

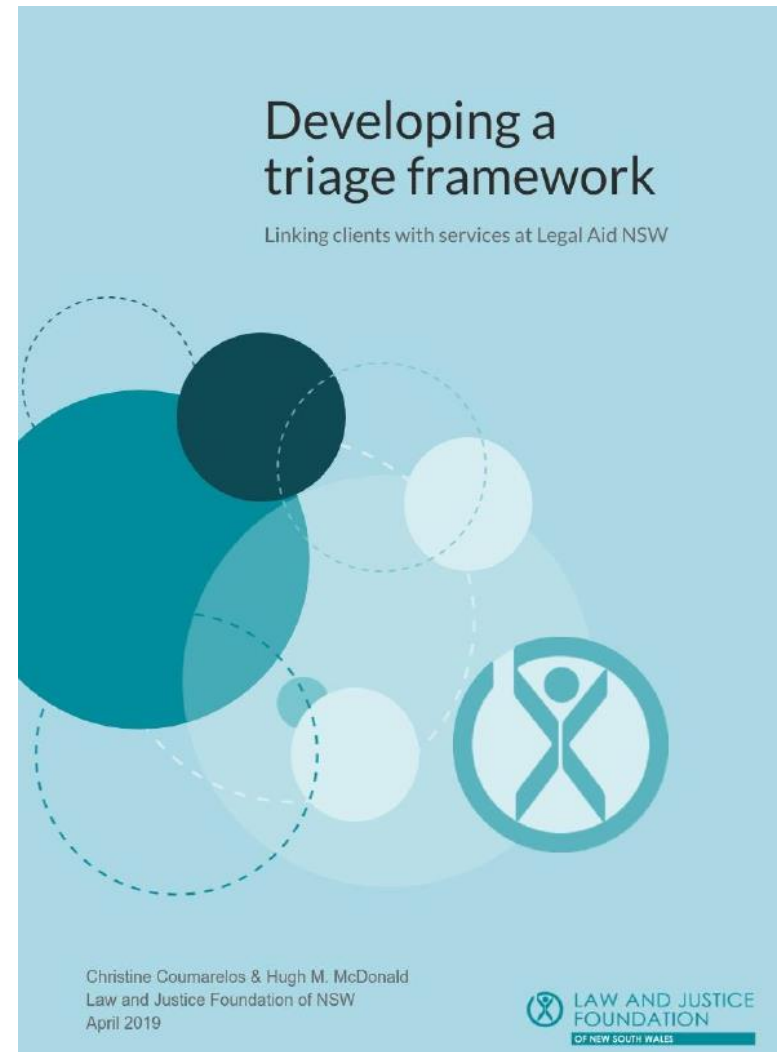


# Triage: When demand outstrips supply

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Law and Justice Foundation of NSW  
April 2019





