



NLADA

National Legal Aid &
Defender Association

nlada.org

Advancing Your Work Through Federal Funding

CREATING OPPORTUNITY THROUGH CRIMINAL RECORD-CLEARING

2018 EQUAL JUSTICE PRECONFERENCE

MAY 9, 2018



Speakers

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Civil Legal Aid Initiative

Supported by the Public Welfare and Kresge Foundations

Civil Legal Aid as a Partner in Federal Programs

- Has been complementing efforts of the U.S. Department of Justice Office of Access to Justice
- Continues to cultivate relationships, convene, and work to advance the concept and work of the Legal Aid Interagency Roundtable

Improving Capacity: Providing information about federal grant programs

- LegalAidResources.org
- Dedicated listservs
- Technical assistance, training and support
 - Regional trainings, webinars, resource hub
 - Reach us at ResourceDesk@NLADA.org

Increasing Availability of Funding and Developing Partnerships

- Advocating with government agencies to increase availability and eliminate barriers
- Assisting legal aid programs in developing partnerships with key community stakeholders through “matchmaking” services
- Advocating with Congress to expand opportunities for civil legal aid



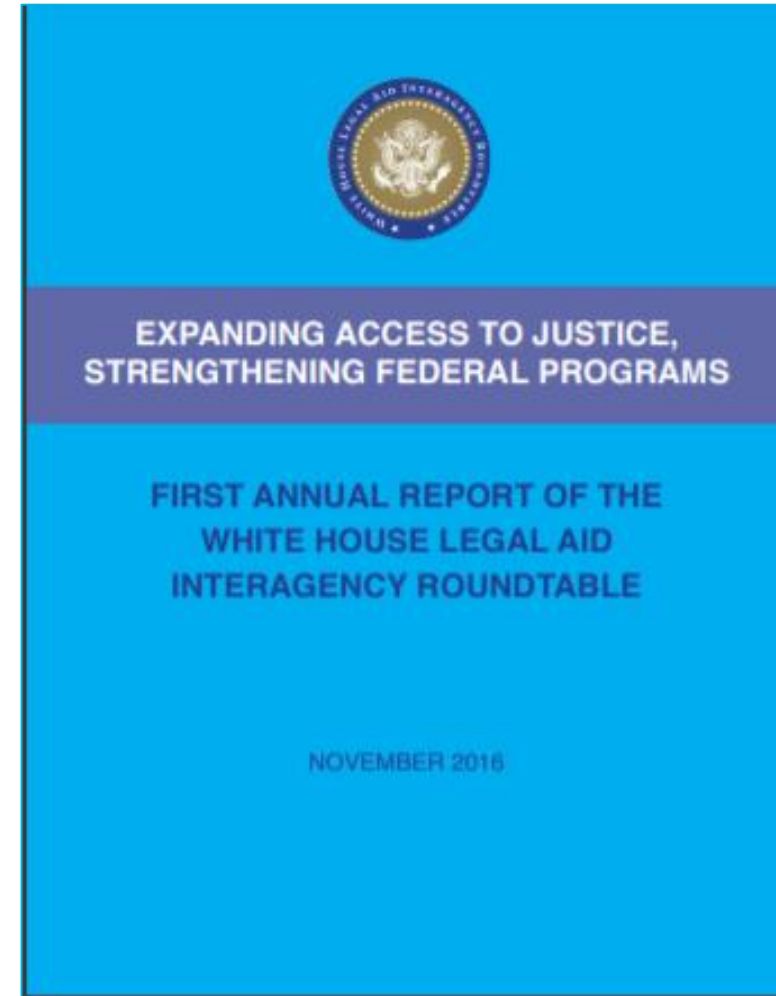
What is LAIR?

Legal Aid Interagency Roundtable



Expanding Access to Justice, Strengthening Federal Programs: First Annual Report of the White House Legal Aid Interagency Roundtable

- Released November 2016:
www.justice.gov/atj/page/file/913981/download
- www.justice.gov/lair
- NLADA houses all LAIR resources on:
www.LegalAidResearch.org



LAIR Toolkit Case Studies

“How Civil Legal Aid Supports Federal Efforts to ...”



THE UNITED STATES
DEPARTMENT OF JUSTICE

en ESPAÑOL

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White House Legal Aid Interagency Roundtable Home

Welcome Message

Presidential Memorandum

▼ Toolkit

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CASE STUDIES

The WH-LAIR Case Studies are two-page documents that illustrate how civil legal aid support other vulnerable populations in various areas. They contain descriptions of common challenges of federal responses to these challenges, and concrete examples of the ways in which civil legal aid efforts. The WH-LAIR continues to issue new case studies on selected topics.

