are not reportable to LSC as cases. Examples of such case files include: (1) case files properly opened where the client withdrew before any legal assistance could be rendered; (2) case files where the client gave the program erroneous information at intake and the correction of which showed that the client was ineligible;¹⁶ (3) case files where administrative or computer error caused a case to be opened when no case should have been opened; (4) duplicate case files; (5) case files where closure is untimely as discussed in § 3.3 of this Handbook; or (6) case files where the required documentation (e.g., a citizenship attestation) is not present.

LSC does not mandate the use of a specific method to identify and de-select non-CSR cases. Nonetheless, the grantee must adopt a method that case handlers and other program staff can use to easily close non-CSR cases with some type of “exit” code or field that enables them to de-select those cases and exclude them from its CSR.¹⁷ Any system that accomplishes the goal of easily de-selecting any files opened as LSC reportable that are not eligible to be closed as CSR cases from CSR reports is sufficient. For example, one method is to close such case files with a closing code such as X (or any other letter near the end of the alphabet) that would be used to designate the case file as a non-CSR case.

¹⁶ If there was a change in the client’s circumstances after acceptance, the case may be counted as a CSR case, but if the client was ineligible at the time of intake, the case may not be counted.

¹⁷ If a program uses a “rejected” code, it shall be used only for applicants who do not qualify for program services or who are otherwise not accepted for services by the program. Cases for eligible clients that have been accepted for services cannot subsequently be coded as “rejected.” Grantees should have the ability to distinguish between cases that were initially rejected and cases that were initially accepted but could not be reported as closed cases in the CSR.

3.6 Limitation of Defaults in Systems That Capture or Record Eligibility Data

Any system that captures or records eligibility data may not use defaults for the following fields that are critical for eligibility.

- income
- assets
- number in the household
- U.S. citizenship
- eligible alien status
- LSC eligibility

LSC also recommends that other fields important to the accuracy of the CSR information not have defaults. A default in a field tends to reduce the accuracy of the data collected because it suggests a specific value and permits accidental completion of the intake without anyone specifically asking about or considering the topic of that field.

Chapter IV: Reporting Requirements

4.1 General Requirement

For each grant year, grantees shall report case service information to LSC as part of the annual Grant Activity Report submitted in the first quarter of the following year. Case information reported to LSC shall include both numbers of closed cases and numbers of open cases. Detailed instructions on submitting case information to LSC will be provided to all grantees.

4.2 Private Attorney Involvement Cases

For each grant year, recipients of Basic Field—General grants shall report case information for their PAI components separately from their staff Basic Field cases. This requirement does not apply to Basic Field—Agricultural Worker and Basic Field—Native American grants. Any cases closed by private attorneys, law students, law graduates, or other professionals (“PAI case handlers”)¹⁸ using funds from Agricultural Worker or Native American grants shall be reported as Agricultural Worker or Native American cases and not as PAI cases.¹⁹ For further guidance regarding the reporting of PAI cases, see Chapter X of this Handbook.

4.3 Reporting LSC-Eligible Cases Irrespective of Funding Source

Recipients should report all cases in which there has been an eligibility determination showing that the client meets LSC eligibility requirements, regardless of the source(s) of funding supporting these cases, provided such cases are completed by the grantee or by PAI attorneys. Cases without such eligibility determinations may not be reported to LSC.²⁰ This Chapter does not require that grantees document client financial eligibility for any cases that are wholly funded by non-LSC funding sources, unless such cases are reported to LSC. LSC may require grantees to collect separate data on non-CSR cases. For example, LSC currently requests separate reporting of cases closed that are funded by Title III or IV of the Older Americans Act and which meet all of the CSR requirements except for those relating to financial eligibility. See [Program Letter 03-2](#).

¹⁸ LSC revised 45 CFR Part 1614 in 2014. 79 Fed. Reg. 61770 (Oct. 15, 2014). LSC expanded Part 1614 to allow recipients to allocate costs to the PAI requirement associated with activities involving law students, law graduates, and other professionals in the delivery of legal information and legal assistance to eligible clients. For more information about the revised PAI rule, including how the changes affect reporting of PAI cases in a grantee’s CSR, please see the [PAI frequently asked questions](#) on www.lsc.gov.

¹⁹ Nevertheless, Agricultural Worker or Native American funds expended to pay or support PAI case handlers may still be counted towards a program’s 12.5% PAI expenditure requirement.

²⁰ See Footnote 3 regarding LSC restrictions on non-LSC funded cases.

4.4 LSC Subrecipient Cases

Grantees that subgrant LSC funds to subrecipients under 45 CFR Part 1627 should report all subgrant cases that are both LSC-funded (in whole or in part) and otherwise meet the CSR criteria. Recipients may not report cases handled by a subrecipient that are not funded with any LSC funds, regardless of whether those cases and clients meet the LSC criteria. Organizations receiving transfers of only non-LSC funds from an LSC grantee are not subrecipients under 45 CFR Part 1627 and none of their cases may be reported to LSC.

