Legal Assistance for Victims Grant Program

The Legal Assistance for Victims Grant Program (LAV Program) is intended to support victims of domestic/sexual violence who are seeking relief in legal matters arising from their abuse. The LAV Program develops innovative, collaborative projects that provide quality representation to victims of domestic/sexual violence, and provides opportunities for communities to examine how the legal needs of victims can be met.

THE LAV PROGRAM MAKES AWARDS TO LAW SCHOOL CLINICS, DOMESTIC violence services programs and shelters, bar associations, rape crisis centers, and other sexual assault services programs; private nonprofit entities; Indian tribal governments and tribal organizations; territorial organizations; legal aid or statewide legal services; and faith- and/or community-based legal service providers. Grant funds may be used for direct legal services to victims of domestic/sexual violence. In addition, grant funds may be used to provide enhanced training for lawyers representing these victims as well as for advocates.

226 Grantees Reporting

Between July 1, 2017 and June 30, 2019, 226 unique grantees reported activities funded by the LAV Program.

26,019 Victims Served

On average, grantees served or partially served 26,019 victims during each 6-month reporting period.

37,731 Legal Issues Addressed

Grantees addressed an average of 37,731 legal issues and achieved a total of 94,544 outcomes.

Grantees may provide assistance to adult and youth victims in family, immigration, employment, administrative agency, and housing matters; campus administrative, protection or stay away order proceedings, or other similar matters; in addition to criminal justice investigations, prosecutions, and post-trial matters (including sentencing, parole, and probation) that impact the victim's safety and privacy.

Legal representation in family matters is especially crucial for victims of domestic violence, because offenders may continue to exert control over victims by using the legal system to force contact, restrict victims' access to protection, make implicit threats, and create ongoing challenges through litigation. Through these forms of "paper abuse," offenders can exert coercive control long after victims end the abusive relationship. Civil legal advocacy has been shown to decrease revictimization and improve self-sufficiency and psychological and economic well-being, thus working against these kinds of ongoing abuse (Copps Hartley, & Renner, 2016; Douglas, 2017; Miller & Smolter, 2011).



AK • Grantee Perspective

The Yukon-Kuskokwim (Y-K) Delta region of Alaska has incredibly high rates of both poverty and domestic violence/sexual assault. As the only provider of free, comprehensive civil legal services in the region, the demand for our services is extremely high. Our Bethel office serves all low-income individuals in Bethel and the Y-K region, not just victims of domestic violence. Without this funding, we would not have an attorney dedicated solely to victims/survivors in need of civil legal aid and, as a result, we would be able to help only a small fraction of the victims/survivors that we are currently able to serve. This funding has also given us the flexibility to serve victims and survivors that may be over 200% of the federal poverty guidelines (FPG). The Y-K region has an extremely high cost of living and even those over 200% of the FPG are highly unlikely to be able to afford one of the few private attorneys who practice in this region. Without this funding, we could not travel to villages for outreach and intake. Currently, this funding will allow us to take 12 trips over the duration of the grant. Before the grant, we were only able to take such trips as funding permitted and/or if another organization funded our trip. With these outreach trips, we are able to make contact with individuals who may not know about the critical services provided by the grant partners or their options within the legal system.

ALASKA LEGAL SERVICES CORPORATION



NY • Grantee Perspective

The additional LAV staffing provides an enormous benefit in conjunction with Pace Women's Justice Center's new Walk-In Legal Clinic. When we accept a domestic violence or sexual assault case from the walk-in clinic, an LAV attorney is often available to meet with the client that same day. This is both effective in terms of providing holistic care (e.g. referrals for shelter, counseling and other important social services), and more convenient for the client; it saves the client taking off another day from work to come to our office.

