Civil Legal Options for Victims of Crime

How Legal Aid In Kentucky Can Help The People You Serve

AMANDA ANDERSON YOUNG
SARAH CAPPS HAYES
KATINA MINER

Goals and Objectives

1. Understand what civil legal aid is available in your area.
2. Understand what civil legal aid attorneys can bring to the table for your clients.
3. Issue spot scenarios for potential civil legal aid referrals.
4. Generate ideas for partnership, referrals, and discussion of ethics and confidentiality.

What is Civil Legal Aid?

No.

No.

Nope.

Who's In The Room?

DV and IPV advocates, staff

Sexual Assault and Rape Crisis center advocates, staff

Law enforcement or prosecutor-based advocates, staff

Mental Health Professionals

Other Cool Jobs

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legal aid society
EST. 1921

LEGAL AID OF THE BLUEGRASS

KENTUCKY LEGAL AID

What Can Civil Legal Aid Do For Victims?

Legal representation, particularly from legal aid attorneys, is empirically proven to provide a greater number of, and more powerful protections, for victims and their children.

- **Prevent future acts of victimization**
- **Reduce the impact of past victimization**
- **Improve safety options and safety planning for victims**
- **Increase victim self-sufficiency**

KLA's Underserved Population

Rurally Isolated and Impoverished Victims

- Service area is very rural – 35 counties (only 4 are "urban")
  - 60% of residents live in rural isolation
- Many individuals with Limited English Proficiency
- Over 5,000 petitions filed for protective orders a year
- 13 impoverished persons per square mile

Vulnerability to Victimization

- Individuals living in extreme poverty and geographic isolation are particularly vulnerable to violence and face barriers to safety that increase the severity and impact of abuse.
- Geographic isolation allows an abusive partner to more easily restrict access to support networks.
- Those living in poverty are at three-times greater risk of intimate partner violence.
- Women who experience food and housing insecurity experience a significantly higher incidence of rape, physical violence or stalking by an intimate partner.

Callie's Story

What legal issues can be addressed here?

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Carmen's Story

What legal issues could be addressed for Carmen?

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Connecting Clients with Resources

- What legal issues are your clients facing?
- At what point can you loop legal aid in?

Outreach

KENTUCKY
LEGAL
AID
FOR LEGAL ASSISTANCE
CALL:
PHONE: (270) 782-5740
FAX: (270) 782-1993
Mon. - Thurs. 8:30am to 6pm CT
WEB: www.klaid.org
LSC
United
Way

Intake Strategies

KENTUCKY LEGAL AID VICTIM REFERRAL PLAN

Victim Name:_____ SSN:_____-____-_____DOB:____/____/____
Offender Name:_____Offender DOB:____/____/____
Shelter Resident? If no, current address:_____
_____
Home Phone Number:(_____)_____ Cell Phone Number: (_____)_____
Is it safe to call/and or leave a message at the number(s) listed above? Please provide details:_____
_____
Language Barriers? Y or N. If yes, details:_____
_____
Does victim have any disabilities or special needs? Y or N. If yes, please list/explain:_____
_____
Does victim have any pending court dates? Y or N. If yes, please provide information about nature of hearing, court and date:_____
Referring Agency/Advocate:_____
Referring Agency/Advocate Phone Number(s): (_____)_____;(_____)_____
Safety Plan Completed? Y or N. If yes, please provide details and/or attach:_____
_____
Risk and Lethality Assessment Completed? Y or N. If yes, please provide details and/or attach:_____
_____

Please check any and all boxes which best describe the legal issues victim needs assistance with:

HOUSING:
- Eviction
- Foreclosure
- Needs assistance in obtaining public housing
- Fair Housing
- Discrimination
- Breaking or Changing Lease
- Other housing Issues:_____ _____

FAMILY LAW:
- Divorce
- Property/Debt Division
- Custody
- Safe Visitation
- Child Support/ Medical Support Obligations
- Spousal Support
- Post-Decree Modification/ Enforcement
- Protective Order Hearing
- Other family law issues:_____ _____

BENEFITS:
- Assistance to apply for disability
- SSI/SSDI Cessation Cases
- Medicare
- Assistance in obtaining SNAP (food stamps) benefits
- Obtaining unemployment
- Needs assistance in obtaining a medical card for self or children
- Needs assistance in obtaining K-TAP (public welfare) benefits
- Other benefits-related issues: _____

IMMIGRATION:
- U-Visa
- T-Visa
- VAWA Self-Petition
- DACA
- Other Immigration Issues: _____

CONSUMER:
- Issues with paying debts
- Sued by creditor
- Wages currently being garnished
- Earned Income Tax Credit
- Other consumer issues:_____ _____

PROTECTIVE ORDER
- EPO/DVO
- TIPO/IPO

KLA INTAKE:
(270) 782-5740
Monday – Thursday:
8:00 a.m. until 6:00 p.m.