However, grantees using non-LSC funds to meet the LSC PAI requirement through arrangements with another organization may report the non-LSC funded cases closed by that organization and reported to the grantee as Part 1614 PAI cases if such cases meet the definitions and requirements of this Handbook.

4.5 Reporting for Separate Service Areas

Recipients receiving funding for more than one LSC service area shall report case service information separately for each separate service area for which LSC funding is received. For example, a grantee may have grants for more than one service area in a specific category of funding, such as two adjacent geographic service areas for Basic Field—General grants. Alternately, a grantee could have grants for service areas in more than one category of funding, such as Basic Field—General for part of a state and Basic Field—Agricultural Worker for the entire state. In either case, the grantee provides CSRs for each service area separately.

Chapter V: Documentation Requirements

5.1 General Requirement

For each case reported to LSC, grantees shall capture and maintain case and client information necessary for effective case management. Grantees may use any appropriate means to do so, including: electronic entries in an automated case management system database, notations on an intake sheet or other hard-copy document in a case file, or through an automated intake system in which applicants enter information.²¹ For each case reported to LSC, such information shall describe (at a minimum) the information required in this chapter and:

- (a) the client's name;
- (b) the client's legal problem(s);
- (c) the level(s) of legal assistance provided; and
- (d) the source(s) of funding that support the case.

5.2 Requirements Pertaining to Client Eligibility

In addition, for each case reported to LSC, grantees shall document that a determination of client eligibility was made in accordance with LSC requirements including §§ 5.3 (income), 5.4 (assets) and 5.5 (citizenship and alien eligibility). The documentation of eligibility shall be recorded electronically in a case management system record or in a simple form as provided by 45 CFR § 1611.7(b). Signatures can be in any legally valid format, including handwriting or electronic signatures.²² Grantees shall preserve this information for a period of five years or as otherwise required by LSC (e.g., through grant assurances or special grant conditions).²³ Grantees must ensure all electronically recorded compliance information is backed up in the event of a failure of the program's computerized records system.

5.3 Income Documentation Requirements

At a minimum, for each case reported to LSC, grantees shall record the number of members in the applicant's household and the total income received by all members of the applicant's household,²⁴

²¹ See [Program Letter 16-6](#) regarding automated systems (such as online or telephone systems) for collecting financial-eligibility information and/or making financial-eligibility determinations.

²² See [Program Letter 16-2](#) regarding the use of e-signatures.

²³ Electronic recordation may include scanned copies of any paper documents related to eligibility, including citizenship attestations, retainer agreements, etc. The scans must capture the visible data relevant to eligibility that appears on the documents including handwriting and signatures.

²⁴ See 45 CFR § 1611.2(i), which states: "'Income' means actual current total cash receipts before taxes of all persons who are resident members of and contribute to the support of applicant's household, as that term is defined by the recipient."

except for excluded income in domestic violence situations as provided in 45 C.F.R. § 1611.3(e).²⁵ The total amount of the applicant's household income must be recorded even if it is zero. Grantees' intake systems must include sufficient questions of the applicant to determine the total amount of household income, and the program must be able to provide reasonable evidence that those questions are consistently asked and answered. For a group client, the program must collect information that reasonably demonstrates that the group, corporation, association, or other entity meets the financial-eligibility criteria of 45 CFR § 1611.6.

For cases in which a program chooses to apply financial exceptions to applicants with household gross income exceeding 125% of the federal poverty guidelines in effect at the time of case acceptance, the documentation of eligibility shall also indicate the specific facts and factors relied on to make such a determination as required by 45 CFR § 1611.5. Additionally, the program's automated case management system must save the applicant's gross income as a separate and identifiable field in order to preserve a record that the applicant initially exceeded the basic income level but was served pursuant to over-income exceptions allowed under 45 CFR § 1611.5. It is critical that calculations involving exceptions to income ceilings are not applied in a manner that changes the gross income recorded in the file.²⁶

If an applicant's total household income is derived solely from a government program for low-income individuals or families, then the program may determine that the applicant is financially eligible based on those benefits pursuant to 45 CFR § 1611.4(c) (provided the program's Board has adopted policies permitting such a determination regarding that specific government program). The program must record household size, household income, and the specific identity of the government program. In support of such determination, the program must have on file a resolution, minutes, or other written evidence of action by its Board stating that eligibility for that specific government program qualifies a client as financially eligible. No further documentation of income or assets is required.

5.4 Asset Documentation Requirements

At a minimum, for each case reported to LSC, grantees shall document the total value of assets held by all members of the applicant's household or the reason why an asset determination is not needed based on the provisions of 45 CFR Part 1611 or why some assets are excluded such as in

²⁵ When an applicant is a "victim of domestic violence, the recipient shall consider *only* the assets and income of the applicant and members of the applicant's household *other than those of the alleged perpetrator* of the domestic violence" 45 CFR § 1611.3(e) (emphasis added). See Footnote 27 regarding financial eligibility for domestic violence victims and exclusion of assets associated with an alleged abuser.

