

**FY 2019/2020 METRO NASHVILLE-DAVIDSON COUNTY
DIRECT APPROPRIATION RECIPIENT INFORMATION**

1. What services does your organization provide to the residents of Davidson County?

The mission of the Legal Aid Society of Middle Tennessee and the Cumberlandns (LAS) is to advance, defend and enforce the legal rights of low income and vulnerable people in order to secure for them the basic necessities of life.

Established in 1969, LAS is Tennessee's largest non-profit law firm providing free, civil legal advocacy for low-income persons in Middle Tennessee. Due to federal restrictions, we provide no criminal assistance to those facing incarceration. LAS has 8 offices across Middle TN, the largest of which is in Nashville.

The legal services provided by LAS are holistic; LAS staff handle a broad range of civil cases including housing, health care, domestic violence, special education, public benefits, Social Security, federal income tax, reentry, and consumer issues. We do not simply focus on a client's single issue, but on the totality of their circumstances. General legal activities include interviewing, advising, and counseling clients. LAS attorneys also draft documents, negotiate, make court appearances, and conduct all other necessary actions normally devoted to legal advocacy. Interpreters are provided at no cost for ESL clients.

LAS also engages private attorneys to administer the single largest pro bono legal advocacy program in Middle TN helping to increase the overall number of individuals able to receive free legal services. Walk-in legal clinics are available for the general public to get legal advice on an array of civil legal matters.

LAS provides dozens of different free self-help pamphlets on a variety of legal topics. The materials are written at a 5th grade reading level so that more than 80% of Tennesseans can read and understand them. Many are available in Spanish and/or other languages and are available for free on our website, www.las.org. Our website has the capability to be translated into the five main languages of our client population – Spanish, Kurdish (Kurmanji), Arabic, Somali, and Kurdu – with the possibility to add more than 20 other languages as the need arises. LAS staff also help the community through other educational efforts such as speaking and writing engagements.

The Nashville Office has a specialized Family Law Unit comprised of 3 attorneys, 2 victim advocates, and several support staff who are dedicated to serving victims of domestic violence. The Unit works in close partnership with the Metro Nashville Davidson County Office of Family Safety and several community partners across Nashville including the YWCA, Morning Star Sanctuary and the Mary Parrish Center. We represent victims at Order of Protection hearings, we seek divorces on their behalf to finally end the cycle of abuse, we secure for them the necessary finances to become independent and help them fight custody battles that often

prevent them from leaving their abusive relationships. We use the experiences of community partners and our clients to identify systemic issues in the judicial system and we try to favorably resolve these issues on behalf of our clients through negotiation and litigation.

Secondly, our goal is to tackle the pressing issues of low-income individuals in Davidson County who were formerly incarcerated. LAS has provided re-entry services to the most vulnerable populations – women, minorities and victims of domestic violence. Prior to LAS, there was no resource addressing civil legal needs for the formerly incarcerated re-entering society in Davidson County. There are 58,000 adults incarcerated in the state of Tennessee (Prison Policy Initiative, 2019). The formerly incarcerated are 10 times more likely to be homeless and have an unemployment rate of 27% (Ibid). Both lead to increased recidivism equating to Tennessee having one of the highest recidivism rates in the U.S., 47.1% (State Recidivism Comparison, Virginia Department of Corrections, 2018). Securing an occupational licenses or an expungement for someone formerly incarcerated can make the difference in the ability to get a job. Stopping an illegal eviction prevents homelessness and keeps a family together. State legislation allows individuals to obtain “Certificates of Employability,” which means they may not be denied an occupational license based solely on a criminal record. State legislation also allows for a “Certificates of Rehabilitation,” which can demonstrate to potential employers, landlords and licensing boards that an individual with a criminal record is committed to rehabilitation. The process for obtaining these certificates is overwhelming and complex. LAS can address these and other barriers. Civil legal assistance plays a critical role in the formerly incarcerated returning to society, translating into reduced crime and increased chances for re-integration into the community.

2. How many residents are you currently serving and how do they benefit?

Part I – Free legal services to Survivors of domestic violence.

In 2018, the Nashville Family Law Unit served 229 individuals who had identified themselves as victims of domestic violence and were seeking help from a lawyer. LAS staff and volunteer attorneys closed 283 cases for domestic violence victims, many of whom had multiple legal issues.