PACE UNIVERSITY, NEW YORK

Grantees engage in the following purpose areas:

- Implement, expand, and establish cooperative efforts and projects between domestic violence and sexual assault victim services organizations and legal assistance providers to help victims of domestic/sexual violence;
- Implement, expand and establish efforts and projects to provide legal assistance to victims of domestic/sexual violence by organizations with a demonstrated history of providing such direct legal or advocacy services; and
- Implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic/ sexual violence.

General Grant Information

Information for this report was submitted by **226** individual grantees for the July 1, 2017 to June 30, 2019 progress reporting period.

- 17 (8%) grantees reported that their grants specifically addressed tribal populations.
- Grantees most frequently addressed the following purpose area:
 - Implement, expand, and establish efforts and projects to provide legal assistance for victims of domestic/sexual violence by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims.

Staff

Grant-funded staff provide direct legal services, training, and mentoring for lawyers representing victims, and support services for victims, to increase victim safety and offender accountability. **Being able to hire staff is critical to the overall function and success of programs.**

- 227 (100%) grantees used funds for staffing needs.
- Grantees funded an average of **401** full-time equivalent (FTE) staff during each 6-month period.
- Grantees most often used these staffing funds to support staff attorneys, paralegals, and victim advocates.

Table 1 Staff supported with LAV grant funds, July 2017–June 2019: Selected groups					
Staff funded	6-month average				
Total FTE staff funded	401				
Attorneys	225	56%			
Paralegals	41	10%			
Victim advocates	39	10%			
Legal advocates	33	8%			
Support staff	20	5%			
Program coordinators	19	5%			

NOTE: Data presented for the most frequently reported categories only (≥5%).

Pro Bono Attorneys and Law Students

The civil justice system can address the needs of victims of violence in many ways. Law schools, licensure programs, continuing legal education programs, pro bono projects, and law firms can provide and receive training on the many complex legal issues that victims face. Grantees may coordinate efforts between law firms and law schools, local and state bar associations, victim services organizations, and legal services programs to provide quality representation to victims.

- Grantees recruited **1,711** pro bono attorneys, trained **1,667** pro bono attorneys, and mentored **2,254** pro bono attorneys.
 - Of those trained and mentored, pro bono attorneys accepted **3,302** and completed **2,620** cases.
- Grantees recruited 2,375 law students, trained 2,433 law students, and mentored 1,725 law students.
 - Law students worked on an average of **5,399** cases during each 6-month period.

Victim Services

Grantees provide an array of services to victims. Beyond traditional legal services, lawyers and non-lawyers provide safety planning and other support services. The partnerships between legal services providers and victim services organizations allow grantees to increase the number and type of support services they offer. The need for legal services includes emergency access to protection orders, legal representation in divorce and custody matters, housing, economic assistance, employment advocacy, and immigration assistance. Victims require competent legal representation so they can become and remain safe from violence.

- 227 (100%) grantees used funds for victim services.
- Grantees provided services to an average of 26,019 victims during each 6-month period.
- 94% of victims who sought services received them during each 6-month period.

A recent study found that in one county between 2011 and 2018, judges denied at least twice as many orders of protection for victims representing themselves than for those with advocate or attorney representation. The same report found that victims without attorneys were almost three times as likely to drop their cases before receiving final protection (Duker, 2019). Other data showed that cases in which LAV-funded attorneys represented victims in protection order hearings resulted in better agreements, increased court efficiency, and high victim satisfaction (Institute for Law and Justice, 2005).

ND • Grantee Perspective



The LAV funding has enabled Community Violence Intervention Center to build a legal staff that is trained in understanding the dynamics of domestic/sexual violence and the considerations that come into play when cases involving this type of violence are negotiated and litigated. This understanding is used to better serve our clients and work toward eliminating outdated and problematic notions about domestic violence. Progress has been made, but the district court at which the LAV attorney appears regularly has continued to undergo changes. Just last year, the two magistrate positions which heard all the protection/restraining order hearings were eliminated and now the five district court judges have a five-week rotation hearing protection/ restraining order cases. LAV funding has been, and will continue to be, essential in allowing the LAV attorney to advocate for survivors in front of the five judges that are all relatively new to adjudicating cases involving domestic violence and sexual assault, and to provide these newer judges with adequate education on the complex nature of these cases.