²⁶ Whatever method is used to determine income eligibility, a program must still record the client's gross income and maintain it as a separate field from the adjusted gross income. A mathematical deduction of over-income exceptions (or "spend-down") is not required under 45 CFR § 1611.5. If a program chooses to use a mathematical deduction (or "spend-down") to determine whether an applicant is eligible, it must still indicate in its records the factual basis for the decision to accept the client's case, even if the deductions bring the applicant's income below 125% of the federal poverty guidelines.

domestic violence situations.²⁷ The program may exclude categories of assets pursuant to guidelines adopted by its Board under 45 CFR § 1611.3(d) (such as a principal residence, work tools, or a vehicle used for transportation).

Grantees' intake procedures must include sufficient questions of the applicant to determine the total amount of non-excluded household assets and the program must be able to provide reasonable evidence that staff practice follows these procedures. Grantees shall use the equity value of a non-excluded asset as opposed to its fair-market value in calculating asset eligibility.²⁸ A total value of the applicant's non-excluded household assets must be recorded, even if it is below the program's guidelines or zero.²⁹ For cases in which the applicant's household has non-excluded assets which exceed the program's asset ceiling (adopted pursuant to 45 CFR § 1611.3(d)(1)), but the program determines that the asset ceiling should be waived, the documentation of eligibility shall also indicate the factual basis for the decision to waive the assets ceiling as required by 45 CFR § 1611.3(d)(2).

In the event a program chooses to include the value of an excluded asset in the asset field of its CMS or intake sheet, it should label it as such in order to prevent its inclusion in the calculation of an applicant's asset eligibility.

If an applicant's total household income is derived solely from a government program for low-income individuals or families, then the grantee may determine that the applicant is financially eligible based on participation in that program as described in § 5.3 above, in which case no further asset documentation is required.

Furthermore, when an applicant receives income from a government program, but that program is not the applicant's sole source of income, the grantee may determine that the applicant meets the grantee's assets criteria in either of two situations. (1) The applicant is currently receiving benefits under a government means-tested program with asset-eligibility standards that are more restrictive than the grantee's Board-adopted guidelines. (2) The grantee's Board has formally accepted such program's asset eligibility standard as sufficient for client asset eligibility. Grantees must document this determination through notation in the case record in lieu of the total value of assets. The grantee must also have on file and available for review any supporting information not contained in the case records such as the asset-eligibility standards of the government program or written evidence of its Board's action accepting those standards (if applicable).

²⁷ The grantee "shall not include any assets held by the alleged perpetrator of the domestic violence, jointly held by the applicant with the alleged perpetrator of the domestic violence, or assets jointly held by any member of the applicant's household with the alleged perpetrator of the domestic violence." 45 C.F.R. § 1611.3(e). See Footnote 24 regarding financial eligibility for domestic violence victims and exclusion of income associated with an alleged abuser.

²⁸ For example, a client's asset could have a fair-market value of \$30,000, but if it is encumbered by a loan in the amount of \$28,000, the client's equity value in the asset would be only \$2,000.

²⁹ The system cannot use a default value; someone must make an actual entry to record an amount of household assets in each case. See § 3.6 regarding defaults.

5.5 Citizenship and Alien Eligibility Documentation Requirements

Cases reported to LSC must comply with the citizenship or alien eligibility requirements of 45 CFR Part 1626.³⁰ The program must document compliance with either § 1626.4 (that the applicant qualifies under specific anti-abuse laws regardless of citizenship or alienage) or § 1626.5 (either the applicant is a U.S. citizen or has a qualifying immigration status). For a group client, the program must collect information that reasonably demonstrates that the group, corporation, association, or other entity meets the Part 1626 eligibility requirements set out in [Advisory Opinion 2016-003](#).

Pursuant to 45 CFR §§ 1626.6 and 1626.7, the level of documentation necessary to show U.S. citizenship or alien eligibility depends on the nature of the service provided to the client. For cases in which the only service provided is Counsel and Advice or Limited Action (CSR Closure Categories A and B) by telephone, or by other non-in-person means, which does not include continuous representation, the grantee may document Part 1626 eligibility through a written notation, computer entry, or similar method that captures the client's response to the program's questions about citizenship or eligible alien status.³¹

For cases in which program staff has in-person contact with the client or the program provides continuous representation beyond Counsel and Advice or Limited Action (CSR Closure Categories A and B), the documentation of U.S. citizenship or alien eligibility shall include either: (a) a written attestation of citizenship; or (b) documentation of alien eligibility, as required by 45 CFR §§ 1626.6(a) and 1626.7(a). A citizenship attestation shall be stated as follows:

I am a citizen of the United States: Signature of applicant.