- WH-LAIR Case Study: Protect Consumers
- WH-LAIR Case Study: Keep America Working
- WH-LAIR Case Study: Prevent Elder Abuse
- WH-LAIR Case Study: On Behalf Of Tribes & Tribal Members
- WH-LAIR Case Study: Prevent Domestic Violence
- WH-LAIR Case Study: Successful Reentry
- WH-LAIR Case Study: Help Veterans and Servicemembers
- WH-LAIR Case Study: Keep Children in Schools
- WH-LAIR Case Study: Help People Exit Homelessness & Stay Housed
- WH-LAIR Case Study: Access Health Care
- WH-LAIR Case Study: Assist Law Enforcement & Promote Public Safety
- WH-LAIR Case Study: Help Americans with Disabilities
- WH-LAIR Case Study: Help Human Trafficking Victims
- WH-LAIR Case Study: Strengthen Families

www.justice.gov/lair/wh-lair-case-studies

CIVIL LEGAL AID SUPPORTS FEDERAL EFFORTS TO HELP KEEP AMERICA WORKING

THE NEED

Every American who wants a job should be able to work. People with jobs should be able to advance in their career, and those who lose their jobs should be supported at work again. While our economy is growing, too many Americans still face challenges employment or addressing job-related issues while employed.

People seeking work are vulnerable to fraudsters padding “work at home schemes” vocational schools that collect federal student aid dollars, but then fail to provide the work force after a period of incarceration face significant barriers to employment or continuing their education. Many people with steady employment also face hardships employers misclassify workers, calling them independent contractors instead of employees to a denial of critical protections including family and medical leave, overtime, minimum unemployment insurance. Additionally, many people – looking for employment or or themselves victims of illegal discrimination based on race, gender, national origin, age or disability.

EXAMPLES OF THE FEDERAL RESPONSE

Since the Great Recession, the Federal Government has taken decisive action to boost growth by promoting jobs and job security.

The Department of Labor (DOL), in coordination with the U.S. Departments of Education and Human Services (HHS), administers the recently enacted Workforce Innovation and Opportunity Act (WIOA). WIOA helps job seekers access employment, education, training, and support in the labor market and to match employers with the skilled workers they need for the global economy. It also ensures continuation of the network of American Job Centers providing training, education and employment services for unemployed and underemployed workers looking for work.

DOL’s Misclassification Initiative works to combat misclassification of employment status benefits to those wrongly denied them as a result. To combat discrimination, the Department of Labor’s Office of Policy (ODEP) works to enhance the capacity of the workforce system employment services to people with disabilities.

The HHS Office of Family Assistance administers the Temporary Assistance for Needy Families (TANF), helping needy families achieve self-sufficiency, including support for job preparation and employment.

The Federal Trade Commission (FTC) is on the front lines of the fight against fraudulent schemes. The FTC also educates the public about fraudulent business opportunities and other scams to help job-seekers avoid fraud.

The Department of Justice and DOL fund reentry initiatives, such as Second Chance Reintegration of Ex-Offenders, in communities around the country. These grants support and other important strategies and services – designed to reduce recidivism by helping people returning from prisons, jails, and juvenile facilities.

Evidence suggests that legal interventions such as expungement reducing a felony to a misdemeanor, stem the decline in earnings may even boost earnings. Halting the decline in earnings suggests the interventions make a meaningful difference in people’s lives and are key components of an effective employment reentry strategy.

— Jeffrey Selbin and Justin McCrary, University of California, Berkeley School of Public Health
Got Clean Slate? New Study Suggests that Criminal Record Clearing May Increase Earnings

“”

Legal aid is essential to closing persistent opportunity gaps and to creating shared prosperity in an economy that works for everyone.

— Secretary Thomas Perez, U.S. Department of Labor

Legal Aid Helps

- Represent workers to secure the wages and benefits they are entitled to, including unpaid wages and unemployment benefits.
- Expunge or seal criminal records, reinstate a revoked or suspended driver’s license, untangle outstanding court debt issues, modify child support orders, and secure certificates of rehabilitation for people previously incarcerated, dramatically increasing their ability to obtain and keep a job.
- Represent employees who are misclassified on the job before state and Federal agencies, ensuring that workers receive appropriate benefits.
- Educate consumers about fraudulent employment and education schemes and report cases to the FTC for possible enforcement.
- Advise job seekers or employees who are discriminated against in the work place.
- Stabilize lives by preventing illegal evictions or foreclosures, resolving credit report problems, obtaining child support and custody orders or securing domestic violence restraining orders, improving people’s chances for steady employment.