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WHAT IS  
TRIAGE



TRIAGE  
APPROACHES

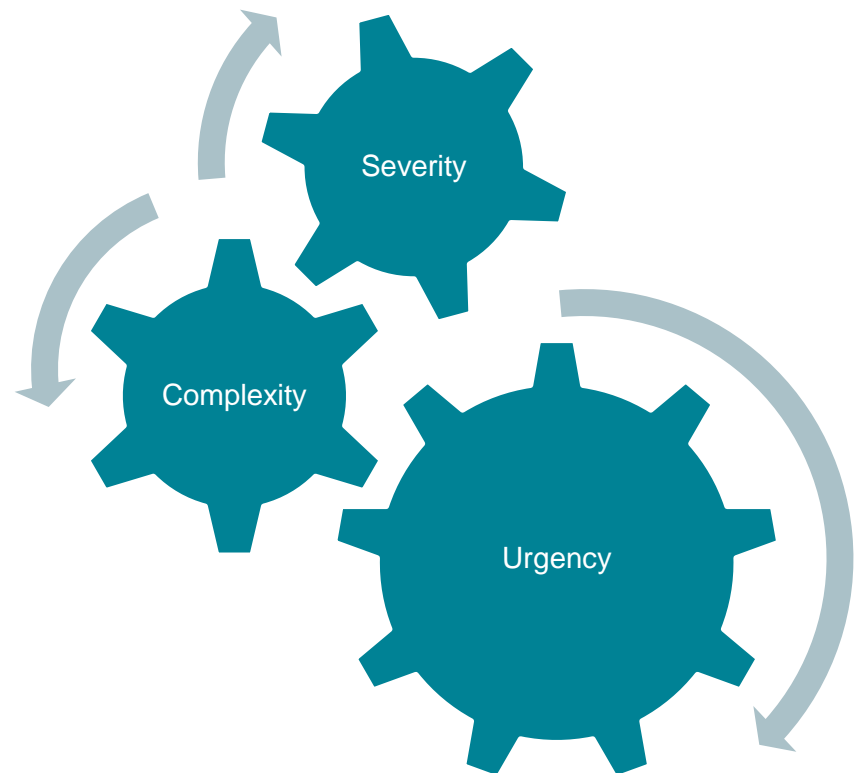


DEVELOPING A  
TRIAGE MODEL



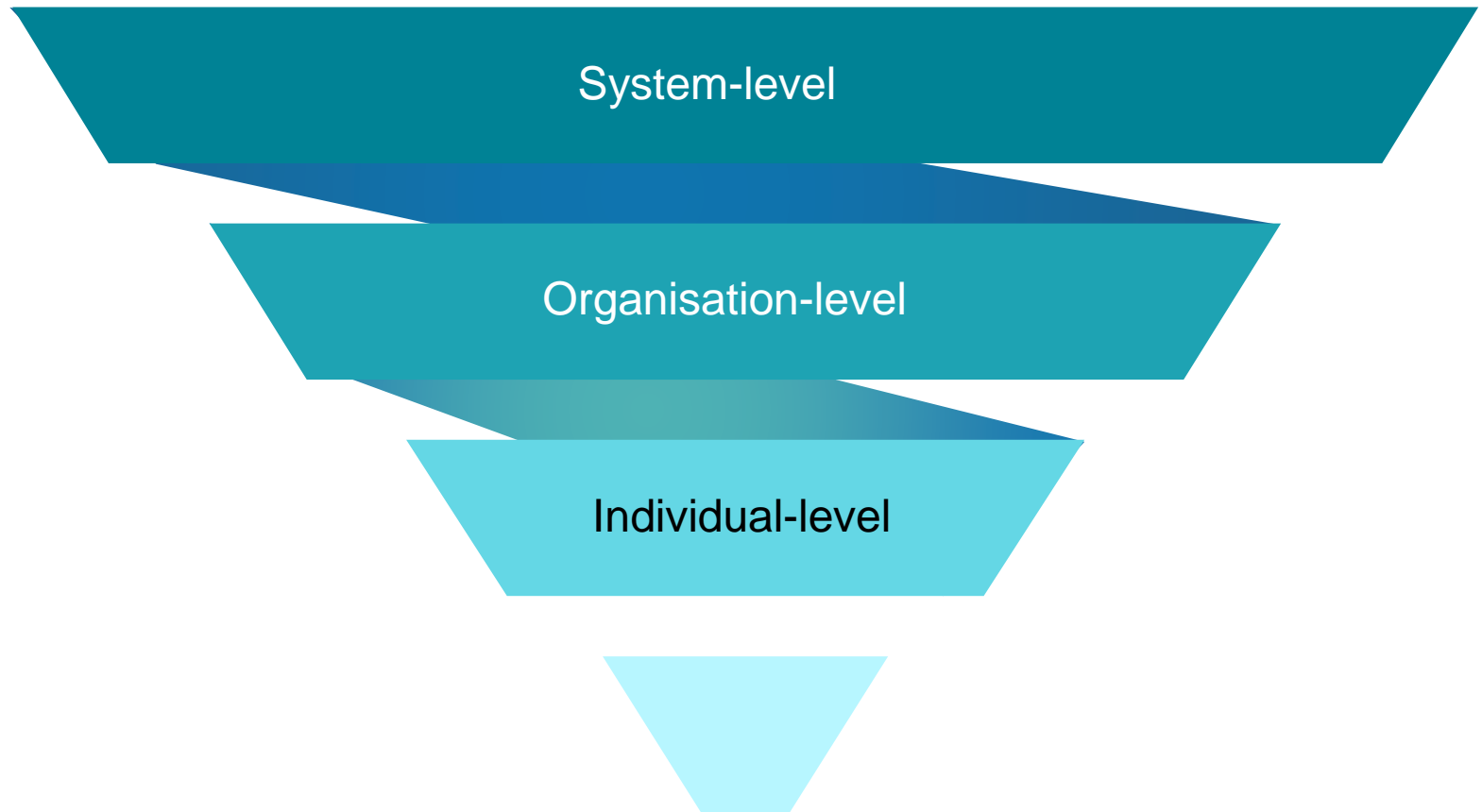
# What is triage ?

- Definition of triage is:
  - The **sorting of, and allocation** of treatment to patients ... according to a **system of priorities** designed to maximise the number of survivors.
  - The **sorting** of patients (as in an emergency room) according to the urgency of their need for care. Meriam Webster
- Triage takes into account the:
  - urgency of the matter,
  - severity of the matter, and
  - complexity of the matter.





# Triage happens at all levels





# Triage approaches



First come, first served



Equal chance of receiving the service (lottery)



