Strategies for Legal and Aging Services to Advance Equity: Self-Evaluation Worksheet

NATIONAL CENTER ON LAW & ELDER RIGHTS

WORKSHEET • December 2021

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Many organizations serving older adults may struggle with how to center equity in their work. While there cannot be a one-size-fits-all approach to advancing equity, Justice in Aging, through the National Center on Law and Elder Rights, has created a list of preliminary questions and strategies for legal and aging services to consider as they strategize ways to advance equity in their delivery of services to older adults. This list is not intended to be an all-encompassing, exhaustive document, but aims to highlight key considerations for organizations when conducting a self-assessment. This worksheet not only facilitates goal setting at the current organizational level, but also encourages self-evaluation of the organization's current and past efforts.[1]

Evaluating Client Demographics and Equitable Delivery of Services

Review the demographics of the older adults your organization currently serves—for example, reviewing intake data will allow you to identify gaps or over-representations. It is especially valuable to review your organization's demographic data in the context of the population demographics in your region, as well as the need for services in specific populations within your region. Make identifying intersections of specific populations a priority as opposed to viewing each population in a silo. This section has some threshold questions and activities to consider.

1. **Evaluate external data: What are the demographics of the older adult population in your organization's service area?**

    » For this step, consider using census data,[2] Area Agency on Aging reports, and other sources of community data. Some key factors to evaluate include race, age categories, gender, zip code/region, and language spoken.

2. **Collect data: Is your organization collecting demographic data on its older clients?**

    » Your organization may already be collecting information on age, race, sexual orientation and gender identity, language(s) spoken, and financial information in its intake process. You can also learn this and other demographic information (e.g., household size/make up) through conversations with clients or follow up surveys. To build trust with clients, clearly inform clients about how the information they share is protected and why it is important to provide demographic information, and consider saving sensitive questions for after your initial interaction.

1 This evaluation activity is focused on equity in service delivery, and is not meant to capture an organization's internal efforts to implement diversity, equity, and inclusion in staffing and internal policies. The Shriver Center on Poverty Law and Management Information Exchange provide resources on internal DEI work and management strategies.

2 The U.S. Census Bureau website allows you to view "quick facts" about demographics by state and county. If you are unfamiliar with pulling census data, the U.S. Census Bureau's Census Academy has information and tutorials for building data skills.

3. **Evaluate internal data: What are the demographics of the older adults your organization is currently serving?**

   » Running reports from your case management system with similar demographic factors to the external data you collected can provide you with the information you need for comparison.

4. **Compare external and internal data: Where are the gaps?**

   » For this step, compare the external data you collected with the internal data showing who you are serving. It may be helpful to create a chart or report to help you better visualize the information. Some considerations include:

   - Are there any populations that are clearly not being served? Any zip codes or regions?
   - Are there any intersectionalities that stand out?
   - Compare data depending on the type of service or case. There may be reasons why older adults are not served equitably across the portfolio of services the organization offers.

Addressing Gaps in Services

Your next evaluative steps and strategies will depend on the gaps you identify in your review of internal and external data above.

1. **Are there any changes that need to be made at the screening or intake stage?**[3]

   » In your evaluation of internal data, you may have found that your data collection system or methods could use improvements. Consider what ways you can take an evidence-based approach to evaluating your client population—that might mean collecting demographic data upon intake, providing the option for self-reporting, or follow-up surveys. Clients may not be used to providing this information, so intake staff should work with clients to educate them on why this information is being asked and why providing it is important. Be sure to balance advantages to the organization through data collection against disadvantages to client populations in the privacy divide.[4]

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3 See Justice in Aging, Special Report: How Can Legal Services Better Meet the Needs of Low-Income LGBT Older Adults? 8-9 (2016), justiceinaging.org/wp-content/uploads/2016/06/How-Can-Legal-Services-Better-Meet-the-Needs-of-Low-Income-LGBT-Seniors.pdf for best practices for the intake process.