There are 14 LAS attorneys from across LAS’ service area working within a firm wide Family Law Practice Group. These additional staff attorneys help leverage collective knowledge and experiences for the benefit of Davidson County residents. Best practices are shared from across Middle TN to help improve advocacy and legal representation for LAS’ client base. Attorneys offer professional, holistic advocacy and/or representation in a variety of DV related matters which could include divorce, custody, consumer issues, receiving benefits or housing, and income tax matters.

Advocates from LAS attend court dockets in Davidson County where OP’s and related motions are being adjudicated and offer immediate assistance and support to victims. They also provide

information on OP procedures, community resources, and safety planning. They are there to support them in what is often the most difficult decision of their lives. They also serve as court observers to help LAS identify systemic issues affecting our client base which we in turn can address with direct advocacy. Advocates also assist with long term case management to ensure that victims become safe and independent survivors of domestic violence.

LAS continues to develop domestic violence informational pamphlets for our clients and the public at large that are available in both paper form and on our website at www.las.org. The pamphlets include how to apply for an Order of Protection (OP), how to enforce your OP, warning signs that someone may be dangerous and what you need to know about divorce. These are in addition to pamphlets on a myriad of other issues impacting victims of domestic violence including landlord-tenant issues, SNAP benefits, expungements and tax issues. Clients also receive information on victim's compensation and other community resources, including financial and mental health counseling (as needed).

Part II – Free legal services to formerly incarcerated individuals to gain successful re-entry and reduce recidivism.

In 2013, the American Bar Association identified 19 states providing Reentry Legal Services programs for clients with criminal records and their families. No state in the South, other than a small program in Arkansas, was providing reentry services. The population of formerly incarcerated people has continued to grow; however, legal services have failed to keep pace.

Since 2015, LAS has piloted a reentry legal aid project for the formerly incarcerated, leading the effort statewide and regionally to provide access to justice for this vulnerable population. LAS is the only provider of much-needed reentry legal services in Tennessee. Reentry legal services include criminal record expungement, driver's license reinstatement, and certificates of employability for private employers and state licensing. Veterans with criminal convictions and juveniles exiting foster care also have unique needs for reentry legal aid.

In 2018, LAS received 160 requests for re-entry services and assisted 84 individuals in Davidson County with legal services for re-entry. Additionally, LAS created 6 educational presentations and materials for partner agencies and developed 4 Know-Your-Rights workshops for the formerly incarcerated and community. Educational presentations were provided to staff at Centerstone, Coalition for the Homeless, Dismas House, Nashville Rescue Mission, Project Return, Vanderbilt Homeless Health Clinic and others. Since that time, dedicated funding for these services has ended and our capacity to assist diminished substantially.

3. How much funding are you requesting from Metro?

LAS requests \$386,628 to provide free civil legal services to residents of Davidson County who are survivors of domestic violence and those who are formerly incarcerated re-entering the community. These clients will generally be low-income individuals and their families.

Our funding request is comprised of two programmatic parts.

Part I – Free legal services to Survivors of domestic violence.

LAS will provide free civil legal services including counsel and advice, courtroom advocacy and assistance, and distribution of community outreach materials. Clients will gain access to health and financial benefits, avoid financial crisis and empower themselves with knowledge of their legal rights. These steps have been shown to help victims become more independent and remove themselves and their families from dangerous or even life-threatening environments. LAS is currently the only organization offering free, holistic legal services in Davidson County and is viewed by the Office of Family Safety as an essential role in the fight against domestic violence. For over 15 years, LAS has received Metro funding to provide free civil legal services to survivors of domestic violence in Davidson County. In prior funding under the Community Enhancement Fund (CEF), the YWCA and LAS consistently received the largest portions of funding. Both entities were perceived as indispensable contributors to the elimination of domestic violence.

The LAS Nashville Family Law Unit works in partnership with the Metro Nashville Davidson County Office of Family Safety (OFS) to provide free legal assistance to victims of domestic violence seeking Orders of Protection in Davidson County. The partnership addresses 1 of the 55 recommendations outlined in the 2013 DV Safety and Accountability Assessment (“Assessment”) conducted under former Mayor Karl Dean to address the gaps in the justice system relevant to the experience of victims of domestic violence. It was recommended in the Assessment that there be more advocates in the legal system dedicated to the representation of victims of domestic violence. As the only free holistic legal services organization in Davidson County, we offer a valuable service to this client population. LAS receives referrals directly from the Jean Crowe Advocacy Center where OP’s are filed and offers free legal representation to those needing an attorney the most.