Priority to the worst off



Priority based on the urgency of issues



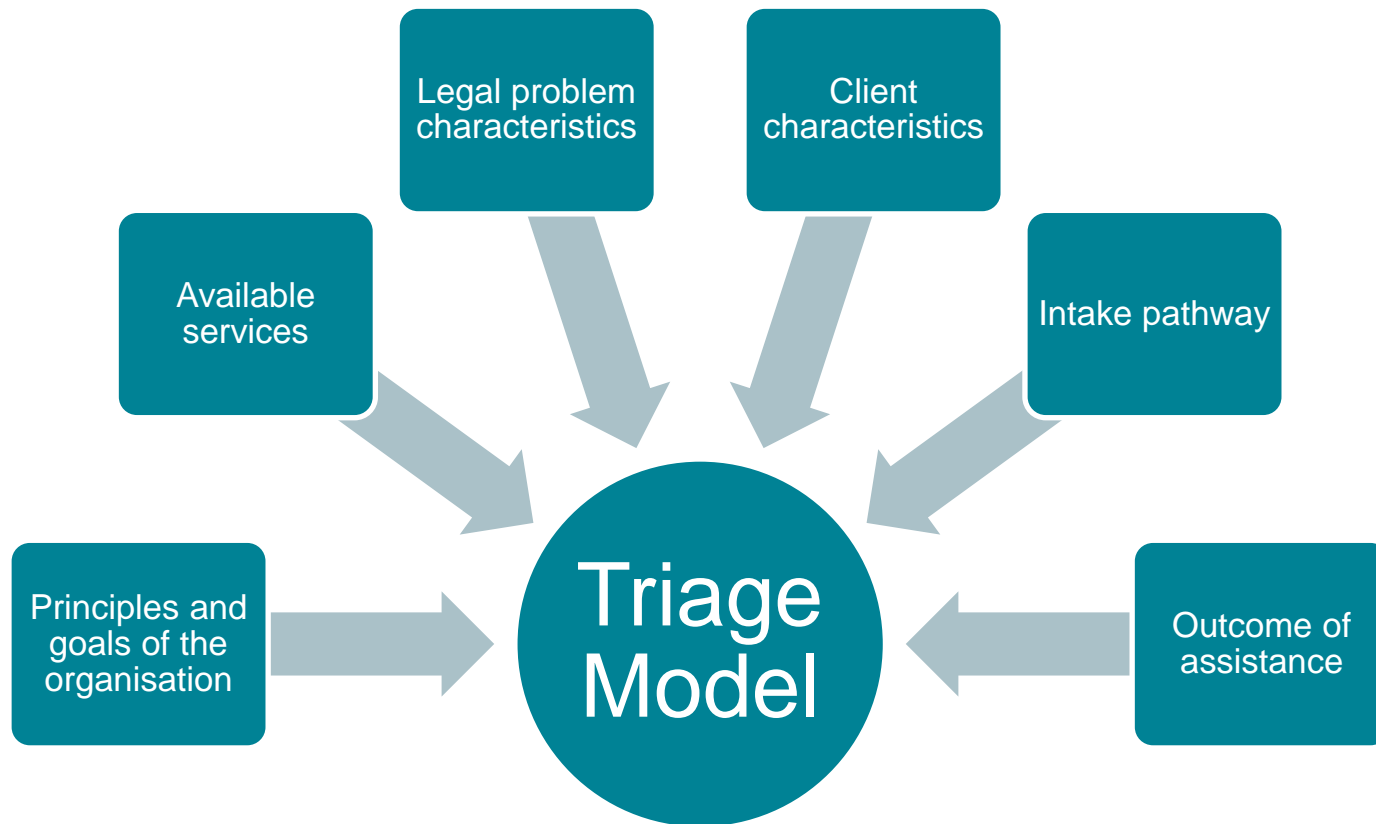
Priority based on best (or longer term) outcomes



Priority based on helping the most people



# Developing a triage model





# Who does triage?

Depending upon the pathway and purpose of the triage model, triage may be undertaken by:



- A legal services officer
- A generalist lawyer
- A specialist lawyer
- A referring non-legal worker





# What might triage look like?



A single entry point so that all clients are subjected to the same assessment process



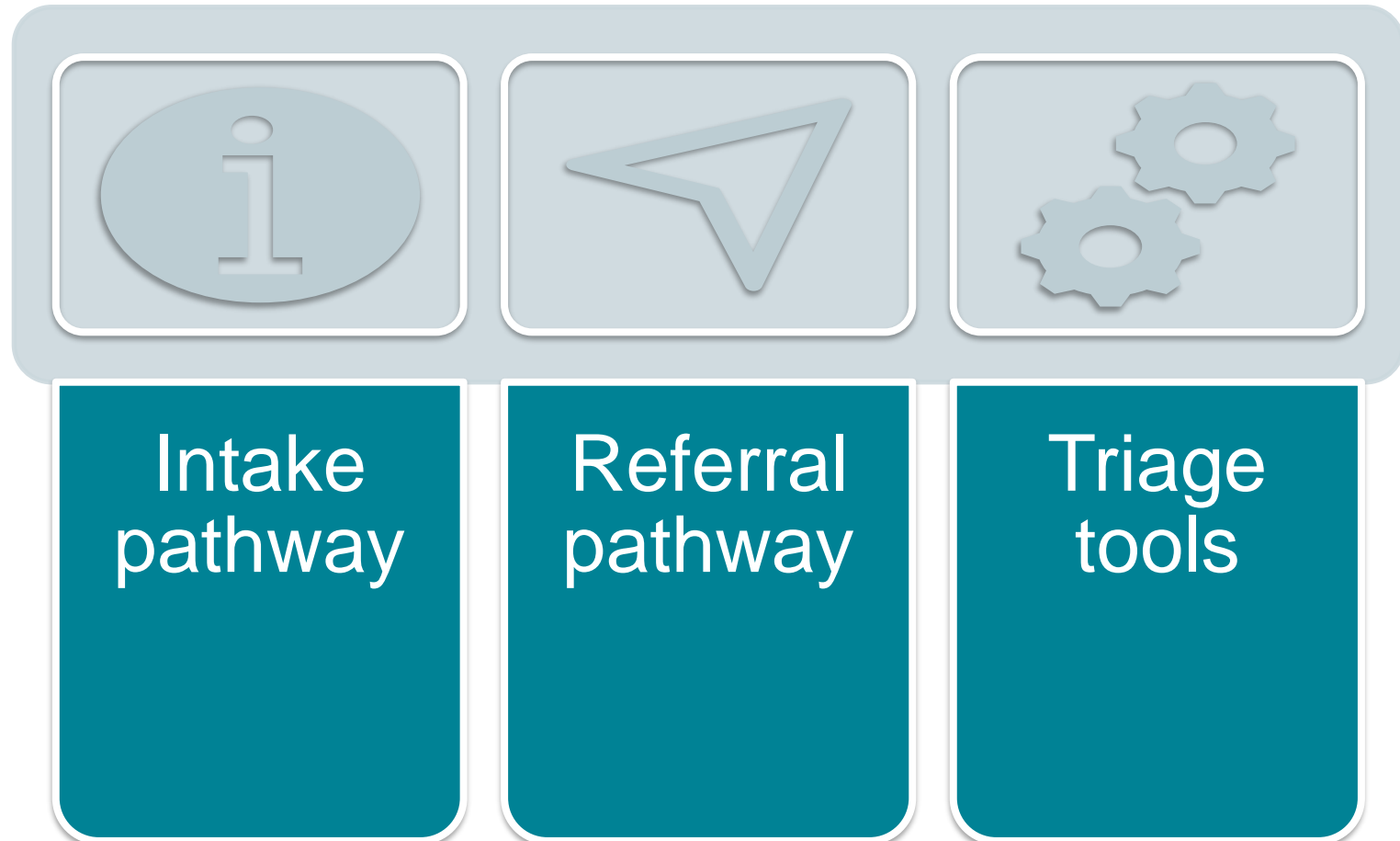
An organised client processing systems that allows for easy flow of client information