Date: _____

This citizenship attestation may be on a separate document or may be contained within another document (such as an intake sheet or retainer agreement), provided there is a separate signature line tied only to the citizenship attestation. Neither a yes/no checkbox as to citizenship nor a signed statement that the client attests to the truth of intake information will suffice as a citizenship attestation. Signatures can be in any legally valid format including handwriting or electronic signatures.³²

5.6 Legal Assistance Documentation Requirements

For each case reported to LSC, the case file or the CMS must contain a description of the legal assistance provided to the client. Such description should be sufficient to document that the assistance is a case and to support the level of assistance selected by the program to close the case.

³⁰ See Footnote 3 regarding LSC restrictions on non-LSC funded cases.

³¹ The requirement for a written notation is not satisfied by a default “eligible” entry in the intake system—the system must capture information provided by or on behalf of the applicant in each case. See § 3.6 regarding defaults.

³² See [Program Letter 16-2](#) regarding the use of e-signatures.

Chapter VI: Types of Case Services

6.1 Case Service Definitions

Chapter VIII of this Handbook defines categories of case services for reporting to LSC. When closing individual cases, grantees shall report each case once according to the level of case service that best reflects, in the program's judgment and in accordance with the definitions and guidance contained in this Handbook, the level of assistance provided by the grantee during the course of the case.

6.2 Cases Involving Multiple Levels of Assistance

The program shall report only the highest level of service provided when a program provides more than one type of assistance to an eligible client during the same calendar year when attempting to resolve essentially the same legal problem, as demonstrated by the factual circumstances giving rise to the problem. For example, if a program initially provides Advice and Counsel in an attempt to resolve a client's legal problem, and the program later negotiates a settlement with an opposing party with respect to the same legal problem, the program shall report the case only once as a Negotiated Settlement.³³

6.3 Cases Involving Repeated Instances of Assistance

The program shall report repeated instances of assistance to the client as a single case when a program provides assistance more than once within the same calendar year to an eligible client who has returned to the program with essentially the same legal problem, as demonstrated by the factual circumstances giving rise to the problem. For example, if a program assists a client on two or more occasions with an on-going problem, the factual circumstances of which remain essentially the same over time, the program shall report its assistance to the client as a single case, even if the program has provided Counsel and Advice or Limited Action to the client on more than one occasion within the same calendar year.

³³ This requirement applies during the course of the calendar year. If a program has already closed and reported a case in one calendar year, and the client returns for additional service in a subsequent calendar year, the program must report the additional service as a separate case in the subsequent year, provided that the case otherwise meets the requirements and definitions of this Handbook.

6.4 Cases Involving Related Legal Problems

For cases involving related legal problems:

- (a) *For Counsel and Advice (CSR Closure Category A) cases only*, the presumption is that legal assistance rendered to a client on related legal issues contemporaneously or within a brief time frame is counted as one case. However, this presumption is rebutted and two or more cases may be reported if the legal issues are sufficiently different, as evidenced by the presence of legal issues that:
 - (iii) fall into different Legal Problem Categories,³⁴ such as Family and Housing;³⁵
 - (iv) fall into different Legal Problem Codes within either the Individual Rights or Miscellaneous Legal Problem Categories;³⁶
 - (v) involve different adverse parties, even if they are in the same Legal Problem Category or Code; or
 - (vi) relate to substantially different underlying facts.
- (b) For all other cases (CSR Closure Categories B to L), grantees shall report related legal problems of an eligible client as a single case when the program representing the client attempts to resolve the related legal problems simultaneously through a single legal process. For court cases, if the legal problems are resolved under one Civil Action Number, only one case is reported. If there are multiple Civil Action Numbers, then multiple cases are counted. For example, if a client seeks assistance with related child custody and support problems, and the program assists the client by preparing a pleading or other document that addresses both problems, then the program shall report its assistance to the client as a single case. However, if child custody and child support are addressed in different actions or in different courts, then more than one case should be reported for the client.

³⁴ See Chapter IX for a listing of Legal Problem Categories and Codes.

³⁵ Different Legal Problem *Codes* within one Legal Problem *Category* are reported as one case, except as stated in subsection (ii) above. For example, counsel and advice provided for codes Custody—31 and Divorce—32 are one case because both codes are in the Family category.

³⁶ Legal Problem Codes in these Legal Problem Categories may represent very different subject matter (e.g., in the Miscellaneous category: Indian/Tribal Law—92 and Wills/Estates—95).

6.5 Cases Involving Appeals

If a program represents a client in a case at the trial court and/or administrative agency level and then represents the client as an appellant or appellee in an appeal of that case to an appellate court as defined per 45 CFR §§ 1605.2 and 1605.3, the program should report the trial court or administrative agency decision below as one case.³⁷ A separate case should be opened for the appeal.³⁸ If a program represents a client in a case remanded back to the lower court or administrative agency, the appeal should be closed under CSR Closure Category I(c) and another case opened for the proceedings in the lower court or administrative agency after remand.