Part II – Free legal services to formerly incarcerated individuals to gain successful re-entry and reduce recidivism.

LAS will provide free civil legal services, including counsel and advice, distribution of educational outreach materials and educational presentations to formerly incarcerated individuals and their families as well as community partners. In 2018, LAS was able to provide free direct legal representation to the formerly incarcerated in addition to the following re-entry services:

- Events/meetings providing information and materials about civil legal issues impacting the formerly incarcerated.
 - Centerstone
 - Coalition for the Homeless
 - Dismas House)
 - East Park Community Center
 - Nashville Rescue Mission

- Project Return
- Vanderbilt Homeless Health Clinic
- Youth Villages
- Know-Your-Rights Workshops for the formerly incarcerated and community
 - Dismas House
 - Project Return
 - Salvation Army
 - Tennessee Department of Corrections Job & Resource Fair
 - Youth Villages
- Legal Help Clinics for formerly incarcerated individuals to Address Re-entry Issues
 - HELP Clinic at Room In The Inn
 - Dismas House
 - Community Expungement

Additionally, LAS is developing an expungement clinic in partnership with Thistle Farms, Nashville School of Law and Judge Allegra Walker. The clinic will be held in the Spring of 2019. Funding for this programming ended in December 2018. As such, services have substantially diminished as we no longer have a full-time staff attorney doing this work.

4. If funding is awarded, how many additional residents will be served and how will they benefit?

Part I – \$300,870 to continue the following services

If funding is awarded:

- LAS will offer free legal representation to 187 unduplicated residents of Davidson County to address their domestic abuse, sexual assault and stalking victimization.
- LAS will attend 72 court dockets where Orders of Protection (OP) and related motions are heard.
- LAS will publish and distribute 1,000 educational materials/"self-help" guides/website downloads to places where OP's are filled out in Davidson County.

Part II – \$85,757 to re-implement the following services

If funding is awarded:

- LAS will provide free civil legal services for 50 persons who were formerly incarcerated to assist with re-entry issues.
- LAS will provide 4 "Know Your Rights" educational workshops for the formerly incarcerated and their families.
- LAS will present educational presentations to community partners to provide information and materials about civil legal issues impacting the formerly incarcerated.

LAS is committed to creating a robust and diversified stream of revenue. Fundraising activities throughout the year include one of the largest Annual Campaigns per capita of any legal aid

program in the country, which is spearheaded by a full-time Development Director. A full-time Grant Manager maintains and pursues funding from other government agencies, private foundations and corporate foundations. LAS received over \$1.7 million in program specific grant funding in 2018. However, Metro Nashville funding is vital to the success of LAS' domestic violence and re-entry activities – the need for our services remains far greater than our current resources. A decrease in Metro Nashville funding would result in LAS reducing outcomes and providing services to fewer vulnerable people.

5. In addition to serving more residents, are there other community benefits Metro funding would help you achieve?

In 2015 the Tennessee Bar Association Access to Justice Committee and the Corporate Counsel Pro Bono Initiative commissioned an economic impact study that determined Tennessee's legal aid organizations produce over \$11.20 in economic impact for every dollar of funding received. If this proposal were fully funded, the economic impact in Davidson County would be over \$3 million.

Volunteers account for about 800 hours of case work per year. Additional cases that cannot be handled by LAS staff for various reasons are referred to private attorneys through our LAS pro bono initiative. But pro bono is not free. Metro Nashville funding assists LAS in the coordination of volunteer and pro bono services to further increase our impact in Davidson County.

Metro Nashville funding further facilitates collaborations between LAS and other domestic violence entities in the City to help maximize the impact of our advocacy. The OFS' Jean Crowe Advocacy Center, named after a longtime LAS Family Law attorney, refers clients, shares resources, and seeks joint funding opportunities with LAS. LAS also serves on OFS' Death Review Team and High-Risk Intervention Panel. LAS also works closely with the District Attorney's Office and the DA's Victim Witness Coordinators to provide court support to victims. LAS has an agreement with the YWCA that we will be the primary referral resource for all their residents in shelter or transitional living with civil legal issues regarding divorce, custody/visitation, immigration, bankruptcy and bill collections, disability, housing and unemployment. LAS partners with the YWCA, the Mary Parrish Center, Morningstar Sanctuary, the MNPD Domestic Violence Division, local and state Domestic Violence Coalitions, and other providers to reciprocate referrals, assist with court preparation, and provide education.