Appropriate referral channels (onward referral – data on available throughput)



# Pathways and Tools





# What works for whom



Outreach legal services  
and complex needs



Uptake of legal self-help  
resources – what works,  
for whom and for what?



What works? Learning  
from the literature.



# Monitoring and Evaluation





# Thank you

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# Law informed: The value of telephone legal information services to clients

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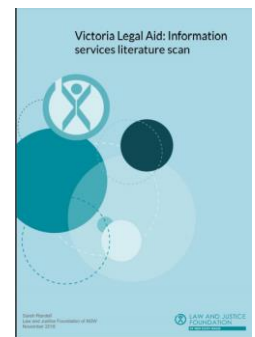
# Contents

1. Why we did the research
2. How we did the research
3. The features of telephone information that work for clients
4. The challenges for information/referral services



# Why we did this research

- Funded by Victoria Legal Aid (VLA) under our Research Alliance
- 2018 Review recommendation that VLA are the primary entry point for legal issues
- Program of work on the role and contribution of information services within VLA
  - Literature scan
  - Development of program logic
  - How to assess the contribution of information services







# VLA's Legal Help

- Main gateway to public legal assistance for the Victorian community
- Main telephone entry point for legal triage to more intensive service provision
- 1300 number 8am to 6pm Monday to Friday
- Staffed with lawyers and officers without legal training
- Most staff located in VLA's head office in Melbourne
- Clients can get:
  - A referral to one or more external organisations, and/or
  - Information about their problem type and options available, including by email
  - Where eligible, legal advice from a Legal Help lawyer
  - Referral to an appointment with a lawyer elsewhere in VLA, including duty schemes
- Research was not designed to assess the triage role or online information offering



# How we did this research

- **Client calls Legal Help**
- Legal Help staff record information about the call
- With client agreement, information shared with researchers
- **1 week later**
- Researcher calls client
- Offers incentive token
- Completes questionnaire online
- Requests permission to recontact
- **3 months later**
- Client requested to complete second questionnaire online
- Telephone interview provided as option
- Second incentive token



- *A key feature of the research was that every effort was taken to ensure the participants were as representative of Legal Help information/referral clients as feasible. Although the sample was not large, this increases the likelihood that findings are generalisable to the population of clients that received an information or referral.*
- *As the sample does not exclude those that go on to receive more intensive services, it is not an evaluation of the impact of information services alone.*



# Assessing value: LJF Program Logic

The purpose of VLA's information services:

*To provide Victorians with reliable, targeted and timely legal information that meets their diverse needs, interests and capabilities*

Goals for lower capability clients:

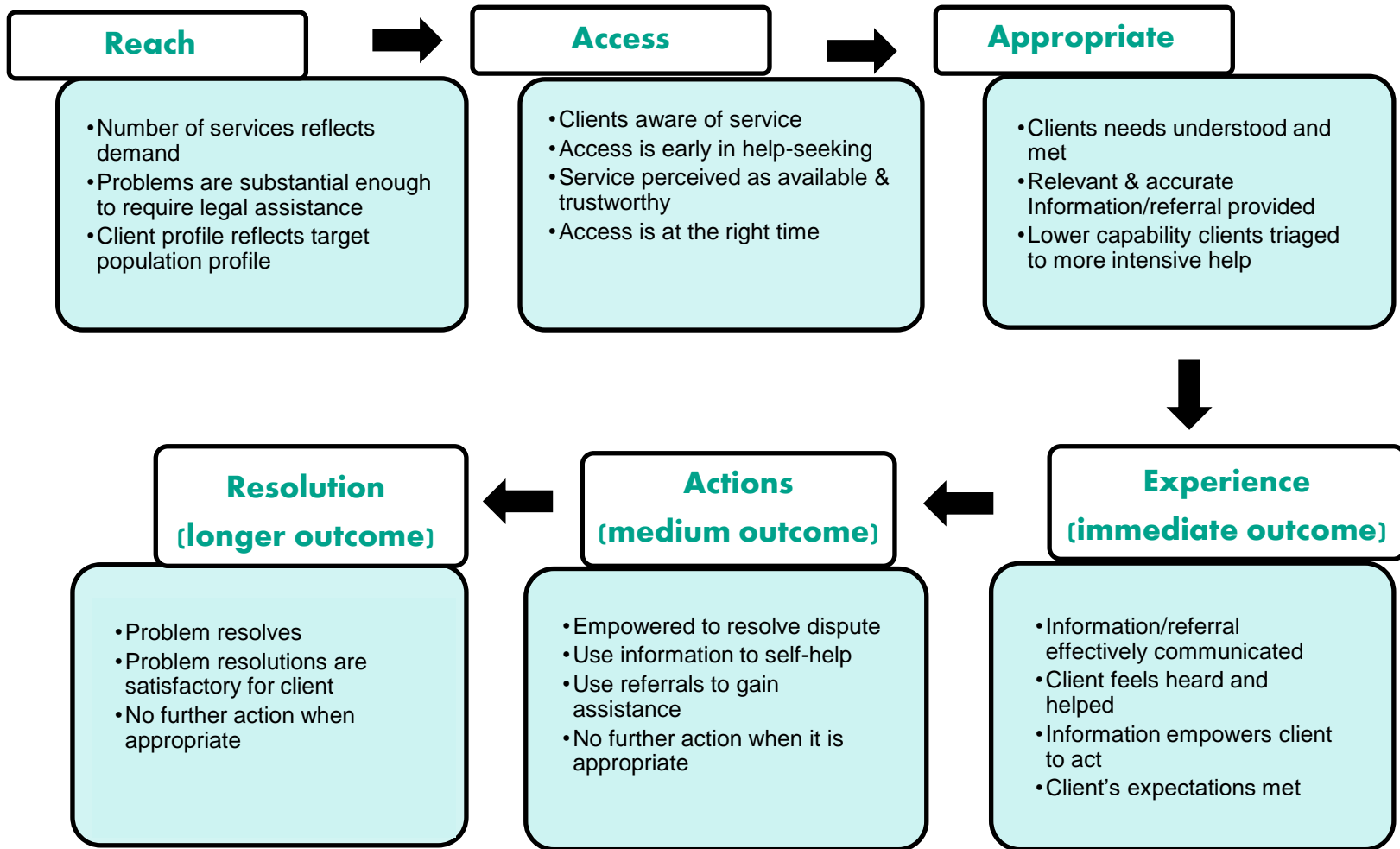
- Seek assistance at an earlier stage
- Increases access to integrated services
- Increased understanding of legal issue
- Increased confidence in legal services

Goals for higher capability clients:

- Can make informed decisions
- Resolve own problems or make informed choice
- Resolve problems at lower cost
- Reduced contact with VLA for preventable problems
- Become problem noticers for friends and family



# Assessing value





# The features of Legal Help that make it work

- **The Legal Aid brand and Legal Help offering**
- **Quality staff, well trained and well supported**
- **Backed up by quality tools and procedures**



