



# Case Studies in Defender/Civil Program Partnerships

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PARTNERSHIPS THAT WORK SERIES

OCTOBER 31, 2017

# Welcome to *Partnerships that Work*

NLADA is excited to welcome you to Partnerships that Work, a five-part webinar series, helping civil and defender stakeholders to better understand the ins and outs of connecting their programs to federal resources.

The Partnerships That Work series is presented jointly by NLADA's Defender and Civil Legal Services Divisions as a collaborative effort to connect stakeholders across the civil and criminal justice landscapes to resources, partners, and to spark innovation. You can learn more and register for any of the sessions on our website at <http://www.nlada.org/webinars>.

# Today's Speakers

**Jamie Argento Rodriguez**

Chief – Community Defender Division  
The Public Defender Service for the District of Columbia

**Sharon Dietrich**

Litigation Director and Managing Attorney  
Community Legal Services of Philadelphia

**Richard Cozzola**

Director – Children and Family Practice Group  
LAF Chicago

**Kathryn Huber**

Staff Attorney – Children and Families Practice Group  
LAF Chicago

# Sharon Dietrich

## **Litigation Director and Managing Attorney Community Legal Services of Philadelphia**

Sharon M. Dietrich has been an attorney with the Employment Law Project of Community Legal Services, Philadelphia, since 1987. She was CLS' managing attorney for public benefits and employment from 1997 until she became its litigation director in 2014. She represents low-income persons individually and systemically in employment matters. Her work focuses on removing employment barriers (especially criminal records), preserving jobs, and gaining access to employment-related benefits. Ms. Dietrich is nationally known for her leadership in Legal Services and for her work on criminal records, unemployment benefits, and antipoverty strategies. Among her awards is the 2006 Kutak-Dodds Prize given by the National Legal Aid & Defender Association.

# CLS/Defender Ass'n of Phila: Conditions that Facilitate our Partnerships

- Our offices are almost co-located
- CLS's robust reentry work, esp in expungement/employment
- Cross-pollination of staff/interns/board members
- Working relationship between Exec. Directors



# CLS/Defender Ass'n Collaboration

- Consultations and referrals (going both ways)
- Staff trainings for each other
- Expungement (adult and juvenile)
  - PDs taught CLS
  - Stakeholder partners
  - Expungement work potentially supported by WIOA/TANF funds



# CLS/Defender Ass'n Collaboration (cont.)

- Litigation
  - PDs helped CLS in cases challenging bail forfeiture debt (substantive law, practice, appellate help)
  - PDs wrote an amicus in a UI case on whether someone on weekend incarceration is disqualified
- Policy
- Communications – feature each other on social media



## Richard Cozzola

### **Director – Children and Family Practice Group LAF Chicago**

Richard Cozzola is the Director of the Children and Families Practice Group at LAF in Chicago, Illinois, the largest provider of legal services to the poor in Chicago. He has represented parents, children, and relatives in Juvenile Court and education matters for over thirty years. He supervises attorneys who work on cases in child welfare, domestic violence, custody, juvenile expungements, and education. His appellate litigation helped establish a burden of proof for the best interest stage of termination of parental rights hearings in Illinois, challenged fraudulent adoptions, and supported the suppression of involuntary juvenile confessions. He is the former Program Director of the Civitas Childlaw Center at Loyola Chicago School of Law. He has been a faculty member for trial skills programs sponsored by the NITA, and has conducted trainings for attorneys and other professionals across the country. He has written on a number of topics including working with social workers in a legal setting and effective trial strategies in child welfare cases. Richard is a member of the Steering Committee for the National Alliance for Parent Representation.

