

Serving Veterans Webinar Series

Research & Federal Funding

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Today's Presenters

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Agenda

1. Legal needs of veterans

- Homelessness and housing insecurity
- Income support and benefits
- Family matters and child support
- Consumer finance

2. Where to find data

3. Policymakers agree legal services are necessary for veterans

4. Federal funding

- Supportive Services for Veteran Families (SSVF)
- Grant and Per Diem
- Veterans' Employment and Training Service (VETS)
- HUD-VASH

5. Q & A

Legal needs of veterans

- Veterans who receive legal services at MLPs [consistently report issues](#) related to housing, income support, family, and consumer finance
- In the [VA's CHALENG](#) survey of homeless veterans, four of the highest unmet needs were related to legal assistance.
 - Child support
 - Eviction and foreclosure
 - Restoring a driver's license
 - Outstanding warrants and fines
 - *Others often have a legal component!*

Homelessness and housing insecurity

- The [U.S. Department of Housing and Urban Development](#) estimates that on any given night, 37,878 veterans are homeless
- An additional [1.4 million veterans](#) are considered to be at risk of homelessness due to poverty, overcrowding, and poor social networks
- [Almost 80 percent](#) of homeless veterans have a mental illness or substance use disorder
 - [Stress](#) of losing one's house and the inability to pay rent can lead to substance misuse
 - [Early homeless experiences](#) have been shown to predict drug misuse and behavior
- While [91 percent](#) of homeless veterans are male, female veterans are the fastest growing segment of the homeless veteran population

Legal aid helps stabilize housing

- One [study](#) found: “A major finding of this study was that veterans who received medical-legal partnership services showed significant improvements in mental health within the first three months and continued to show these improvements at twelve months, at which time they also showed increases in income and days housed as their legal issues were resolved” (p. 2202)
- Tenants facing eviction proceedings, who had no legal aid, remained in their homes 14 percent of the time. For those who received full representation, they [remained in their homes 55 percent of the time](#) (p. 483)
- An analysis of the [Shriver Housing Pilot Projects](#) found that “full representation clients were significantly less likely to end their cases by default (8%) than were self-represented defendants (26%)” and “had, on average, 85 days to move, versus 74 days among self-represented defendants” (p. iv)
- “[Low income tenants](#) with legal representation experience significantly more beneficial outcomes than their counterparts who do not have legal representation, independent of the merits of the case” (p. 420)

Income support and benefits

- In 2017, the [Kurta memo](#) allowed many previously ineligible veterans to become eligible for a discharge upgrade, entitling them to veteran benefits
- In 2014, [43 percent](#) of all veterans used at least one VA benefit or service
- [Young recent male veterans](#) have higher unemployment rates and lower labor force participation rates than their non-veteran counterparts
- A [report](#) in Minnesota found that approximately 25 percent of veterans who sought health care system reported food insecurity. Almost [1.4 million veterans](#) live in households that participate in SNAP

Legal aid can help with income support

- A [report](#) finds MLPs recover benefits and increase income:
 - The Inner City Law Center partnered with the VA West Los Angeles Medical Center to assist 126 veterans. They recovered \$948,005 benefits and increased income per veteran by \$7,583
 - The Connecticut Veterans Legal Center reduced the debt of veterans by \$700,000, stabilized housing for 82 veterans and returned \$66,207 in housing costs
 - LegalHealth helped veterans receive \$468,294 in one-time benefits, \$16,863 in monthly benefits for a total of \$670,650 in benefits.
- In 2012, [Massachusetts Legal Assistance Corporation](#) helped secure almost \$11.3 million in SNAP benefits

Family matters and child support

- Legal assistance related to child support has [consistently topped the unmet needs](#) of homeless veterans
 - Legal assistance related to child support continues to top the list
- Many veterans have child support obligations that date back to when they were on active duty. Their incomes may decline after active duty, warranting a modification
- Veterans can face wage garnishments up to [65 percent](#) of their paychecks