# The features of Legal Help that make it work: The Legal Aid brand

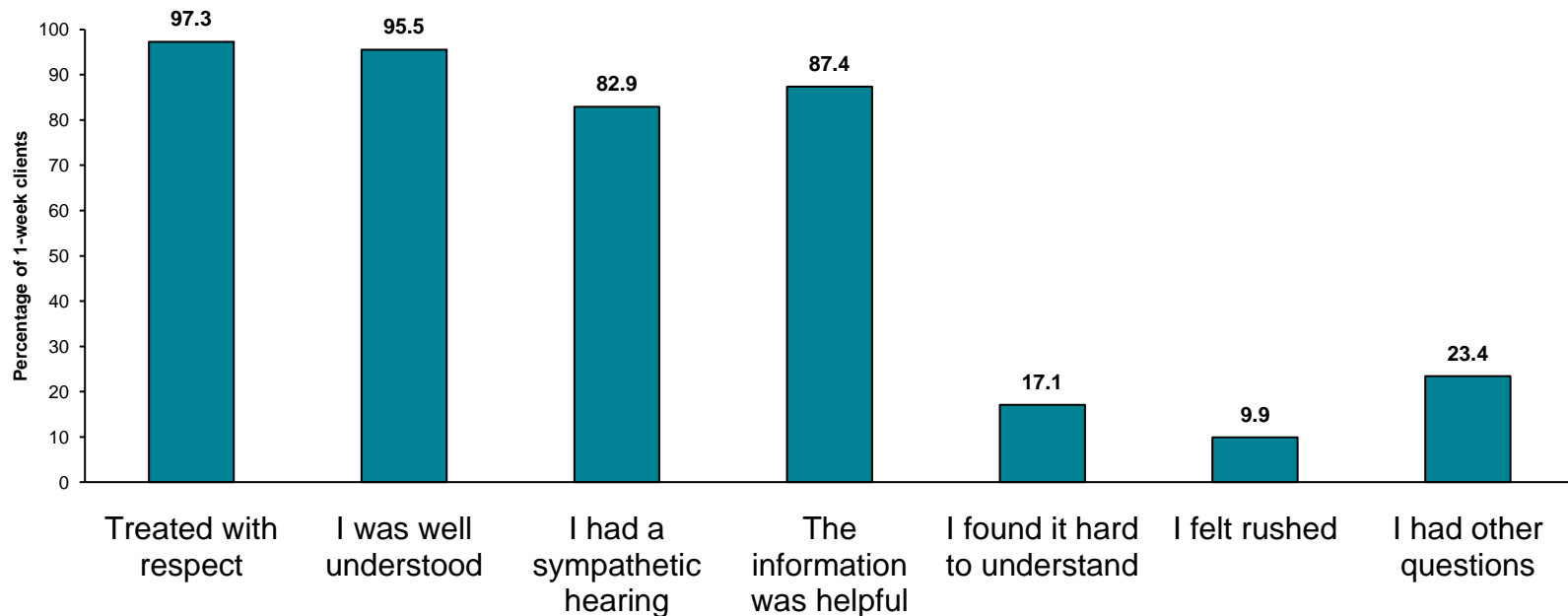


- Cost-free
  - It was the first thing I saw online that ... was free
- Trustworthy, accessible and approachable
  - It's simple to call Legal Aid. I don't have a great education. I was scared to call a big law firm. I saw Legal Aid as the same as first aid. They would help me with my problem
- Easily found through googling
  - After googling 'divorce advice' Legal Aid looked like the most reliable and best option



# The features of Legal Help that make it work: Quality staff, well trained and well supported

Percentage of clients who somewhat or completely agreed that ...





# The features of Legal Help that make it work: Backed up by quality tools and procedures

- Online prompts to identify priority clients (triage)
- Investment in information on referral destinations
- Staff can make internal referrals within Legal Help
- Staff can make appointments elsewhere in VLA
- Over the phone information backed up by email, text messages, website





# The challenges for telephone based assistance

- **Reactive model**
- **Range of problems**
- **Range of client capability**
- **Incentive to provide referral**
- **Referral merry-go-round**
- **Resourcing the infrastructure**