4 Low-income families face the two-prong challenge of both hypervisibility and invisibility. Low-income individuals are over surveilled, through requiring information sharing for government benefits, monitoring to maintain those benefits, and often live in more heavily policed communities. However, this over surveillance frequently does not result in targeted outreach and greater access to government benefits. Organizations can begin to mitigate this unfair divide by (1) reviewing the type of information that is collected to ensure that it is useful/used; (2) ensure the safety of the data and privacy of the individuals, including using encryptions or other digital tools when collecting/sharing data, limiting administrative access to identifiable data, and properly destroying data and personal information when it is no longer needed or applicable; (3) communicating the purpose and privacy protocols for data collection to clients; and (4) implementing policies around data collection, training for intake and direct services staff, and routine review of those policies and trainings.

2. **Are there new ways to reach diverse older adults in the community?**

    » Issues of outreach to older adults involve assessing a number of factors. For instance, how do older adults fit into existing organizational policies on outreach? There may be unintended consequences for older adults when employing a one-size-fits-all approach. Some considerations include:

    - An outreach strategy that relies primarily or singularly on digital communications may not reach older adults as easily unless paired with other forms of outreach and communication.
    - The location of outreach events should not only be accessible to older adults, but also impart a sense of a safe and trustworthy space. Consider co-locating services with other trusted organizations who work with older adults, such as partnering with local Long-Term Care Ombudsman to reach nursing facility residents or setting up a table at senior center.
    - Lanugage access is important—providing translated materials and interpreters at your events can be more welcoming to older adults with limited English proficiency.

3. **Are there new partners that you can engage?**

    » Outreach also may raise questions around partnership. This is an opportunity for the organization to assess how it relies on partners for referrals and whether new partnerships could be formed to reach different communities. Some considerations for stakeholder engagement and partnerships:

    - Who are your formal and informal partners, and are stakeholders engaged as partners? Is centering equity a meaningful part of your partnership?
    - Are there other organizations that may facilitate your efforts to advance equity that you can partner with for outreach, trainings, or advisory roles?
    - Have you sought out partners who are already engaged in this work or with the communities you are trying to reach?[5]

Evaluating Representation & Assistance Strategies

1. **Are your direct-services staff, support staff, and managers involved in your organizations' efforts to advance equity?**

    » It is crucial for all staff to learn about strategies to advance equity and have an opportunity to engage in efforts to reimagine policies and practices that better serve older adult clients. Some considerations include:

    - Do the departments at your organization discuss how racial justice and other equity concerns intersect with the work of that department and review trends specific to that department?
    - Are there open and safe avenues to share concerns and ideas about advancing equity among older adult clients with supervisors? And do these practices overly burden the staff who raise these issues?
    - Do all staff regularly undergo trainings on implicit-bias, trauma-informed services, and cultural competency?

5 The principles of "community lawyering" can translate to non-legal fields by building relationships with community organizers and groups, and people affected by poverty to invest in and empower community members in your work.

2. **How do you make decisions regarding case acceptance and case strategies?**

    » Large caseloads and lack of resources often require direct-services staff to prioritize some clients over others. Consider whether your decisions to accept cases and the methods you take to resolve those cases disadvantage older adults who belong to marginalized groups more than those who do not. For example, trends in denying cases, making referrals, pursuing appeals, or relying on settlements or mitigation may reveal some inequities.[6] Reviewing client demographic data and the correlating case outcomes will help you see if these trends exist, and implementing implicit bias trainings and case-decision processes can mitigate these effects.

Please contact ConsultNCLER@acl.hhs.gov for free case consultation assistance. Sign up for our email list and access more resources at NCLER.acl.gov.

This Resource Guide was supported by contract with the National Center on Law and Elder Rights, contract number HHSP233201650076A, from the U.S. Administration on Community Living, Department of Health and Human Services, Washington, D.C. 20201.

6 For attorneys, decisions to take cases to trial and/or represent on appeal can have large impacts beyond the individual client. Nationally, case-law on issues that affect low-income older adults—such as government assistance—is relatively limited. Pursuing trial or appeal when appropriate may not only benefit the client at hand, but can create case law that benefits other marginalized communities in your jurisdiction.