COMMUNITY VIOLENCE INTERVENTION CENTER, NORTH DAKOTA

Victims with children are particularly vulnerable because offenders routinely use the courts to challenge custody, child support, and visitation arrangements. Furthermore, judges and court-appointed third parties, like mediators and custody evaluators, do not necessarily have the requisite understanding of domestic violence and their decisions and recommendations do not always account for the safety needs of domestic violence victims and their children (Saunders, 2015).

MD • Grantee Perspective

LAV Program support has enabled the Baltimore area's largest legal aid and immigrant women's legal services organizations to join forces to collaboratively meet the needs of victims of domestic violence and sexual assault. As we deliver lifesaving services, we are not only empowering survivors to continue their fight for justice, we are also developing longlasting inter-agency bonds that strengthen the community safety net. Furthermore, Tahirih effectively multiplies every federal grant dollar into multiple dollars of impact as a result of extensively leveraging the time and resources of private pro bono attorneys from the region's leading firms. In fact, our LAV-funded project is our largest partnership collaborative project to date, enabling Tahirih and Maryland Legal Aid to work together in a much more meaningful way to ensure wrap-around and holistic legal services are delivered to victims.

TAHIRIH JUSTICE CENTER, MARYLAND



TX • Grantee Perspective

LAV funding has allowed us to continue to expand our capacity and focus on the most vulnerable populations of domestic/sexual violence victims. It has also given us the capacity to reach larger numbers within the victim populations including the disabled, limited English proficiency victims, and rural victims with limited access to transportation and dependable communication. The funding also allows us to pursue closer and more substantive relationships with our partners who serve this vulnerable population on a daily basis. Through collaboration, these closer partnerships give us the ability to provide holistic legal and non-legal services to those most in need

LONE STAR LEGAL AID, TEXAS

Non-legal Victim Services

Grantees provide support services and safety planning as needed.

During each 6-month period, on average, grant-funded lawyers provided:

- Safety planning to 9,647 victims;
- Support services to 3,654 victims; and
- Pro se clinics/group services to 514 victims.

During each 6-month period, on average, other grant-funded staff provided:

- Safety planning to 8,883 victims;
- Support services to 5,951 victims;
- Non-attorney legal advocacy services to 5,573 victims; and
- Pro se clinics/group services to **376** victims.

Victims Seeking Services

Grantees serve victims of domestic/sexual violence. Between July 1, 2017 and June 30, 2019:

 The majority of victims served or partially served were victims of domestic/ dating violence (78%).



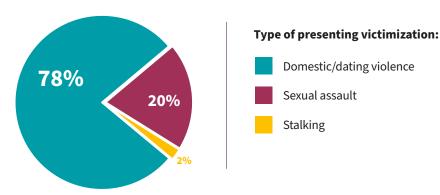


Table 2 Victims seeking services with LAV grant funds, July 2017–June 2019				
Victims seeking services 6-month average				
Total victims seeking services	27,712			
Victims served	22,455	81%		
Victims partially served	3,564	13%		
Victims not served	1,693	6%		

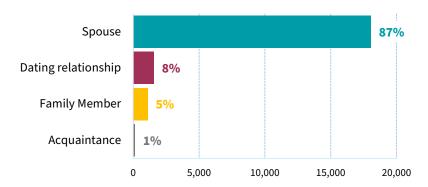
NOTE: "Partially served" represents victims who received some but not all of the service(s) they requested, provided those services were funded under the LAV Program grant. "Not served" represents victims who sought services and did not receive the service(s) they were seeking, provided those services were funded under the LAV Program grant.