6.6 Alternative Forms of Service

Grantees may provide alternative forms of service such as alternative dispute resolution, *pro se* clinics, workshops, legal education, kiosks, and web assistance.³⁹

- (a) However, such alternative service may not be reported as a case unless:
 - (i) the service provided qualifies as a *case*, as defined by § 2.1 of this Handbook;
 - (ii) the service provided qualifies as *legal assistance* as defined by § 2.2;
 - (iii) the person receiving the service is a *client* as defined by § 2.4; and
 - (iv) the person providing the service is an *attorney or a non-attorney* under the direct supervision of a licensed attorney in accordance with the rules of practice in the jurisdiction(s) where the program provides assistance (unless the jurisdiction or forum allows waiver of attorney supervision or allows legal assistance by a non-attorney under specific circumstances) as stated in § 2.5.
- (b) Related services provided to the same client with respect to essentially the same legal problem are reported to LSC only as specified by §§ 6.2 and 6.3 of this Handbook.
- (c) Grantees may report alternative forms of service provided in § 6.6 under the CSR category that best fits the actual service provided, as specified by Chapter VIII of this Handbook. If the program provides legal information as opposed to legal assistance, the service provided is categorized as an “other service” and not a case.⁴⁰

³⁷ Note that only appeals **to an appellate court** fall within the definition of appeals in this Chapter and within the parallel definition of appeals in Chapter VIII, CSR Closure Category I(c). “Appeals” from an administrative agency to a trial court or from a lower level trial court to a higher level trial court are not included in 45 CFR Part 1605 and should be reported as only one case under CSR Closure Category I(b).

³⁸ Prior to opening a new case as an appeal or remand under § 6.5, a new client eligibility determination is required as well as an assessment of merit.

³⁹ Although 45 CFR § 1635.2(b) lists the operation of a *pro se* clinic as an example of a “matter” (now reported under “Other Services”), the provision of legal assistance to an attendee at a *pro se* clinic qualifies as a case when the service provided meets the definition of a case in § 2.1 of this Handbook and the person receiving the legal assistance meets the definition of a client in § 2.4 of this Handbook.

⁴⁰ See also [ABA Standards for the Provision of Civil Legal Aid 136–144 \(2006\)](#), Standard 3.6 on the Provision of Legal Information.

Chapter VII: Referrals

7.1 Referrals of Applicants to Another Entity

Referral is not, by itself, a case service; therefore, referral of an applicant to another entity is an Other Service and not a CSR case, regardless of whether the applicant has been screened or the applicant's LSC-eligibility.

Grantees may report a case that includes a referral only when the case otherwise qualifies as a case under the requirements of the CSR Handbook.

7.2 Transfers to PAI Case Handlers, Subrecipients, or Program Offices

Referral does not include directing an applicant or transferring an intake or accepted case from one program office to a PAI case handler, subrecipient, or office within the same program. That situation does not qualify as a closed case or Other Matter for the first office and a new open case or Other Matter after the referral. Rather, it is a single case handled by the program if it otherwise meets the CSR requirements. If a program assigns a client to a case handler through the program's PAI component, the case may be reported as closed only after the PAI case handler has completed all work on the case and has reported the case as closed.⁴¹ Similarly, if a program refers or assigns a client to a subrecipient or to another office within the same program, the case may be reported as closed only after all work on the case has been completed by the subrecipient or other office, and the subrecipient or other office reports the case as closed.

⁴¹ See § 10.1(b)(i) regarding cases in which the PAI assignment is not successful.

Chapter VIII: Case Closure Categories

8.1 Purpose of Case Closure Categories

The purpose of case closure categories is to delineate the level of service provided to the client in each case.⁴² This Chapter includes definitions of common levels of case services that grantees provide to eligible clients during the course of a case. All legal assistance recorded and reported to LSC as a case must:

- (a) qualify as a *case*, as defined by § 2.1 of this Handbook and 45 CFR § 1635.2(a);
- (b) be provided to an eligible *client*, as defined by § 2.4 of this Handbook; and
- (c) be *documented* as required by Chapter V of this Handbook.

8.2 Limited Service Case Categories

CSR Closure Category A—Counsel and Advice

A case closed in which the program provided legal advice to an eligible client should be closed as Counsel and Advice (e.g., the advocate ascertained and reviewed relevant facts, exercised judgment in interpreting the particular facts presented by the client and in applying the relevant law to the facts presented, and counseled the client concerning his or her legal problem).

CSR Closure Category B—Limited Action⁴³

A case closed in which the program took limited action(s) on behalf of an eligible client that addressed the client's legal problem that is not so complex or extended as to meet the requirements for CSR Category L should be closed as Limited Action. Examples include, communications by letter, telephone or other means to a third party; preparation of a simple legal document such as a routine will or power of attorney; or legal assistance to a pro se client that involves assistance with preparation of court or other legal documents.

⁴² The following closing codes were discontinued in 2008 and should not be used: Categories C—Referred After Legal Assessment, D—Insufficient Merit to Proceed, E—Client Withdrew, and J—Change in Eligibility Status.

⁴³ “Limited Action” as defined in this Handbook is synonymous with “brief services” as described in 45 CFR § 1611.2(e).