# The challenges for telephone based assistance: **Reactive model**





# The challenges for telephone based assistance

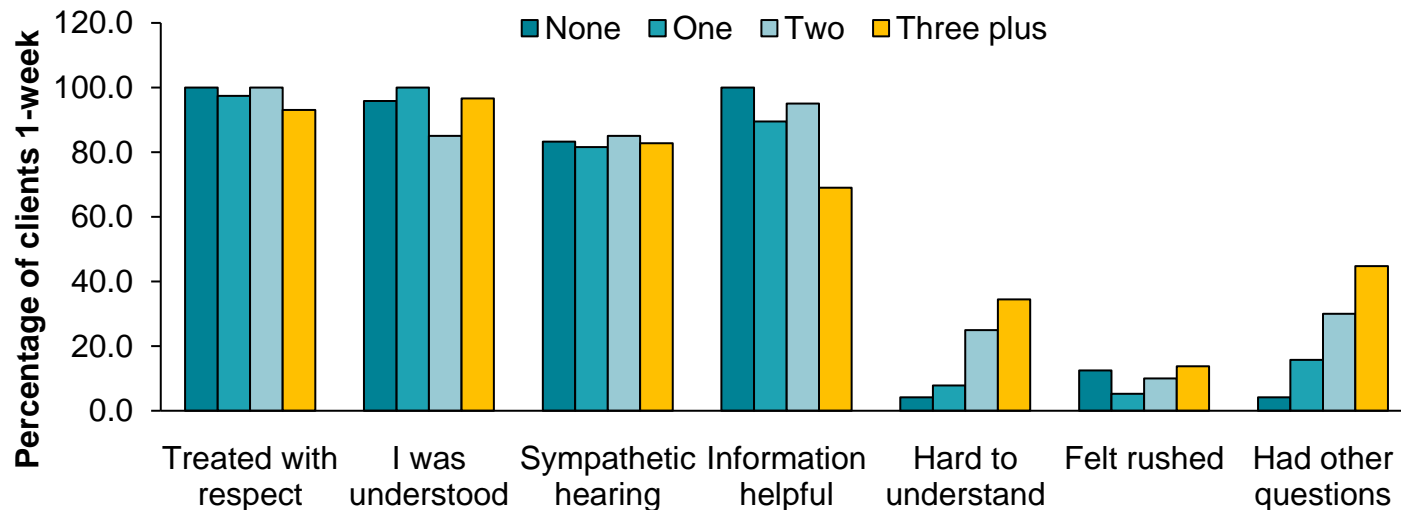
## Range of problems





# The challenges for telephone based assistance: Range of client capability 1

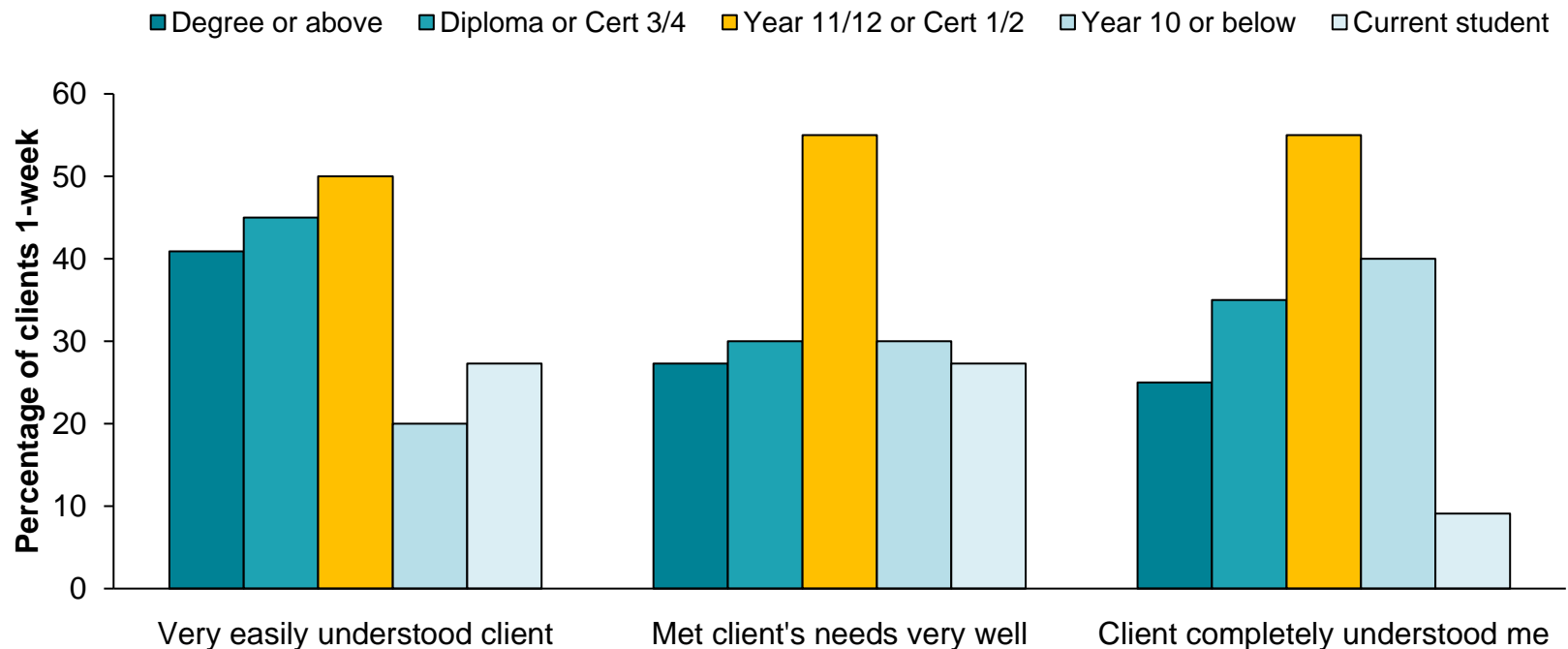
Client ratings of staff by number of vulnerabilities ...





# The challenges for telephone based assistance: Range of client capability 2

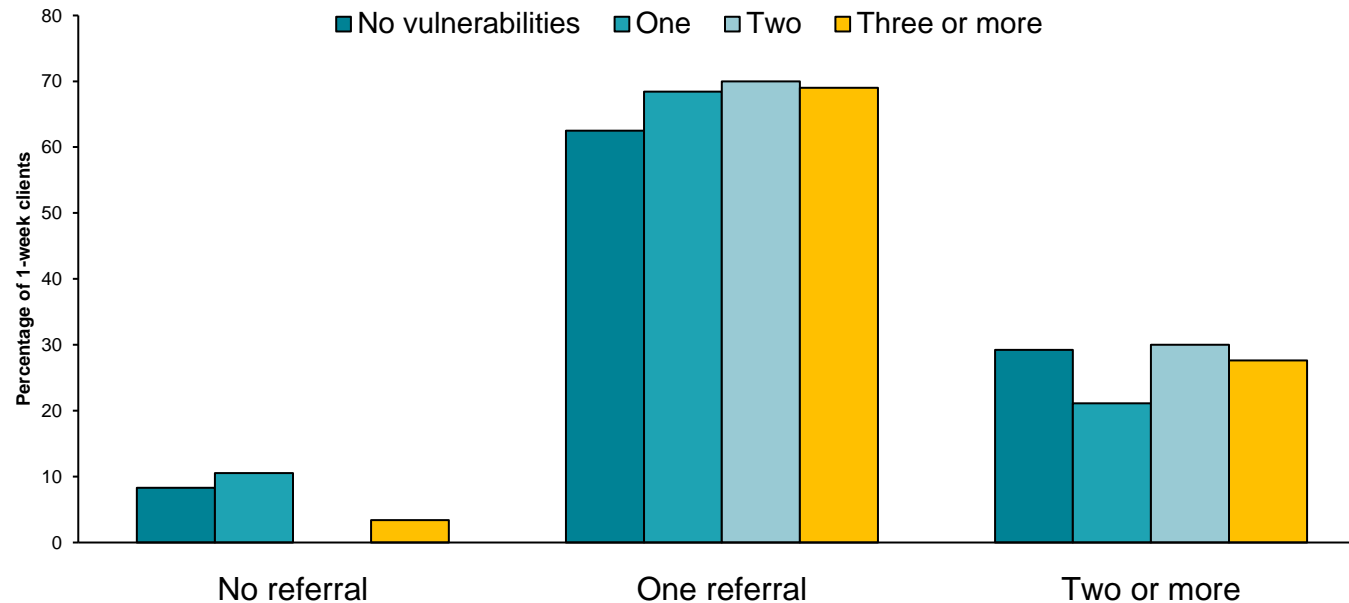
Staff ratings of call by educational attainment of client ...