WAIVER

I, _____ (please print name) authorize transmission of the foregoing information to Kentucky Legal Aid by the referring agency. I also authorize Kentucky Legal Aid to contact the referring agency for any additional information necessary. I understand I may withdraw this waiver at any time by providing written notification to the referring agency.

_____ **Date:**_____

Advocates: Please email or fax this referral form directly to KLA's Domestic Violence Intake Coordinator, Tracey McCay:
Fax: (270) 780-8887
Email: TMcCay@KLAid.org

DRAFT

Partnerships

MEMORANDUM OF UNDERSTANDING

Partners.

WHEREAS, Kentucky Legal Aid (KLA); Barren River Area Safe Space, Inc. (BRASS); Sanctuary, Inc. (Sanctuary); OASIS, Inc. (OASIS) and Merryman House Domestic Crisis Center (Merryman House) have agreed to partner in a collaborative effort to make application for FY 2016 Legal Assistance to Victims (LAV) grant funds; and

WHEREAS, the Kentucky Legal Aid Legal Assistance to Victims Project (Project) will be implemented in Western Kentucky, specifically in the following counties: Allen, Ballard, Barren, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Edmonson, Fulton, Graves, Green, Hancock, Hart, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, Marshall, McClean, McCracken, Metcalfe, Muhlenberg, Ohio, Simpson, Taylor, Todd, Trigg, Union, Warren and Webster; and

WHEREAS, KLA will serve as the "lead applicant" and BRASS, Sanctuary, OASIS and Merryman House will be Project Partners; and

WHEREAS, KLA has provided civil legal assistance since 1977 to low income, disabled and elderly individuals in the proposed service area. KLA provided comprehensive and holistic legal assistance to victims[1] of domestic violence, sexual assault, stalking and dating violence[2] through LAV funds in ten **of its service counties from 2010 until 2015. KLA's central office is located in** Bowling Green, Kentucky, and has branch offices in Owensboro, Madisonville and Paducah, as well as satellite offices in Hopkinsville, Scottsville and Glasgow; and

WHEREAS, BRASS is a non-governmental domestic violence service provider, based in Bowling Green, Kentucky, accredited by the Kentucky Coalition against Domestic Violence and has served the ten-county Barren River Area Development District since 1980. The Program operates two 24-hour crisis lines, provides emergency shelter, counseling, legal and medical advocacy, information and **referral, support groups, children's programming,** permanent housing and economic justice programming, immigration assistance and free tax preparation assistance; and

WHEREAS, Sanctuary is a non-governmental domestic violence and sexual assault service provider, based in Hopkinsville, Kentucky, is accredited by the Kentucky Coalition against Domestic Violence and has served the nine-county Pennyrile Area Development District since 1982. The Program provides emergency services, transitional housing, individual and group **counseling, advocacy, educational programming and children's services. In 1992, Sanctuary** became the rape and sexual assault crisis center for its development district. The Sexual Assault program provides crisis line services, information/referral services, counseling, therapy, consultation services, court advocacy and medical advocacy; and

WHEREAS, OASIS is a non-governmental domestic violence service provider based in Owensboro, Kentucky, is accredited by the Kentucky Coalition against Domestic Violence and has served the seven-county Green River Area Development District since 1981. The program

[1] The use of the term "victim" should not be construed to mean that KLA and the Project Partners are not mindful that victims are, in fact, survivors of the trauma inflicted on them and should be recognized as such.
[2] KLA is aware that violence takes many forms, and abusive relationships are often layered with more than one method of control. For brevity's sake, the applicant will refer to sexual assault, domestic violence, dating violence and stalking collectively herein simply as "violence" or "abuse."

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Questions?