Legal aid can help in family matters

- A [study](#) on legal aid collaborations found that one organization helped 200 veterans with child support matters
- The [Administration for Children & Families](#) at HHS writes, “When child support procedures are clear, realistic, and fair to both parents and their children, parents are more likely to make reliable support payments that their children can count on” (p. 1)

Consumer finance

- From 2016 to 2017, there was a [47 percent](#) increase in veteran complaints to the Consumer Financial Protection Bureau (CFPB)
- Each year, between [4700 and 8000 service members](#) are separated from the military because of financial issues like losing security clearances because of debt
- Service members are more likely to have a [credit card](#) (91%) than non-service members (76%)
- 200,000 active duty members have \$2.9 billion in [student loans](#)
- Veterans are nine percent more likely to engage in a [problematic credit card behavior](#) than others
- The VA Debt Management Center (“VA Debt Man”) collects [\\$1.6 billion annually](#) on debts owed by veterans to the VA. [88 percent are related to health benefits](#)
- [The most common type of debt collection complaint](#) to the CFPB for veterans: attempts to collect a debt not owed (39%), followed by a missing written notification about debt (16%), threatened or took legal action (15%), communication tactics (13%), false statements (13%), or threatened to share information improperly (3%)

Legal aid can help protect consumers

- A Washington State report shows that despite the common experience of issues related to consumer finance, more than 75 percent of individuals with debt [do not seek legal help](#)
- One [study](#) analyzed the outcomes of 4400 lawsuits filed by debt buyers in Maryland. It found that in 98 percent of the cases, the alleged debtor had no lawyer
- Analyzing 507 cases in Dallas County Courts, a [study](#) found a dismissal without prejudice occurred in 51 percent of cases in which a defendant was served and jumped to 62 percent when the defendant appeared. It increased to 75 percent when an attorney was present
- Consumers without legal assistance are unlikely to know how to fully protect themselves – see case studies from ACLU's [Pound of Flesh](#) report

Where to find data

- [CHALENG](#) Fact Sheet (shows top needs for homeless male and female veterans)
- Find information about your state's veteran population: [National Center for Veterans Analysis and Statistics](#) and at the [US Census](#) (see for map, unemployment rate, number of homeless veterans, household income, and veteran-owned business)
- U.S. Census's report on [veterans in rural America](#) (2011-2015)
- U.S. Census's report on [female veterans](#) (2015)
- [Maps](#) of veterans, compiled by the *Washington Post*, these maps show veteran share of total population, female share, share that served
- [CFPB](#) veteran, service member, and military family 50 state consumer complaint report

Policymakers agree legal services are necessary for veterans

[The United States Interagency Council on Homelessness:](#)

- “In order for people experiencing homelessness to quickly get back on a path to stability and self sufficiency that will advance their economic opportunity, they need access to the tools that will reduce the legal barriers they face. Legal services providers can play an essential role in removing such barriers to permanent housing and supportive services, helping to further accelerate progress toward preventing and ending homelessness in this country” (p. 10).

Policymakers agree legal services are necessary for veterans (cont.)

- Several hundred mayors have signed onto a challenge to end veteran homelessness in their cities. Only several have succeeded. Find what your mayor thinks [here](#)
- [CHALENG](#) survey shows that four out of top ten needs are related to legal assistance
- The results from this survey and the known unmet need led the VA, ABA, the Veterans Consortium Pro Bono Program and the National Law School Veterans Clinic Consortium to sign a [Memorandum of Agreement \(MoA\)](#) in 2017
 - “There is a critical need to provide pro bono legal assistance to veterans” and that “the lack of access to legal representation contributes significantly to a veteran’s risk of becoming and remaining homeless.”

