

## **Bridging the legal gap between needs and solutions.**

Houston Volunteer Lawyers is the pro bono legal aid arm of the Houston Bar Association

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### **Case Closing Codes**

#### **Advice Only**

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).

#### **Limited Action**

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

#### **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.

#### **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 . . . 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.

### **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) . . . 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. 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.

### **Uncontested Court Decision**

A case closed in which the program represented a client in a court proceeding that resulted in a case-dispositive decision made by the court . . . [and] either there is no adverse party or the adverse party does not contest the case.

### **Contested Court Decision**

A case closed in which the program represented a client in a court proceeding that resulted in a case-dispositive decision made by the court . . . [and] appeals to an appellate court [are] taken from a decision of any court or tribunal . . . . 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.

### **Other Reason to Close**

A case closed 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.

### **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* . . . 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 in which the program appears as counsel of record that do not result in a negotiated settlement, administrative agency or court decision, or in which an order of withdrawal or voluntary dismissal is entered should

be closed in this category.

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