## Kathryn Huber

### **Staff Attorney – Children and Families Practice Group LAF Chicago**

Kathryn Huber is a staff attorney with the Children and Families Practice Group at LAF Chicago. Over the past 12 months, she ran the Cook County Juvenile Expungement Help Desk, a collaborative partnership that provided full representation expungement services to juvenile and young adult clients on a walk in basis for expungement of juvenile records. In that role, Ms. Huber provided court representation to over 600 low income clients, oversaw the help desk's daily operations, supervised and mentored interns, volunteers, and help desk staff, provided outreach and education to the community, and served as a resource for affiliated partners, service providers and community members on juvenile expungement issues. Prior to starting with LAF, Ms. Huber has worked in multiple roles in juvenile law, including delinquency, child welfare, education, and adoption proceedings. She enjoys working with adolescents and young adults, and particularly with young people who have had contact with the juvenile or criminal justice system. Ms. Huber received her J.D. and Master of Social Work degrees from Loyola University Chicago, and holds a professional license as an Illinois school social worker. She obtained her Bachelor of Social Work degree from the University of Illinois at Urbana-Champaign.



# COOK COUNTY JUVENILE EXPUNGEMENT HELP DESK PARTNERSHIP

*Rich Cozzola; Children & Families Practice Group Director*

*Kathryn Huber; Staff Attorney, Children & Families Practice Group*



Equal justice starts here.

# Juvenile Expungement Help Desk Partners

- ❖ *Office of the Presiding Judge, Cook County Juvenile Court*
- ❖ *Cook County Clerk of the Circuit Court*
- ❖ *Cook County Juvenile Probation Department*
- ❖ *Cook County Public Defender's Office*
- ❖ *Cook County State's Attorney's Office*
- ❖ *LAF Chicago*
- ❖ *Cabrini Green Legal Aid*
- ❖ *Smart Chicago*
- ❖ *Cook County Justice Advisory Council*
- ❖ *DLA Piper*

# Initial Barriers to Juvenile Expungement in Cook County

***For every 1,000 juvenile arrests in Illinois, only 3 are expunged. Cook County leads the state in the number of expungements filed – at less than 1% of total juvenile arrests.\****

- *The requirements were confusing, and there was a great deal of misinformation about what qualified and how the process worked.*
- *Multiple trips to juvenile court and elsewhere to obtain records, file paperwork, and attend court date – often in areas with limited or no access to public transit.*
- *Clients were unable to get RAP sheets onsite, so staff couldn't advise them of their eligibility or options until they made at least one trip to Chicago Police Headquarters.*
- *Clients were required to file multiple petitions – one per arrest.*
- *Each petition carried its own filing fee, and for low income young people and families, the process was prohibitively expensive.*
- *Clients had to appear in court in order to have their petition heard, even if there was no objection.*
- *There were a number of myths in the community about juvenile record confidentiality, expungement, and eligibility that dissuaded many young people from even attempting the process.*

\*Burdened for Life: The Myth of Juvenile Record Confidentiality and Expungement in Illinois. *Illinois Juvenile Justice Commission* (April 2016)  
<https://ijjc-illinois-gov.epcsecure.com/sites/ijjc.illinois.gov/files/assets/Burdened%20for%20Life.pdf>

# Evolution of the Juvenile Expungement Help Desk

- 1) In 2007, the help desk started as an AmeriCorps VISTA position, first half time, then full time, providing pro se assistance to clients completing expungement paperwork.
- 2) Eventually, the project began to take on law student interns, who helped expand services and increase the number of clients served.
- 3) In 2012, LAF partnered with Cabrini Green Legal Aid to provide additional legal services and attorney participation.
- 4) In 2016, in partnership with Smart Chicago, LAF launched a pilot program with a full time staff attorney, providing both full representation services and pro se assistance.

# Barriers Addressed by the Partnership

- ❖ “One stop shop;” during the pilot project, full representation services allowed most clients to make only one trip to juvenile court, with our staff attorney attending future court dates on their behalf.
- ❖ Clients can now get Chicago Police RAP sheets and fingerprint based statewide background checks within the juvenile court building.
- ❖ New circuit court forms allow multiple cases to be filed on one petition, dramatically reducing the amount of paperwork required to file.
- ❖ New legislation made juvenile expungement a no-fee filing, eliminating the financial barrier for many who could not afford the process previously.
- ❖ Development of an automated eligibility tool and expungement form tool which allowed staff to receive instant eligibility confirmation and draft auto-populating court forms.
- ❖ Advocacy within the juvenile court to allow pro se petitions with no objection raised to be granted without the need for the client to be present.
- ❖ Robust community partnerships and outreach to provide accurate information about expungement and available resources.