Victims' Relationships to Offenders

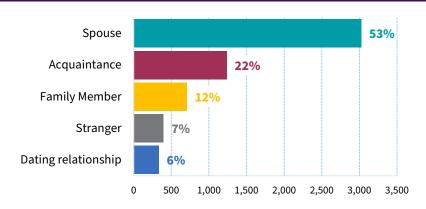
Grantees serve victims of domestic/sexual violence. Between July 1, 2017 and June 30, 2019:

- The majority of victims served or partially served were victimized by a **spouse or intimate partner** (79%).
- The remaining victims were most commonly victimized in the context of a **dating relationship** (7%) or by another **family or household member** (7%).

Figure 2 Type of victimization by relationship to offender: Domestic/dating violence (6-month average)







VA • Grantee Perspective



LAV Program funding ensures that LAV attorneys are able to offer consultations much earlier in the court process and represent more survivors who move forward with court proceedings. LAV Program funding is critical to ensuring that survivors are effectively represented in court. Having a full-time protective order attorney is an enormous benefit to victims because it allows them to achieve safety and security for themselves and their children. Through protective orders, further abuse is prevented while allowing victims to remain in their homes with custody of their children, vehicles, and pets. Likewise, having a full-time family law attorney is a tremendous benefit to survivors because it allows them to obtain legal guidance and potentially gain access to marital assets that are often controlled by their abusers. The full-time family law attorney may represent survivors in custody, child support, and/or spousal support hearings in court. Representation in court is crucial in cases where abusers hire high-priced attorneys to maintain access to their property and prevent survivors from accessing finances.

LOUDOUN CITIZENS FOR SOCIAL JUSTICE, VIRGINIA

Studies have shown that the use of victim services is associated with a 40% reduction in a victim's chances of revictimization.

Further, the care offered by advocates can increase victims' confidence and empowerment and improve the likelihood that they will report their victimization.

With advocate support, victims may also be more likely to participate in the criminal justice process (Patterson & Tringali, 2015; Xie & Lynch, 2016).

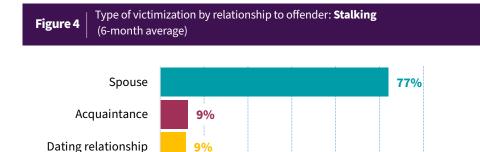


AK • Grantee Perspective

LAV funding has allowed our agency to begin addressing barriers that victims face and gaps in our community's legal needs. We have been able to help over 100 victims since receiving this grant with full or partial services including pro se assistance, referrals, and full representation in divorce, custody, protective order, and property matters. Additionally, we have been able to provide general legal information and consultation for our advocates when they are attending court and providing information to clients so they are more accurately and adequately prepared. We have also been able to build a robust relationship with many of our community members to create a strong referral, resource, and mentoring relationship. This includes providing training for incoming lawyers, being a technical resource for pro bono attorneys taking domestic violence cases, and providing subject matter expertise on litigation and violence in our community.

INTERIOR ALASKA CENTER FOR NON-VIOLENT LIVING

Research on the help-seeking behaviors of victims of intimate partner violence demonstrates the importance of victim services that are tailored to individual victims' and communities' needs. For instance, women are more likely to seek help than men following victimization. Due to barriers to access in the legal system and victim services, as well as cultural factors, Black and Latinx victims may be more likely to seek informal rather than formal supports. Similarly, foreign-born survivors seek informal help more than those born in the United States (Cho, et al., 2017).



Reasons Victims Were Not Served or Were Partially Served

400

600

800

1.000

1,200

During each reporting period, grantees most frequently noted the following barriers as reasons why victims were not served or partially served:

- Program unable to provide services because of limited resources;
- Victim did not meet statutory requirements;

3%

2%

200

• Program reached capacity;

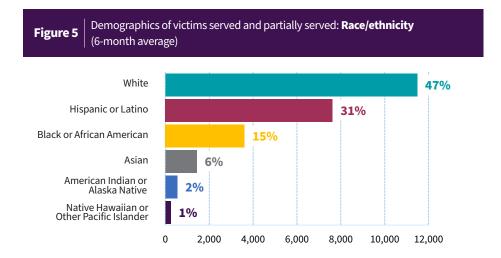
Family Member

Stranger

- · Conflict of interest; or
- Services were not appropriate for victim.