Legal Aid gets Dad Back on Road to Work

After five years working as a delivery driver for a home improvement chain, Joe lost his job when his driver’s license was suspended because medical expenses for his prematurely-born daughter left him unable to pay outstanding traffic fines. SonomaWORKS, Sonoma County’s HHS-funded welfare-to-work program, referred Joe to what seemed like a perfect job as a delivery driver for a parts store. When the employer offered him a position contingent on securing a driver’s license, he sought help from Legal Aid of Sonoma County. With funding from California’s TANF program, Joe’s legal aid lawyer successfully arranged an affordable payment plan for a reduced bail amount so Joe could pay off his fines and get his driver’s license reinstated. Thanks to the legal and employment services provided through SonomaWORKS, Joe once again became self-sufficient.

Lawyer’s Help Clears Barriers for Working Mom

Francesca, a 21 year-old single mother of two children, received a job offer to work at a major bank’s call center. But when a background check revealed a 3-year old municipal ticket for retail theft, she lost the offer. When she was 18, she got the ticket for taking \$20 worth of clothing from a former retail employer. At the time, she paid the fine understanding the municipal ticket was not a crime. DOL Face Forward grantee WestCare Wisconsin, referred Francesca to their partner, Legal Aid of Wisconsin, for help. Within one month, her attorney got the municipal ticket case reopened and dismissed. After the attorney submitted proof of the dismissal to the state criminal investigation bureau clearing Francesca’s criminal background report, the bank hired Francesca. After less than 8 months on the job, Francesca even got a raise.



KEEP AMERICA WORKING

U.S. DEPARTMENT OF JUSTICE ACCESS TO JUSTICE INITIATIVE • <http://www.justice.gov/atl/legalaid> • APRIL 2015



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Session Goals

- Identifying federal grants relevant to your work
 - Funding the work you do to facilitate successful reentry
 - Funding services for the clients you see (grants by population served)
- Highlighting successful partnership models
 - Implementing federal programs to provide wraparound services that help stabilize lives:
 - Expungements
 - Access to stable housing
 - Access to stable employment
 - Access to veterans and public benefits
 - Safety from domestic violence

Session Goals

- Strategizing how to leverage community partnerships
 - Identify existing community partners in expungement/reentry work
 - Consider how partnerships align with federal grant priorities
 - Brainstorm initial steps for collaborating with partners on federal grants

Second Chance Act and Workforce Innovation and Opportunity Act



Second Chance Act (SCA)

Helping Overcome Barriers to Successful Reentry

- From the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP):
www.bja.gov/funding.aspx
- SCA supports state, local, and tribal governments and nonprofit organizations in their work to reduce recidivism and improve outcomes for people returning from state and federal prisons, local jails, and juvenile facilities.

Workforce Innovation and Opportunity Acts (WIOA)

Helping Overcome Barriers to Employment

- U.S. Department of Labor (DOL) implementation rule became final in 2016
- Federal rule lists legal aid among the supportive services considered “necessary to enable an individual to participate” in workforce activities
- “...legal aid can uniquely address certain barriers to employment, including access to driver’s licenses, expunging criminal records, and resolving issues with debt, credit, and housing.”

Second Chance and Workforce Innovation and Opportunity Acts

Department of Justice – Second Chance Act

- FY 2018 funding: \$85 million
- SCA Comprehensive Community-based Adult Reentry Program
- Smart Reentry: Focus on Evidence-Based Strategies for Successful Reentry from Incarceration to Community
- SCA Reentry Program for Adults with Co-Occurring Substance Abuse and Mental Disorders
- SCA Comprehensive Community-based Adult Reentry Program
- Smart on Juvenile Justice: Enhancing Youth Access to Justice Initiative
- SCA Smart on Juvenile Justice: Community Supervision Reform