# The challenges for telephone based assistance: Incentive to provide 'help'

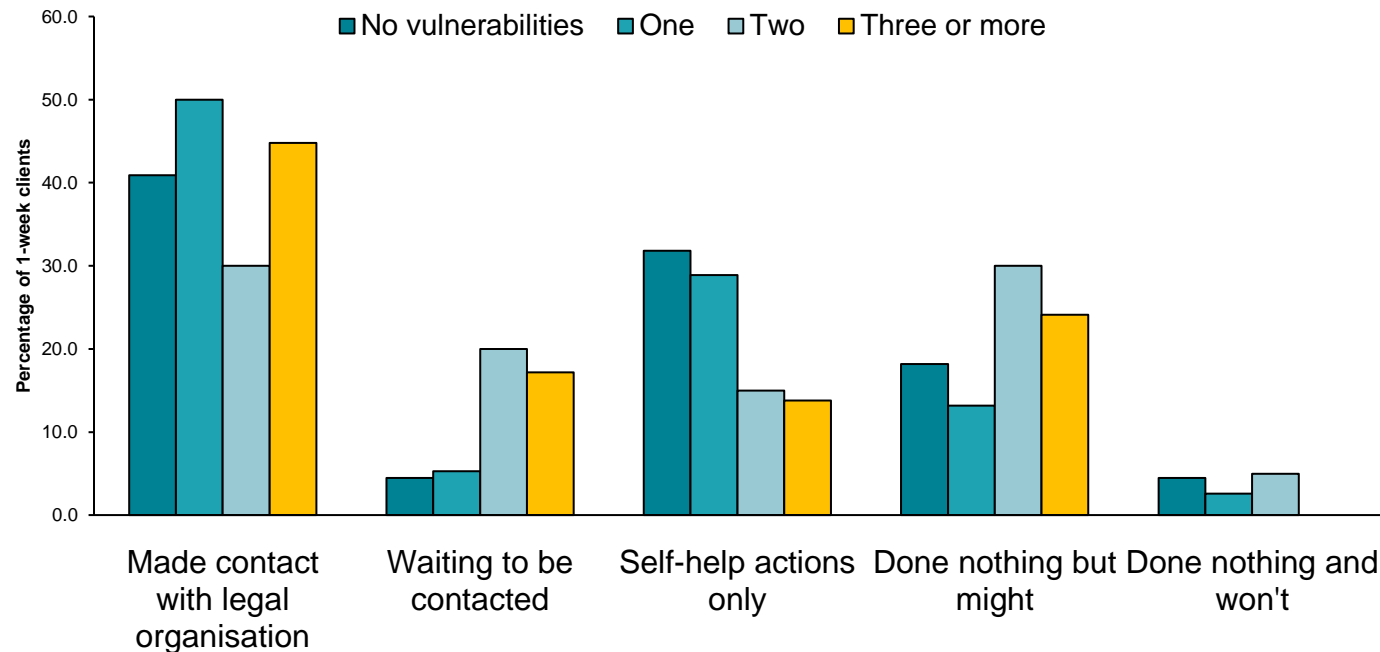
Number of referral destinations provided by number of vulnerabilities of client ...





# The challenges for telephone based assistance: Referral merry-go-round and when to get off

Actions taken within a week by number of vulnerabilities of client ...





# The challenges for telephone based assistance: Resourcing the infrastructure

- Setting in place mechanisms to review and update referral information
- *"Called [the recommended CLC] and was told they don't deal in wills and estates"*
- Regular review of content of websites and information emails
- *"...it related to urban fencing disputes and did not have any information on rural properties"*
- Non-legal referral desirable but database harder to develop and maintain
- Technology can supplement but not replace
  - Problem identification
  - Requirement for tailored information
  - Lower levels of technological literacy in more vulnerable populations

	\$	\$\$
Can easily find information on the internet	80%	82%
Use self-help forums and social media as a source of information	45%	47%
Use internet every day	63%	84%
Agree they can identify reliable information	65%	87%





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### Law informed: The value of telephone legal information services to clients

[Cite this report](#)

Catriona Mirrlees-Black, Maria Karras & Sarah Randell, 2020, 162 p.  
Do telephone legal information services fill a valuable place in the legal assistance landscape? Under its Research Alliance with Victoria Legal Aid (VLA), the Law and Justice Foundation followed up clients of VLA's Legal Help over three months after their initial telephone call. Legal Help's information and referral service is available to anyone in the Victorian community and is the main gateway for legal assistance to the general public and the entry point for legal triage to more intensive service providers.

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THANK YOU

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