Demographics of Victims Served and Partially Served

Grantees served or partially served an average of **26,019** victims during each 6-month period. Victims most frequently served or partially served were **white** (47%), **female** (94%), and between the ages of **25 and 59** (80%).



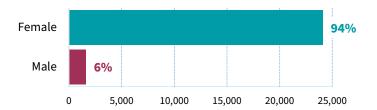


Figure 7 Demographics of victims served and partially served: Age (6-month average)

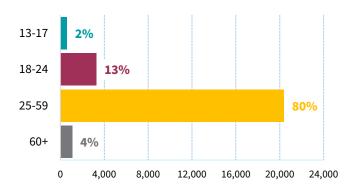
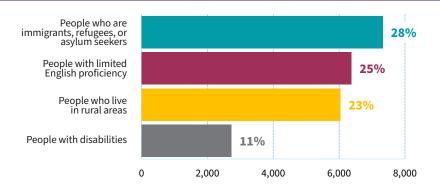


Figure 8 Demographics of victims served and partially served: Other (6-month average)



MN • Grantee Perspective



LAV funding makes it possible for Southern Minnesota Regional Legal Services (SMRLS) attorneys to serve more victims/survivors by holding regular office hours and providing legal advice to survivors onsite at our partner organizations, such as: the Committee Against Domestic Abuse shelter in Mankato, which serves south central Minnesota; Hope Center, a domestic violence shelter in Fairbault; and Crisis Resource Center of Steele County. These office hours allow survivors to meet with an attorney without the need to leave their shelter. SMRLS attorneys who hold regular office hours at grant partner organizations routinely assist multiple clients and walk-ins during every visit. SMRLS staff have also developed relationships with our partners and their staff, which have resulted in a high level of trust and respect on both ends. SMRLS staff attorneys regularly assist partners and community organizations with general and specific questions, both in person and over the phone.

SOUTHERN MINNESOTA REGIONAL LEGAL SERVICES, INC.

MD • Grantee Perspective



The Sexual Assault Legal Institute (SALI) would not exist if not for LAV funding. The organization was formed and developed using LAV funding and remains one of the few legal service providers in the country devoted exclusively to serving survivors of sexual assault. Prior to the formation of SALI, many sexual assault survivors, particularly those who had experienced a non-domestic sexual assault, had no access to legal assistance and were not provided with information about their legal options outside of the criminal justice system. Thanks to LAV funding, SALI attorneys now provide comprehensive and holistic legal advice and representation to survivors.

MARYLAND COALITION AGAINST SEXUAL ASSAULT

The VAWA self-petition requires that victims prove that they are or were married to United States citizens or legal permanent residents, that their spouse subjected them to battery or extreme cruelty in the United States, that they were married in good faith, that they lived with their abusive spouses, and that they are persons of "good moral character." A "prima facie determination" on the self-petition enables the applicant to receive public benefits while her/his case is pending. The final approval of the petition results in the granting of deferred action status and the ability to apply for employment authorization as well as for legal permanent resident status, if the applicant is othwerwise eligible. Battered spouses of United States citizens who are not in deportation proceedings may concurrently file their VAWA self-petition (I-360), adjustment of status application (I-485) to become a legal permanent resident, and employment authorization application (I-765). Once they receive their employment authorization documents, the victim may legally work and obtain a driver's license. For more information, visit: https://www. uscis.gov/humanitarian/battered-spousechildren-and-parents.