8.3 Extended Service Case Categories

CSR Closure Category F—Negotiated Settlement Without Litigation

A case closed in which the program negotiated and reached an actual settlement on behalf of a client without any court or administrative actions pending should be closed as Negotiated Settlement Without Litigation. This category should be reserved for cases in which the program conferred with another party so as to reach a resolution of the client's legal problem. This category includes settlements negotiated with an administrative agency prior to the filing of a formal administrative proceeding. The file should contain documentation of the settlement through either an actual written settlement or a written confirmation of the settlement with the opposing party. If neither of these are available, the file should contain a copy of a communication to the client outlining the terms of the settlement. Pro se cases cannot be closed in this category.

CSR Closure Category G—Negotiated Settlement With Litigation

A case closed in which the program negotiated and reached an actual settlement on behalf of a client while a court or formal administrative action was pending should be closed as Negotiated Settlement With Litigation. This category should be reserved for cases in which the program conferred with another party so as to reach a resolution of the client's legal problem. Settlements of pending court or administrative actions should be closed in this category even if the court or administrative agency issues an order memorializing the settlement.

This category includes only: (1) cases in which an appearance has been entered before a court or administrative agency as counsel of record; or (2) cases in which the settlement was reached prior to the program's entry as counsel of record, provided that the program was actually representing the client in the negotiations (not assisting a pro se client) and provided that there is documentation of the settlement in the case file—preferably a copy of the actual settlement agreement, written confirmation of the settlement with the opposing party, or, if neither of these are available, a copy of a communication to the client outlining the terms of the settlement.

CSR Closure Category H—Administrative Agency Decision

A case closed in which the program represented a client in an administrative agency action that resulted in a case-dispositive decision by the administrative agency or body, after a hearing or other formal administrative process (e.g., a decision by the hearings office of a welfare department), should be closed as an Administrative Agency Decision. This category does not include settlements made during the course of litigation that are then approved by the administrative agency, voluntary dismissals, or the grant of a motion to withdraw as counsel.⁴⁴ If the case is resolved informally through contacts with an administrative agency, but without any formal administrative agency action, the case should be closed as CSR Closure Categories B—Limited Action or F—Negotiated Settlement without Litigation, depending on the level of service.

⁴⁴ See CSR Closure Categories G and L for guidance in closing such cases.

CSR Closure Category I—Court Decision

A case closed in which the program represented⁴⁵ a client in a court proceeding that resulted in a case dispositive decision made by the court should be closed as a Court Decision.⁴⁶ This category is divided into the following three subcategories:

- (a) *Uncontested Court Decisions*—either there is no adverse party or the adverse party does not contest the case;
- (b) *Contested Court Decisions*—there is an adverse party and that party contests the case;
- (c) *Appeals* to an appellate court taken from a decision of any court or tribunal (*See* 45 CFR §§ 1605.2 and 1605.3). This category does not include appeals or writs taken from administrative agency decisions or lower trial court decisions to a higher level trial court acting as an appellate court, whether they are on the record or *de novo* proceedings.⁴⁷

CSR Closure Category K—Other

A closed case that does not fit any of the other CSR case closure categories should be closed as Other. Cases which fit two or more CSR categories may not be closed in this category, but should be closed in the category which best reflects the level of service provided.

CSR Closure Category L—Extensive Service (not resulting in Settlement or Court or Administrative Action)

A case closed in which the program undertook extensive research, preparation of complex legal documents, extensive interaction with third parties on behalf of an eligible client, or extensive on-going assistance to clients who are proceeding *pro se* should be closed as Extensive Service. Some examples of extensive service include the preparation of complex advance directives, wills, contracts, real estate documents or other legal documents, or the provision of extensive transactional work.

This category also includes cases closed after extensive interaction or negotiations with another party which do not result in a negotiated settlement. In addition, cases closed after litigation is initiated should be closed in this category when the program appears as counsel

⁴⁵ Only cases in which the program attorney or advocate or PAI attorney is entered as counsel of record may be closed as CSR Closure Category H or I. Assistance to *pro se* litigants cannot be closed in CSR Closure Categories H or I.

⁴⁶ This does not include settlements made during the course of litigation approved by the administrative agency or court, voluntary dismissals, or the grant of a motion to withdraw as counsel. However, although it may not be technically case dispositive, a case closed after a TRO or similar interim order made on the merits has been entered, may be closed in this category when the litigation is not pursued further.

⁴⁷ Such cases should be closed only once as CSR Closure Category I(b)—Contested Court Decision.

of record and an order of withdrawal or voluntary dismissal is entered or the case does not result in a negotiated settlement, administrative agency or court decision.

This closure category should be reserved for cases in which the assistance the program provides clearly exceeds the amount of work that would be performed for CSR Closure Categories A—Counsel and Advice or B—Limited Action and no other closing code is appropriate (e.g., F, G, H, or I). Factors that favor selection of CSR Closure Category L include but are not limited to: (1) a high level of factual complexity; (2) a highly sophisticated legal analysis; (3) drafting of non-routine original pleadings or legal documents; and (4) significant legal research. Although not controlling, grantees may also consider whether a substantial amount of time was charged to the case as evidence of extensive services.

