

Civil Legal Services for Veterans

September 14, 2016



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SUPPORTIVE SERVICES FOR VETERAN FAMILIES (SSVF) PROGRAM

LEGAL ACTION OF WISCONSIN

Legal Action of Wisconsin

- ▶ Largest provider of free civil legal aid in Wisconsin
- ▶ Serves 39 counties
- ▶ Offices in 6 cities: Green Bay, La Crosse, Madison, Milwaukee, Oshkosh, and Racine.
- ▶ Nearly 100 staff (attorneys, paralegals and support staff)
- ▶ In 2015, we provided high quality free civil legal aid to nearly 9,400 people.

Supportive Services for Veteran Families (SSVF)

- ▶ The Center for Veterans Issues (CVI) provides rent assistance, case management and free civil legal services to qualifying veterans who are homeless or at risk of homelessness
- ▶ Legal Action of Wisconsin partners with CVI to provides qualifying referrals from CVI with free civil legal services in areas related to preventing homelessness and removing barriers to sustainable housing.
- ▶ The grant allows Legal Action to devote 2 full-time attorneys to serve veterans in 30 of Wisconsin's eastern and southern counties. One attorney is located in Milwaukee to cover Milwaukee, Waukesha and Washington counties; the other attorney is based in Racine to cover the remaining counties.

We Help Veterans Address Numerous Civil Legal Issues

- ▶ Housing – Evictions; Habitability (heat/bed bugs); Security Deposits
- ▶ Disability Benefits – SSDI/SSI
- ▶ Driver's license recovery (out of state issues)
- ▶ Family - Child Support; Child Custody & Placement
- ▶ Consumer – Utilities; Garnishments; Vehicle Repossession; ID Theft
- ▶ Employment – Correct and complete criminal records/expungement
- ▶ Government Debts – Taxes (LITC); Student Loans
- ▶ Benefits – Food Share; Unemployment

Outcomes We've Obtained for Veterans

- ▶ **Housing Stabilization & Homelessness Prevention:**
 - ▶ Prevent Evictions – negotiate deal to stay; additional time to move out
 - ▶ Improve living conditions – force repairs; rehouse veteran
 - ▶ Recover security deposit
 - ▶ Obtain emergency assistance funds
- ▶ **Disability Benefits**
 - ▶ Won dire need/expedited decisions on SSI/SSDI applications

Outcomes We've Obtained For Veterans (continued)

- ▶ Address Barriers to Employment
 - ▶ Reinstatement driver's licenses
 - ▶ Expunge criminal records
 - ▶ Help obtain or maintain unemployment insurance benefits
 - ▶ Address child support arrearages and ensure reasonable payments
- ▶ Resolve Consumer Issues
 - ▶ Defer or forgive student loans
 - ▶ Get utilities turned back on
 - ▶ End garnishments
 - ▶ Stop repossession of vehicles

No Rent, No Heat:

Low-income veterans often have poor housing conditions: no power, no heat, bedbugs, water leaks, and mold.

An Example of How Our Legal Assistance Made a Difference:

- ▶ An elderly couple's apartment was leaking water and growing mold. The husband is a disabled veteran.
- ▶ When they complained, their landlord claimed (falsely) that the couple owed thousands of dollars in back rent and late fees.
- ▶ Landlord filed eviction action, claimed thousands of dollars in damages.
- ▶ We represented this veteran family in court and successfully negotiated a resolution: the couple got into new/better housing and did not pay the landlord another dime.

Landlord Retaliation:

Landlords routinely cut off power, change the locks, or even remove front doors when someone is behind on rent.

An Example of How Our Legal Assistance Made a Difference:

- ▶ Landlord called the police to have a veteran's car ticketed, falsely claiming it was not authorized to be on that property.
- ▶ The landlord had the vehicle towed away & demanded hundreds of dollars for the veteran to get the car returned.
- ▶ We represented this veteran and his/her family, filed an action to recover the car in court, and negotiated a settlement where the vehicle was promptly returned to the veteran's family.

Driver's License Recovery

An Example of How Our Legal Assistance Made a Difference:

- ▶ An unemployed veteran was offered a job, but the job required a valid driver's license.
- ▶ The veteran's license had been suspended because he got a ticket and was unable to pay the forfeiture. Then he got more tickets for not having a valid license.
- ▶ We represented this veteran in nearly half a dozen courts in Southeastern WI to lift the suspensions. The veteran got the job, and was then also able to get his fork lift certification so he could earn more money to support himself and his family.