MI · Grantee Perspective

Most significantly, we are able to provide comprehensive legal services to many more survivors because of LAV funding. Because it is our mission to always provide comprehensive legal services and to train law students, we have to take fewer clients. LAV funding expands our capacity significantly. Because we are able to take more clients, we are also able to increase the number of law students that we train and mentor. Thus, more new attorneys are being trained in domestic/sexual violence, safety planning, and trauma-informed service provision. LAV funding has permitted us to develop a close working relationship with the Michigan Coalition to End Domestic and Sexual Violence. LAV funding has also given us the ability to spend resources and time on developing a top-notch training for lawyers representing survivors pro bono or at low cost. We simply would not have the resources to do this without LAV funding.

> HUMAN TRAFFICKING CLINIC, UNIVERSITY OF MICHIGAN

Legal Services

Grantees represent victims of domestic/sexual violence in a variety of legal matters, including family law (divorce, child custody, and visitation), protection orders, immigration, and housing.



- Grantees provided multiple instances of legal services to an average of **5,665** victims (22% of those receiving services).
- Grantees most frequently provided legal assistance with protection orders and divorces.

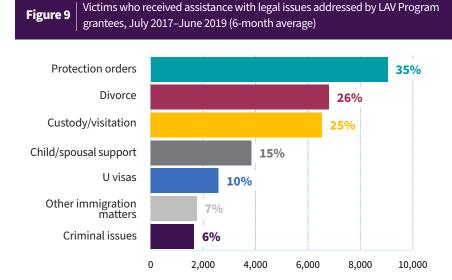


Table 3	Outcomes of legal issues addressed by LAV Program grantees, July 2017–June 2019

	Outcomes (N=105,543)		Information/ referrals/	Court	Brief	Negotiated resolution/
Legal matter	Ν	%	advice	decision	services	filed action
Protection order	29,004	31%	31%	39%	9%	11%
Child custody/ visitation	16,964	18%	50%	20%	12%	11%
Divorce	16,059	17%	50%	18%	14%	9%
Child/spousal support	8,547	9%	49%	21%	12%	12%

NOTE: Outcomes data represent issues disposed of, not the number of victims. Percentages for outcomes are based on the number of issues disposed of in each category; not all categories of outcomes or legal matters are included. Data presented for the most frequently reported categories only (>5%).

Remaining Areas of Need

Though grantees have made significant inroads in serving low-income victims of domestic violence, sexual assault, and stalking, they frequently cited the need for **increased organizational capacity** to serve a greater number of victims and to provide more comprehensive services for their clients. In particular, grantees mentioned the need for:

- Additional attorneys, paralegals, and victim advocates;
- Family law attorneys able to represent clients in custody and divorce cases;
- Attorneys capable of working on complex immigration cases; and
- Increased funds in order to provide access to free or low-cost civil legal assistance.

Grantees reported numerous **difficulties meeting the needs of immigrant victims and victims with limited English proficiency.** These needs included:

- A need for more qualified interpreters;
- A shortage of bilingual advocates and attorneys;
- Better translation of court documents and informational materials;
- Greater availability of immigration legal services;
- Cooperation with law enforcement in pursuing U visa applications; and
- Addressing the backlog of U visa applications.

Additionally, grantees noted an overwhelming number of **immigrant victims hesitate in accessing civil legal services** because of potential immigration consequences. **Fear of deportation or retaliation** by their abusers prevents victims from engaging with the legal system, which leaves a tremendous amount of abuse unreported.

CA • Grantee Perspective



1736 Family Crisis Center has been able to continue the expanded legal services to victims of domestic/sexual violence that were established with our previous grant. These are clients of our shelter and non-residential programs who need legal services, but who were previously unable to receive them due to funding limitations, particularly clients who are ineligible for CalWorks (also known as TANF). This is an absolutely essential free service for this vulnerable population. We are the only shelter-based agency in the area able to provide highly specialized services in this full-scale, holistic fashion in the community. Because of the funding, we are able to fully staff the program so that their legal issues can be attended to immediately. Since receiving LAV funds, clients are able to receive representation in high conflict cases in court (i.e. restraining orders/custody, visitation, immigration). Prior to LAV funds, our legal department had to turn away domestic violence victims with immigration issues. Now we are able to fully serve these clients in-house.

