

ABA/ NLADA 2007 Equal Justice Conference

Partnering to End Homelessness: How Bar Associations, Legal Services, Firms and Advocates are Working Together to End Homelessness

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Brief Description:

Panelists will discuss how to create and implement programs that provide access to justice to the most disadvantaged and underrepresented population: people experiencing homelessness. Collaboration is critical when providing high quality legal services to people experiencing homelessness—no single organization is equipped to address the myriad issues faced by people who are homeless. Presenters will highlight programs where law firms and legal service organizations are partnering with bar associations, law schools and individual lawyers to provide direct legal services, as well as programs where nonprofits coordinate the pro bono legal services of law firms for class action and impact litigation.

Background Information:

Homelessness in the U.S.:

- Annually: 2.5 to 3.5 million people experience homelessness; 1.35 m. are children.
- Lifetime: 14% (Bruce Link, 1994)
- Homelessness is an extreme form of poverty: 44% work full or part time; 33% are families, children; 22% are mentally ill; 62% have had a chemical dependence at some point in their life.
- Each year, shelters turn people away due to lack of resources (USCM Dec. 2006).

Key Causes:

- In no part of the U.S. can a minimum wage worker afford a 1 BR apartment.
- 13.8 million pay 50% of their income or more for housing.
- Funding for HUD-assisted housing:
 - 1978: \$80 billion
 - 2006: \$34 billion
- Only about 25% of those eligible receive federal housing assistance.

Topical Outline:

- I. Street Youth Legal Advocates of Washington (SYLAW)
 - A. Background on youth homelessness
 - B. Legal issues affecting homeless youth
 - C. Methods of legal service delivery to homeless youth
 - D. Sustaining a program
- II. National Law Center on Homelessness & Poverty
 - A. Background: National Law Center on Homelessness & Poverty (NLCHP)
 1. Law and policy reform to prevent and end homelessness
 2. National advocacy, local partners
 3. Pro bono partnerships
 4. Founded 1989
 - B. NLCHP Programs
 1. Ensuring Education for homeless children
 2. Protecting Domestic Violence survivors from eviction—and homelessness
 3. Creating Housing and communities from unused federal properties
 4. Holding U.S. accountable until the Human Right to Housing is realized
 5. Protecting the Civil Rights of homeless people
 - C. Recent Successes
 1. Ensured children and youth displaced by the 2005 hurricanes stayed in school.
 2. Regional trainings on the right to housing in California and Florida – 200+ participants each
 3. VAWA 2005 – new housing protections for domestic violence survivors
 4. Injunctions against Las Vegas for criminalizing feeding and Fresno for destroying property
 - D. 2007 Priorities
 1. Reauthorization of McKinney-Vento Act
 2. Combating criminalization of homelessness
 3. Increasing funding for homeless assistance
 4. Helping states and cities craft effective 10-year plans to end homelessness
 5. Increasing access to public benefits

E. Strategies – Do-it-yourself law

1. Make laws—educate, build coalitions
2. Implement—press agencies, do outreach
3. Monitor for non-compliance & needed changes and enforce, litigation if necessary
4. Human Rights framework
5. Repeat

F. Pro Bono Support

1. Leverage limited resources by partnering with firms
2. Many ways lawyers can be involved:
 - a) Litigation
 - b) Research
 - c) Technical Assistance
 - d) Legislative advocacy

G. Recent Pro Bono Successes

1. Enforced the right to a public education in New York (see Jeff Simes' chapter in *Lawyers Working To End Homelessness*)
2. Protected the rights of Hurricane evacuees in *McWaters v. FEMA*
3. Provided technical assistance to groups applying for surplus property
4. Researched and submitted testimony to the U.N. Human Rights Committee

H. NLCHP Program: Lawyers' Executive Advisory Partners (LEAP)

1. Started in 2004
2. Formalizes and strengthens relations with partner firms
3. Pro Bono: members engage in regular pro bono work
4. Fundraising: member firms make an annual donation to NLCHP
5. Grows each year, building national network of support

I. NLCHP's resources for local groups and advocates

1. Technical assistance in individual cases
2. Expertise in litigation and advocacy
3. Model laws and policies
4. Tools for human rights advocacy
5. Trainings and conferences
6. Publications
7. Redesigned website! www.nlchp.org

III. Volunteer Legal Services Program of the Bar Association of San Francisco

A. Overview of the Volunteer Legal Services Program/ Holistic model

1. Social Services provided in-house during legal representation
2. Focus of our practice those issues that have most impact on stabilizing clients lives: SSI advocacy, eviction defense
3. Prioritization of clients with mental health impairment, dually or triply diagnosed
4. Utilization of Pro Bono attorneys

B. Partnering with Law firms

1. Summer Associate in Public Service Program
 - a) Bar Association of San Francisco Barristers Pro Bono Issues committee coordinates the Program
 - b) Recruitment of Law Firms to participate
 - c) Summers do Pro Bono cases with HAP
 - d) Creates relationship, expertise within the law firms

C. Partnering with City Agencies

1. San Francisco Homeless Outreach Team
 - a) enables us to connect with hardest to reach client population
 - b) helps us stay connected
2. Project Homeless Connect

IV. Homeless Experience Legal Protection: Attorneys Outreach Program for People Experiencing Homelessness

A. Introduction to HELP Program

1. The Homeless Experience Legal Protection (HELP) program was established in New Orleans in May 2004. The purpose of the program is for attorneys to reach out to the homeless population by providing legal consultation services at the various homeless shelters and centers. There are more than 350 New Orleans area attorneys and notaries who are active volunteers in the program. Legal consultation services are provided in-house at various homeless centers five times a week by three different law firms. "Office hours" at the centers are generally from 7:45 AM - 8:45 AM, so that there is no interference with the attorney's court schedule. Each law firm is scheduled to coordinate the schedule and services of volunteer attorneys for one month.

B. Partnering with Law Firms to Staff Monthly HELP Program

C. Notary Services, Referral Services, Obtaining Birth Certificates, etc.

D. Partnering with Bar Associations and Law Student Volunteers

E. How to Start a HELP Program

1. Identify a responsible director of a homeless shelter or center in a particular city. Explain the program to that person, determine the need, and get assurances that he or she will be organized and able to accommodate volunteer attorneys.
2. Schedule a recruitment meeting at a local law firm's office.
3. Identify contact people from each major law firm (through either the local bar

association or local pro bono organization) and ask that they attend the get together.

4. Schedule conference calls with the homeless center director and the attorney liaison to make sure you are on the same page, and to schedule the best days to ask the attorneys to participate.
5. Attend the recruitment meeting, ask the host judge to say a few words supporting the program, and explain the program, and hopefully people will volunteer on the dates available.
6. Usually the executive director of the local bar association will take over the scheduling duties once the program is off and running.

F. Replication Efforts: New York City, Chicago, Shreveport, Baton Rouge, Houston, Lubbock, and the District of Columbia.

Notes:

Bibliography & Website Links:

1. <http://www.abanet.org/homeless/>
2. <http://www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=4180012>
3. <http://www.nlchp.org/>
4. <http://www.sfbar.org/>
5. <http://www.sylaw.org/>
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