Department of Labor – Second Chance Act and WIOA Reentry Projects

- Approximately \$82.5 million to serve either adults or young adults (ages 18-24) who have been involved in the justice system make successful transitions back to the community.
- DOL will award up to \$4.5M each to approximately 10 intermediary organizations; and \$1.5M each directly to approximately 25 nonprofit organizations.
- **Requires that applicants include legal services in the program design**
- Open and upcoming opportunities: www.doleta.gov/grants/pdf/ETA_Funding_Opportunities.pdf
- \$80 million increase for 2018 WIOA Formula Grants

Second Chance and Workforce Innovation and Opportunity Acts

Types of legal services funded:

- Reinstating a revoked or suspended driver's license;
- Expunging or sealing criminal records;
- Appealing denials of housing or employment;
- Accessing/appealing denials of benefits such as SNAP, Medicaid, Unemployment;
- Litigating violations of the Fair Credit Reporting Act;
- Creating and/or modifying child support orders
- Other family law services that help stabilize individuals and families, including obtaining or regaining child custody.

Accessing SCA and WIOA

Who gets it

- SCA grants vary - some are limited to states and local government, while some also fund human service providers, including civil legal services.
- DOL discretionary grants (SCA and WIOA) – awarded to organizations either as intermediary or for direct services
- WIOA Formula Grants – American Job Centers*

How you would get it

- As a direct grantee (many SCA grants have express language for legal services)
- In partnership with other human services providers (i.e., Goodwill) or government recipients
- WIOA Formula Grants – as a sub grantee of a Job Center or through local workforce develop board – Can be broad or narrow as long as it relates to employment

Reentry – Finding Local SCA Grantees



National Criminal Justice Initiatives Map

The National Criminal Justice Initiatives (NCJI) map identifies recipients of federal funding related to reentry and recidivism reduction across the United States. As a joint project of the National Reentry Resource Center and the **Federal Interagency Reentry Council**, this is a map of programs and federal investments for communities around the country.



By Council of State Governments

<https://csgjusticecenter.org/reentry/national-criminal-justice-initiatives-map/>

LAIR Case Study – Second Chance Act

Lawyer steers Ruben through obstacles to steady finances, family and job

After release from jail and completion of a 90-day substance abuse treatment program, “Ruben” sought help from Bay Area Legal Aid, CA. Ruben’s attorney helped him stabilize several key areas of his life, including advising him on driver’s license reinstatement, his Section 8 housing status, family law matters and consumer/credit issues.

These services helped him reunite with his family, secure employment, and be evaluated “low risk” on the Probation Department’s assessment tool.

Bay Area Legal Aid’s reentry work is supported by HHS’s Community Centered Responsible Fatherhood ExPrisoner Reentry Pilot Project, and **DOJ’s Second Chance Act** Adult Reentry Program for Planning and Demonstration Project.

WIOA Partnership Example

Maryland Legal Aid hosts expungement clinics at their Job Center to remove barriers to employment and train staff on spotting issues

- A similar model may support records mitigation work in order to support obtaining/retaining stable employment
- Or partnering with Legal Aid to coordinate mitigation work upon release or conclusion of case
 - Here you would be a second sub grantee

Temporary Assistance for Needy Families (TANF)



Temporary Assistance for Needy Families (TANF)

- From the Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance
- **The Temporary Assistance for Needy Families (TANF) program is designed to help needy families achieve self-sufficiency**
- Some of your clients may be receiving TANF, but states also use a portion of their TANF block grants to design and operate programs that accomplish one of the purposes of the TANF program

More information about TANF: www.acf.hhs.gov/programs/ofa/programs/tanf/about

Temporary Assistance for Needy Families (TANF)

The four purposes of the TANF program are to:

- Provide assistance to needy families so that children can be cared for in their own homes
- Reduce the dependency of needy parents by promoting job preparation, work and marriage
- Prevent and reduce the incidence of out-of-wedlock pregnancies
- Encourage the formation and maintenance of two-parent families

Temporary Assistance for Needy Families (TANF)

Types of legal aid TANF funds

- Resolving personal legal problems where they are consistent with one of TANF's purposes (ex. Something that is a threat to family stability or undermines employment)
- Pursuing SSI/SSDI
- Resolve debt and credit
- Housing
- Family law (divorce, adoption, custody, guardianship)
- Driver's license reinstatement
- Expungement
- Fines/fees
- IEPs

Temporary Assistance for Needy Families (TANF)

Who gets it

- TANF is distributed to states as a block grant

How you would get it

- As a direct grantee of the state or county
- In partnership with other human services providers