Dire Need:

Low-Income Veterans Often Need Assistance Obtaining Benefits to Support Themselves & Their Families and to Avoid Homelessness

An Example of How Our Legal Assistance Made a Difference:

- ▶ Disabled veteran was denied Social Security Disability Insurance (SSDI)
- ▶ This veteran had a serious heart problem & was on the waiting list for a heart transplant.
- ▶ This veteran was unable to work and had exhausted his savings. He & his family were on the verge of homelessness.
- ▶ We represented this veteran and got the Social Security Administration to immediately review his case, instead of making him wait the normal 2 years for a hearing. We were successful in getting him SSDI benefits, as well as an emergency payment, so he could keep his housing.

Reasonable Child Support

An Example of How Our Legal Assistance Made a Difference:

- ▶ Elderly veteran relied on Social Security as sole income.
- ▶ Child Support suddenly started taking 65% of his check based on an old child support order of more than \$1,200/month (the “kids” now in their 30s)
- ▶ This garnishment left the veteran with less than \$600/month to live on.
- ▶ We represented the veteran in court to stop the garnishment & set a reasonable repayment for his child support arrears.

Unmet Need: Types of Cases We Cannot Take Due to Lack of Resources

- ▶ VA Benefits
- ▶ Family – Divorce; Child Custody and Placement (out of state issues)
- ▶ Probate
- ▶ Consumer – High Interest Loans; Old Debts; Credit Reporting
- ▶ Bankruptcy / Chapter 128
- ▶ Employment – Discrimination; ERD/EEOC
- ▶ Government / Benefits Overpayments
- ▶ Municipal Court – warrants; old debts; new cases
- ▶ Vehicle Title/Registration
- ▶ Foreclosure

Unmet Need: The Veterans We Turn Away Due to Lack of Resources

- ▶ My colleague in Racine and I open about 15-20 new cases each month
- ▶ Each week, I speak with 3-6 referred veterans for whom I do not open cases
- ▶ Who is not served?
 - ▶ Financially eligible veterans who own their homes (often in foreclosure)
 - ▶ Financially eligible veterans in supportive housing/not at risk of homelessness
 - ▶ Financially eligible veterans fighting their discharge status (dishonorable)
 - ▶ Veterans not financially eligible

Where Can Pro Bono Efforts Help Veterans?

Pro bono volunteers provide much needed support, typically for simple cases requiring only a brief duration of representation:

- ▶ Domestic Violence Injunctions
- ▶ Security Deposits
- ▶ Fee shifting, simple consumer cases
- ▶ Municipal Cases
- ▶ Assist with forms filling

Where Do Pro Bono Efforts Fall Short?

Pro bono volunteers are great, but most cases are simply not suitable for the average volunteer's experience, comfort level or time limitations.

- ▶ Difficult clients due to mental health limitations
- ▶ Clients with a wide-range of interconnected legal issues
- ▶ Cases of a prolonged duration (SSI/SSDI, family Law)
- ▶ Cases requiring special expertise (taxes)
- ▶ Cases where there could be conflicts of interest (evictions, collections)
- ▶ Cases difficult to find volunteer attorneys (driver's licenses, public benefits)

Solutions

- ▶ Resources to fund additional free civil legal attorneys for veterans throughout the state
- ▶ Federal DVA issued policy guidance in 2011 to all VA facilities/hospitals nationwide, urging them to make space available for on-site collaborations with legal aid.
 - ▶ Many states now have multiple VA sites with free legal clinics. Wisconsin has none.
 - ▶ This Committee could require Wisconsin's DVA to fund/ensure collaborations with legal aid providers in VA facilities statewide.

Solutions (continued)

- ▶ There are multiple organizations utilizing SSVF grant funds in WI. To my knowledge, CVI is the only one to include free civil legal services. This Committee could direct all SSVF grantees in Wisconsin to collaborate with legal aid providers.
- ▶ Create and fund new position (perhaps at the Wisconsin Access to Justice Commission) that would advocate for non-LSC federal funding to serve veterans and other populations.
- ▶ Examine whether WI's share of federal block grants (SSBG, CDBG, etc.) are funding legal aid and if not, require them to open the door to legal aid funding.

Questions? Comments?



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