Chapter IX: Legal Problem Categories and Codes

Each closed case is to be assigned one of the following numeric Legal Problem Codes, which are grouped in ten broad Legal Problem Categories.

CONSUMER/FINANCE

- 01—Bankruptcy/Debtor Relief
- 02—Collection (Including Repossession/Deficiency/Garnishment)
- 03—Contracts/Warranties
- 04—Collection Practices/Creditor Harassment
- 05—Predatory Lending Practices (Not Mortgages)
- 06—Loans/Installment Purchase (Not Collections)
- 07—Public Utilities
- 08—Unfair and Deceptive Sales and Practices (Not Real Property)
- 09—Other Consumer/Finance

EDUCATION

- 11—Reserved
- 12—Discipline (Including Expulsion and Suspension)
- 13—Special Education/Learning Disabilities
- 14—Access (Including Bilingual, Residency, Testing)
- 15—Vocational Education
- 16—Student Financial Aid
- 19—Other Education

EMPLOYMENT

- 21—Employment Discrimination
- 22—Wage Claims and other FLSA (Fair Labor Standards Act) Issues
- 23—EITC (Earned Income Tax Credit)
- 24—Taxes (Not EITC)
- 25—Employee Rights
- 26—Agricultural Worker Issues (Not Wage Claims/FLSA Issues)
- 29—Other Employment

FAMILY

- 30—Adoption
- 31—Custody/Visitation
- 32—Divorce/Separation/Annulment
- 33—Adult Guardian/Conservatorship
- 34—Name Change
- 35—Parental Rights Termination
- 36—Paternity
- 37—Domestic Abuse
- 38—Support
- 39—Other Family

JUVENILE

- 41—Delinquent
- 42—Neglected/Abused/Dependent
- 43—Emancipation
- 44—Minor Guardian/Conservatorship
- 49—Other Juvenile

HEALTH

- 51—Medicaid
- 52—Medicare
- 53—Government Children’s Health Insurance Programs
- 54—Home and Community Based Care
- 55—Private Health Insurance
- 56—Long Term Health Care Facilities
- 57—State and Local Health
- 59—Other Health

HOUSING

- 61—Federally Subsidized Housing
- 62—Homeownership/Real Property (Not Foreclosure)
- 63—Private Landlord/Tenant
- 64—Public Housing
- 65—Mobile Homes
- 66—Housing Discrimination
- 67—Mortgage Foreclosures (Not Predatory Lending/Practices)
- 68—Mortgage Predatory Lending/Practices
- 69—Other Housing

INCOME MAINTENANCE

- 71—TANF
- 72—Social Security (Not SSDI)
- 73—Food Stamps
- 74—SSDI
- 75—SSI
- 76—Unemployment Compensation
- 77—Veterans Benefits
- 78—State and Local Income Maintenance
- 79—Other Income Maintenance

INDIVIDUAL RIGHTS

- 81—Immigration/Naturalization
- 82—Mental Health
- 84—Disability Rights
- 85—Civil Rights
- 86—Human Trafficking
- 87—Criminal Record Expungement
- 89—Other Individual Rights

MISCELLANEOUS

- 91—Legal Assistance to Non-Profit Organization or Group (Including Incorporation/Dissolution)
- 92—Indian/Tribal Law
- 93—Licenses (Drivers, Occupational, and Others)
- 94—Torts
- 95—Wills/Estates
- 96—Advance Directives/Powers of Attorney
- 97—Municipal Legal Needs
- 98—Tribal Court—Criminal
- 99—Other Miscellaneous

Chapter X: Private Attorney Involvement Cases

10.1 Definition and Reporting of a Private Attorney Involvement Case

For CSR purposes, a PAI case is:

- (1) the provision of permissible legal assistance for a legal problem (or set of closely related legal problems) that would be permissible if supported with LSC funds
- (2) by a PAI case handler⁴⁸
- (3) through a grantee's PAI program and in compliance with all of the PAI requirements
- (4) to an eligible client who was accepted for assistance by the grantee in accordance with the requirements of the LSC Act, regulations and other applicable law.

Representation provided by law students, law graduates, and other professionals can qualify for CSR purposes only when the representation is provided before an administrative tribunal that permits non-attorneys to represent individuals before the tribunal. This provision involves only PAI cases and does not affect any other PAI activities authorized under 45 CFR Part 1614.