Temporary Assistance for Needy Families (TANF) Examples

Legal Aid of West Virginia

- Receiving directly from WV state TANF administrator for more than 15 years
- More than \$1.5M in both federal and state MOE funds to fund more than 20 FTEs
- Expungement, SSI, drivers license reinstatement, resolution of outstanding fines/fees, family law (divorce, adoption, custody, guardianship), domestic violence, IEP and 504

Pennsylvania Legal Aid Network (PLAN)

- PA state TANF administrator grants TANF funds to PLAN → PLAN administers funds to CLS and other PA legal aid programs
- Funds legal services to individuals with criminal backgrounds to assist them in securing employment
- Provides fee for service payments for legal services provided to SNAP and TANF eligible clients

Temporary Assistance for Needy Families (TANF)

Find your state TANF administrator: www.acf.hhs.gov/programs/ofa/help

OFFICE OF FAMILY ASSISTANCE
An Office of the Administration for Children & Families

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HOME ABOUT **HELP FOR FAMILIES** PROGRAMS POLICY DATA & REPORTS RESOURCES

ACF Home » Office of Family Assistance » Help for Families

Help for Families

Looking for help for yourself or your family? ACF provides states with block grants to design and operate programs to meet Temporary Assistance for Needy Families (TANF) goals. Select your state or territory from the list below for local TANF and Tribal TANF help.

For specific Tribal TANF explore the links below or view our list of [Program Contacts](#).

Select Your State

Help in Wisconsin

[Wisconsin Works \(W-2\) Program](#)

General Information:
(608) 266-6886

State Office:
Department of Children and Families
201 E. Washington Avenue 2nd Floor
P.O. Box 8916
Madison, WI 53707-7935
(608) 267-3905

FIND MORE in our **RESOURCE LIBRARY**

Success Story [VIEW ALL](#)

Letter from a Participant with the Ridge Project

Ohio

**Community Development Block Grants (CDBG),
Community Services Block Grants (CSBG), and
Social Services Block Grants (SSBG)**



CDBG, CSBG and SSBG

Community Development Block Grant Program (CDBG): From the U.S. Department of Housing and Urban Development (HUD)

- Works to ensure decent affordable housing and provide services to the most vulnerable individuals to address a wide range of community development needs
https://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs

Community Services Block Grant Program (CSBG): From the U.S. Department of Health and Human Services (HHS), Office on the Administration for Children and Families (ACF)

- Provides funds to alleviate the causes and conditions of poverty in communities
www.acf.hhs.gov/ocs/programs/csbg/about

Social Services Block Grant Program (SSBG): From HHS, ACF

- Used to support a wide range of social services directed towards achieving economic self-sufficiency, and preventing or remedying neglect, abuse, or the exploitation of children and adults
www.acf.hhs.gov/ocs/programs/ssbg

CDBG, CSBG and SSBG

Types of legal aid CDBG, CSBG, SSBG funds:

- **CDBG:**
 - Walk-in legal counseling, foreclosure mitigation and prevention, landlord/tenant matters, veterans and public benefit appeals, child support orders, reasonable accommodations for persons with disabilities, and consumer protection
- **CSBG:**
 - Services and activities addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health
- **SSBG:**
 - Wide range of social services, including legal services to assist individuals in seeking or obtaining legal help in civil matters such as housing, divorce, child support, guardianship, paternity, and legal separation. Component services or activities may include receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling

Accessing CDBG, CSBG and SSBG

Who gets it

- CDBG, CSBG and SSBG are distributed to states as block grants
- FY 2018 funding levels:
 - CDBG: \$3.3 billion
 - CSBG: \$742.8 million
 - SSBG: \$1.7 billion

How you would get it

- As a direct grantee of the state
- In partnership with other human services providers

CDBG, CSBG and SSBG Examples

CDBG:

- Legal Action of Wisconsin used CDBG funds to work with Wisconsin Community Services on a driver's license restoration project in Milwaukee

CSBG:

- LAF is a sub grantee of CSBG funding awarded through the City of Chicago. The grant funds an outreach and enrollment project for public benefits. Others receive CSBG for broad legal safety net purposes.

SSBG:

- Pennsylvania Legal Aid Network has received SSBG since the 1970s to provide general legal services including: domestic violence, sexual assault, landlord/tenant, consumer, benefits, custody, expungements.