Metro Nashville funding facilitates LAS' ability to identify and address many intersecting legal needs by leveraging the varying areas of legal expertise within our firm. Consider the following 2 examples.

Ella* had left her husband several times due to a long history of abuse. In addition to physical abuse, she had experienced sexual assault, financial abuse and mental abuse. Even with physical challenges, Ella was able to get herself and her daughter to safety and away from her husband. She contacted LAS seeking assistance with obtaining a divorce. After being served

with the divorce papers, her husband's abuse resumed and escalated. He forced his way into her apartment, physically intimidated her and told her he would let her die before he let her divorce him. Ella managed to call LAS, who called 911. A Temporary Order of Protection was filed by an LAS Family Law attorney for her and her daughter. Her husband returned to her apartment, stole her disability money from her purse and fled the state. This created a financial hardship for her and she received an eviction notice. An LAS advocate helped her get financial assistance to pay the past due amounts on her phone and utilities. An LAS attorney, whose expertise is housing, negotiated with her landlord for a payment extension to prevent an imminent eviction. At the same time, the advocate worked on Ella's behalf with other community partners to address the past due rent, which was paid. These efforts allowed her to regain her financial footing and move forward.

*Client's name changed to protect her identity.

Sara* was an addict who had been in recovery for 18 months. She needed help getting her driver's license reinstated. She was working as a waitress but could only work limited hours because she had to rely on other people to drive her around. She faced multiple barriers in seeking to reinstate her driver's license, including: a civil judgment from many years ago; fines and fees related to criminal offenses; fines and fees related to traffic offenses; and a required reinstatement fee. LAS was able to get proof that the fines were no longer collectible and to obtain a release of the court's hold on her driver's license file. LAS established that other holds could be invalidated based on a recent federal district court decision. Sara paid the required reinstatement fee and passed the written and driving tests. Sara now has her license back and is actively working with her recovery program to stabilize her life and her future.

*Client's name changed to protect her identity.

Without the free holistic legal assistance provided by LAS, Ella and Sara may never have had the opportunities to move forward with their lives.

6. How would you use this funding to help create a more equitable Nashville, where all residents have an opportunity to participate in the city's success?

LAS is Tennessee's largest nonprofit law firm that takes a comprehensive approach to providing high quality, free, civil legal services and community education for people to protect their livelihoods, their health, and their families. The requested funding would assist LAS in meeting the civil legal needs of two of the city's most vulnerable populations – survivors of domestic violence and the formerly incarcerated.

According to Legal Services Corporation,

[I]legal aid is a proven tool to help victims of domestic violence. A study by the Institute for Policy Integrity found ***that civil legal aid is more effective than***

access to shelters or counseling services in reducing domestic violence -- by as much as 21%. According to another study, 83% of victims represented by an attorney successfully obtained a protective order, compared to only 32% of victims that did not have an attorney.

In addition to supporting domestic violence survivors, legal aid attorneys help their clients gain economic independence and re-build their lives. **Civil legal aid reduces repeat incidents of domestic violence, thus cutting public spending on medical care, special education and counseling for affected children, as well as police resources.** Collateral effects include improved workplace productivity, and fewer lost wages. Legal aid for victims of domestic violence promote individual empowerment and self-reliance by giving people the tools and knowledge to access the civil court system to protect and exercise their rights.

For the formerly incarcerated, release from a correctional facility doesn't mark the end of their punishment. Individuals are commonly sent back into a community with only a few dollars, a bus ticket, and a few days' worth of any needed medications. Many have no housing to return to and when the generosity of family or friends runs thin, can result in certain homelessness. Finding a job is unlikely to happen overnight—or even within the first year of release—because of the great challenge of securing employment with a criminal record (www.talkpoverty.org). Civil legal aid plays a large part in dismantling a system that fuels a vicious cycle of re-incarceration by continuing to punish people long after they have served their time. Civil legal aid lawyers [are] important partners in helping these individuals transition back into communities and get back on their feet. Neglecting the back end of mass incarceration—including by failing to adequately invest in civil legal aid—is a recipe for ensuring that most people will end up behind bars again (Ibid).

Providing access to justice for marginalized populations creates equity, it gives opportunities to succeed, and meets the basic needs of families. LAS is committed to the principle that all citizens are due equal representation under the law. The funding would decrease or eliminate barriers to reaching more productive and fulfilling lives and increase the opportunities for access to justice. LAS services give opportunities to move forward, create new and better lives and participate fully in the success of Nashville