# Who Benefits from Expungement?

## Young people who want to be:

- ❖ *Healthcare workers*
- ❖ *Daycare or childcare providers*
- ❖ *Public school employees in any capacity*
- ❖ *Security/loss prevention*
- ❖ *Law enforcement officers*
- ❖ *Military personnel*
- ❖ *Probation, youth outreach, or youth mentors*
- ❖ *Banking and finance*
- ❖ *Any profession licensed by the Illinois Department of Financial and Professional Regulation (such as barbers, massage therapists, dog groomers, interior designers, etc.)*
- ❖ *Skilled trade union members*
- ❖ *EMTs or Firefighters*
- ❖ *Airport employees in any capacity*
- ❖ *Foster parents or family guardians*
- ❖ *And many more....*

# Jamie Argento Rodriguez

## **Chief – Community Defender Division The Public Defender Service for the District of Columbia**

Jamie Argento Rodriguez is the Chief of the Community Defender Division at the Public Defender Service for the District of Columbia. The goal of the community Defender Division is to provide representation for individuals who are seeking to address the collateral consequences and barriers to reentry that result from involvement in the criminal and juvenile justice systems. Ms. Argento Rodriguez conducts trainings for judges and attorneys in local and national audiences and has been a featured presenter at the National Legal Aid and Defender Association's Substantive Law Conference, the National Juvenile Defender Center's Annual Leadership Summit, the American Bar Association, and the Louisiana Judicial College and Louisiana State Bar Association's Joint Summer School. Ms. Argento Rodriguez earned her law degree from the University of North Carolina at Chapel Hill – School of Law and her bachelor's degree in Government and Politics from George Mason University.



# Partnerships in Federal Funding:

Case Studies in Defender/Civil Program Collaboration

Community  
Defender Division

*"Defending your liberty from the courtroom to the community."*





# PDS MISSION

It is the mission of the Public Defender Service for the District of Columbia (PDS) to provide and promote quality legal representation to indigent adults and children facing a loss of liberty in the District of Columbia, thereby protecting society's interest in the fair administration of justice.

*"Defending your liberty from the courtroom to the community."*





# How do we address the civil legal needs of our defense clients?

Treat collateral consequences as primary legal issues

*"Defending your liberty from the courtroom to the community."*



# PDS's model of client centered representation

- Office of Rehabilitation and Development
- Civil Legal Services Division
- Community Defender Division

*But what happens when clients or community members are seeking assistance for issues that fall outside our expertise and capacity?*





## Partnerships based upon:

- Shared communities
- Informal workgroups
- Formal coalitions and committees



# DC Consortium of Civil Legal Services Providers

- The Consortium's mission is to coordinate the delivery, expand the availability and improve the quality of legal services to poor and disadvantaged persons or groups of people in the District of Columbia.
- Founded in 1989
- Membership based
  - 34 Organizations



# Why does it make sense for a defender organization to belong to the Consortium?

- Centrally coordinated information
- Facilitated referrals
- Professional development and continuing legal education
- Responsibilities to our clients





# Consortium Accomplishments

- [LawHelp.org/DC](http://LawHelp.org/DC)
- **2005**: DC Access to Justice Commission established
- **2009**: *Rationing Justice* report
- **2016**: Community Listening Project

*"Defending your liberty from the courtroom to the community."*





## References

- <https://www.probono.net/dc/consortium/>
- <https://www.lawhelp.org/dc>
- <http://www.udclawreview.com/wp-content/uploads/2011/11/UDC-DCSL-L-Rev-Volume-5-Fall-2000-Number-1.pdf>
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- [https://www.probono.net/dc/consortium/about/item.6998-Press Release April 4 2016 DC Consortium Releases Findings](https://www.probono.net/dc/consortium/about/item.6998-Press_Release_April_4_2016_DC_Consortium_Releases_Findings)
- <http://www.pdsdc.org/>







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THE  
PUBLIC  
DEFENDER  
SERVICE

*for the District of Columbia*



**Community  
Defender Division**

*"Defending your liberty from the courtroom to the community."*

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