**Supportive Services for Veteran Families Program (SSVF)
and
Veterans' Employment and Training Service (VETS)**



SSVF and VETS

Helping Veterans Gain Stability

Supportive Services for Veteran Families Program (SSVF): From the U.S. Department of Veterans Affairs

- To provide supportive services to very low-income Veteran families to prevent Veteran homelessness or rapidly re-house Veterans who become homeless.

www.va.gov/homeless/ssvf.asp

Veterans' Employment and Training Service (VETS): From the U.S. Department of Labor (DOL)

- To provide services to assist in reintegrating homeless veterans into meaningful employment within the labor force

www.dol.gov/vets

SSVF and VETS

Types of legal aid SSVF and VETS funds:

- **SSVF:**
 - Legal assistance: to prevent eviction and foreclosure, to help restore drivers licenses, for child support issues, for outstanding warrants and fines, family reconciliation assistance, credit counseling, accessing veterans and public benefits.
- **VETS:**
 - Legal assistance in the areas of: family law, domestic violence, child support enforcement, credit repair counseling, to support eligible homeless female veterans and veterans with families.

Accessing SSVF and VETS grants

FY 2018 funding level:

- SSVF: \$340 million
- VETS: \$295 million

Who gets it

- Legal services organizations are eligible to apply, but SSVF and VETS grants primarily fund human service organizations providing wraparound services (i.e., Volunteers of America).

How would you get it

- In partnership with other human services providers

LAIR Case Study – SSVF

Removing barriers to veterans benefits to help keep a roof over veteran's head

An elderly homeless veteran received almost \$10,000 back from VA after Coast to Coast Legal Aid of South Florida provided assistance to reopen a pension overpayment collection case in which payments were stopped for an outstanding warrant for a 20 year old out-of-state arrest of which the client was unaware.

Coast to Coast Legal Aid of South Florida and Legal Aid Service of Broward County are partners in the United Way of Broward County's Mission United.

Other Populations / Work

- Victims of Crime and Human Trafficking
 - Department of Justice's Offices of Justice Programs and for Victims of Crime
 - Department of Health and Human Services
- Reentry
 - Department of Health and Human Services
 - Child Welfare
 - Child Support
 - Employment in the health care industry
 - Access to Health Care

Other Populations / Work

- Access to mental health services / Combatting the Opioid Epidemic
 - Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA)
 - Opioid State Targeted Response Grants (Formula Grants to States)
 - FY 2018 funding doubled to \$1 billion – no state will receive less than \$4 million
 - FY 2018 Supplement – Three of hardest hit states will receive supplemental grants in the amount of \$333,000 each in September
 - Substance Abuse Prevention and Treatment Block Grants
 - FY 2018 funding is \$1.9 billion
 - Community Mental Health Services Block Grants
 - FY 2018 funding increased by \$160 million to \$701.5 million
 - ***New*** Rural Communities Opioid Response program
 - FY 2018 funding is \$130 million

Partnership Brainstorm

- Who are you already collaborating with in your community in these areas of work?
- Do any of these partners already participate in federal grant programs?
- Which partners already depend on you? Which partnerships require further growth in order to establish your value?
- What needs to happen before you can turn partnerships into funding relationships (e.g., collaborate on federal grant application or propose being a sub grantee)?

NLADA matchmaking: supporting Strong collaborations

Promote holistic services

Working with agencies

- To demonstrate the value of legal services to federal grantees
- On nuts & bolts matchmaking

We can match

- Legal services together for partnerships or in advisory roles
- Legal services with community based organizations and other human services providers

NLADA's Civil Legal Aid Initiative is dedicated to facilitating partnerships with federal grantees

ResourceDesk@nlada.org

Tips for Funding Partnerships

- Describe low-level of understanding about civil justice problems. Many low-income people – and the social service providers they work with – do not identify a wide-range of problems as having a possible legal solution, but they often do. Legal services can make overall program more effective and improve outcomes.
 - See details in Rebecca Sandefur’s *Civil Legal Needs and Public Legal Understanding* research brief: www.americanbarfoundation.org/research/project/106
- Describe economic benefits of investing in legal services. Build on data that shows Legal Aid improves program effectiveness and outcomes.
 - See details in Laura Abel’s Economic Benefits of Legal Aid fact sheet: ncforaj.org/2012/09/05/economic-other-benefits-of-civil-legal-aid-are-summarized-in-new-fact-sheet
- For more evidence-based studies on the benefits of legal aid, visit NLADA’s legalaidresearch.org



For More Information, please contact:

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