1736 FAMILY CRISIS CENTER, CALIFORNIA

D.C. • Grantee Perspective



Organizational capacity to serve additional survivors remains an urgent need. Despite receiving funding through LAV, Ayuda's capacity to serve clients is limited by the number of attorneys that we have. Every month when we open for scheduling new immigration consultation appointments, our appointments are filled within hours. Countless victims are unable to get consultations for services due to the limited number of appointments that are available. During the current reporting period, four clients were not able to receive ongoing representation for needed family law services due to capacity issues.

AYUDA, WASHINGTON, D.C.

OH • Grantee Perspective



Despite the efforts of Legal Aid, current funding levels remain insufficient to meet the tremendous needs of victims. At current funding levels, priorities for case acceptance still mean that victims that need help and can't afford a lawyer must represent themselves. This problem extends past protection orders into other areas of family law, consumer law, housing law, income maintenance, and other areas. Without stability and an ability to meet basic needs, victims struggle to stay separated from abusers.

COMMUNITY LEGAL AID SERVICES, INC., OHIO



MA · Grantee Perspective

Many Asian immigrant victims do not receive timely, linguistically and culturally competent legal counsel and assistance, and thus turn to our program for Limited Representation assistance. Our help often means the difference between receiving child support or nothing at all, a restraining order extension or vacature, parenting time with the child, or not seeing the child for weeks or months. It can also mean the difference between an immigration petition filed in a timely manner versus one that is filed without sufficient evidence or merit, placing the victim at further risk. Since the Asian Task Force Against Domestic Violence is a legitimate, trusted linguistically and culturally competent organization in the Asian immigrant community, the in-house LAV program sees these lastminute cases immediately as they come in, often at the same moment the victim opens and attempts to read her court notice. We are now at maximum capacity in being able to assist such clients in pro se limited representation pleadings, full representation immigration petitions, law student internship positions, and post-hearing pro bono referrals. Continued and increased funding is needed for our LAV staff to expand to full-time so that we may provide direct representation of clients for the neediest high-risk cases.

ASIAN TASK FORCE AGAINST DOMESTIC VIOLENCE, MASSACHUSETTS



CA • Grantee Perspective

There remains a need for more education around what intimate partner violence looks like not only for the community at large, but amongst judicial officers who preside over the cases that can turn a survivor's life around. While the judicial officers receive some training around domestic violence as part of their regularly scheduled annual education, there seems to be some variation in their reactions to survivors. This is especially key for survivors who litigate cases without documentary evidence and must rely on their testimony to be perceived as credible in order to obtain favorable court decisions. Often, judicial officers are tasked with a daunting responsibility of determining which party they find to be more credible largely based on the party's demeanor in court. As such, it is key for the officers to understand the effects of trauma and how it may impact survivors' ability to speak about the events that took place.

STAND STRONG, CALIFORNIA

Grantees noted that low-income victims **face significant financial burdens,** which can jeopardize their safety. These include:

- Access to housing, transportation, and child care;
- Difficulty securing stable employment with a living wage;
- · Consumer credit issues stemming from victimization; and
- Costs associated with litigation, such as mediation, guardian ad litem fees, and expert testimony.

Additionally, grantees pointed to the need for **low-cost mental health** services for victims and families.

Grantees emphasized the need to improve outreach and services to chronically underserved populations, especially:

- Immigrants, refugees, and victims with limited English proficiency;
- Victims in remote rural areas;
- · LGBTQ populations; and
- Young victims, including high school and college students.

Grantees also cited a need for **better training of judges**, **court personnel**, **law enforcement**, **and attorneys** especially around issues of:

- Dynamics of domestic and sexual violence;
- Trauma-informed practice;
- Understanding the needs of victims;
- Immigration and U visa applications; and
- Child custody.