- (a) Grantees may record and report the provision of legal assistance by a private attorney as a case only if:
 - (i) all provisions of Chapter II of this Handbook and requirements of 45 CFR § 1614.4(a) are met; and
 - (ii) the legal assistance to the client was provided by a PAI case handler participating in a grantee's PAI program in either a compensated or a volunteer (*pro bono*) capacity.
- (b) Grantees shall report cases as follows.
 - (i) *Staff Cases*. In cases in which a PAI referral is unsuccessful and program staff provides legal assistance to the client, the case must be closed and reported as a staff case, not a PAI case, and the time for the legal assistance should be charged to staff and not to the program's PAI allocation. However, it is appropriate to charge the time expended for the attempted referral to PAI.
 - (ii) *No CSR Case*. In cases in which a PAI referral is unsuccessful and program staff has not provided any legal assistance to the client, the file may not be closed as a CSR case. However, the time expended for the attempted referral may be charged to the program's PAI allocation.
 - (iii) *Staff or PAI Case—Co-counsel*. In cases in which a PAI case handler co-counsels a case with program staff, the case may be closed either as a PAI case or as a staff case (but not both) in the discretion of the program.
 - (iv) *Staff or PAI Case*. In cases in which both program staff and a PAI case handler provide legal assistance, but have not co-counseled the case, the program should

⁴⁸ See footnote 18 regarding when attorneys, law students, law graduates, and other professionals qualify as PAI case handlers.

close the case as a staff or a PAI case depending on whether the staff or the PAI case handler provided the highest level of legal assistance. For example, if a private attorney gave some advice and counsel and staff obtained a court order, the case should be closed as a staff case.

10.2 Single Recording of PAI Cases

Through the use of automated case management systems and procedures, grantees shall ensure that cases involving the same client and specific legal problem are not recorded and reported to LSC more than once (e.g., as a staff case and as a PAI case). Grantees shall ensure single recording of PAI cases in conformity with § 3.2 of this Handbook.

10.3 Timely Closing of PAI Cases

Grantees shall ensure the timely closing of PAI cases so that case service reports submitted to LSC contain current and accurate information about both open and closed cases for the grant term (typically January 1 through December 31). While it is desirable to close all cases, including PAI cases, in the year in which the last legal assistance to the client was rendered, nevertheless all PAI cases of all types may be closed and reported either in the year in which legal assistance was completed or in the next grant year.⁴⁹ (Note: this change establishes a uniform rule for all PAI cases, whether Extended Service or Limited Service, whether pro bono or compensated, and with no reference to the rules for staff cases in § 3.3. The substantive change from the pre-2008 Handbook is that rules for timeliness for compensated cases are now exactly the same as those for pro bono cases.)

Grantees shall employ one or more methods of ensuring timely closing of PAI cases. A possible method includes the generation of case management reports that indicate the length of time PAI cases have been open. A review of such reports should establish whether cases are being timely closed.

⁴⁹ For example, in the event a PAI case handler closed an advice and counsel case in May 2009 but did not report it as closed to the program until December 2010, the program could report the case in its 2010 CSR. However, if the PAI case handler closed the advice and counsel case in May 2009 but did not report it as closed to the program until June 2011, such case is untimely and cannot be reported in the CSR.

10.4 Case Oversight and Follow-Up

Grantees shall create oversight and follow-up systems and procedures sufficient to track the timely referral, follow-up, and disposition of PAI cases.⁵⁰ Hallmarks of effective oversight and follow-up systems and procedures include but are not limited to:

- A program policy that articulates a specified time period for referral after which the case is either sent back for staff assistance or the client is informed that assistance cannot be provided.
- A tickler system that reminds staff to generate periodic letters, telephone calls, or e-mails to PAI case handlers requesting status and/or closure updates.
- The selection of appropriate closing codes by program staff for the legal assistance provided by PAI case handlers or review and approval by the program of closing codes selected by the PAI case handler.
- A program policy that articulates a plan to: (1) identify and periodically follow-up on all open PAI cases; and (2) administratively close untimely or dormant cases so that they are not included in future CSRs.

10.5 PAI Case Documentation

For each PAI case reported to LSC, grantees shall record case and client information in accordance with Chapter V of this Handbook. For each PAI case reported to LSC, such information shall describe (at a minimum) the information required in §§ 5.2 (client eligibility), 5.3 (income), 5.4 (assets), 5.5 (citizenship and alien eligibility documentation requirements),⁵¹ 5.6 (legal assistance documentation requirements), the client's name, legal problem(s), and a description of the assistance provided to the client.⁵²

CSR FREQUENTLY ASKED QUESTIONS

For further guidance, please consult the [CSR Frequently Asked Questions](#) on the LSC website in the section for Grantee Guidance—Case Service Reporting (CSR).

⁵⁰ See 45 CFR § 1614.4(a)(3).

⁵¹ PAI cases are subject to the same Part 1626 requirements as staff cases. See § 5.5. Either the program or the PAI case handler may obtain the necessary documentation and conduct any necessary review. In some situations, the PAI case handler will have the first in-person contact with the client and must obtain any required signed citizenship attestation or other documents for the file and conduct any required review of the client's alien eligibility documents.

⁵² There must be sufficient information in the file or in the case management system to support the closing code selected to close the case. In the absence of closing information from the PAI case handler, information obtained from the court or other reliable source is sufficient.