Supportive Services for Veteran Families (SSVF)

- U.S. Department of Veterans Affairs

Purpose: Provide supportive services to very low-income veteran families to prevent veteran homelessness and rapidly re-house veterans who become homeless

FY2019 appropriation: \$380m; FY2018: \$344m; FY2017: \$320m

SSVF: Language re legal services

- SSVF statute authorizes legal services at [38 USC section 2044](#):
 - “(vii) legal services to assist the veteran family with issues that interfere with the family’s ability to obtain or retain housing or supportive services;”
- The CFR expands on these legal services:
 - “Legal services, including court filing fees, to assist a participant with issues that interfere with the participant's ability to obtain or retain permanent housing or supportive services, including issues that affect the participant's employability and financial security (such as the lack of a driver's license). However, SSVF funds may not be used to pay for court-ordered judgments or fines, pursuant to [§ 62.38](#)” ([38 CFR § 62.33](#))

SSVF: Legal Assistance can help in...

- Eviction
- Child support issues
- Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI)
- Landlord/tenant issues
- Outstanding warrants/fees
- Obtaining VA benefits
- Driver's license reinstatement
- Expungement
- Debt collection
- Discharge upgrades (“if Veteran is enrolled on SSVF and current the upgrade is directly connected to the Housing Stability Plan”) ([2017 Program Guide](#), p. 49)
- **Cannot help in court adjudicated judgements or fines**

SSVF Models

1. In-House Counsel
2. Subcontract (ex. Flat fee or fee for service)
3. Built-in legal service module to SSVF grant
4. Referral or informal agreements (ex. Legal aid clinics, pro bono, law schools)

Resources to learn more

- The VA has a document with the [five best practices for SSVF legal services](#) (Nov. 2014)
- [FY2020 grant awards](#)
- [FY2019 SSVF provider list](#)

- **Our upcoming webinar on Sept. 24 at 1pm EST! [Register here](#)**

Grant and Per Diem

- U.S. Department of Veterans Affairs

Purpose: To promote the development and provision of supportive housing and/or supportive services with the goal of helping homeless veterans achieve residential stability, increase their skill levels and/or income, and obtain greater self-determination.

FY2019 awards: *\$30 million to case management and \$2.4 million to operational costs;*
FY2018: Not appropriated; FY2017: \$257m; FY2016: \$20m

Grant and Per Diem – Language re legal services

- (a) Recipients must design supportive services. Such services must provide appropriate assistance, or aid participants in obtaining appropriate assistance, to address the needs of homeless veterans. The following are examples of supportive services: ...
 - “(8) Providing housing assistance, legal assistance, advocacy, transportation, and other services essential for achieving and maintaining independent living.” ([38 CFR § 61.2](#))

Resources to learn more

- The USICH document, “[The Transformation of VA Grant and Per Diem Programs: Considerations for Communities](#)”(June 2019)
- 2019 [Case Management Awards](#)
- 2019 [Special Needs Awards](#)

Veterans' Employment and Training Service (VETS)

- U.S. Department of Labor

Purpose: Provide services to assist in reintegrating homeless veterans into meaningful employment. Has three programs: [Homeless Veterans' Reintegration Program](#), [Jobs for Veterans State Grants](#) (formula-based staffing grants to states), and [Stand Down](#)

VETS and Homeless Veterans' Reintegration Program (HVRP)

- Employment focused competitive grant. It has two objectives:
 - 1) To provide services to assist in reintegrating homeless veterans into meaningful employment within the labor force, and
 - 2) To stimulate the development of effective service delivery systems that will address the complex problems facing homeless veterans.

VETS – HVRP and legal services

- The [full application for 2018](#) states: “Vouchers may be purchased for minor time-limited legal services.”
- [HVRP](#) has historically provided a number of actions which could describe legal aid, including:
 - Ability to deliver or connect participants to effective job training, counseling, and other wraparound services, such as the provision of housing and necessary health services as the means for expediting the reintegration of eligible veterans into the labor force;
 - Ability to provide services specifically tailored to the needs of female homeless veterans and homeless veterans with families as appropriate;
 - Ability to provide services specifically tailored to the needs of incarcerated or recently incarcerated veterans who are at risk of homelessness as appropriate; and
 - Ability to provide services to chronically homeless veterans as appropriate.

VETS – Stand Down (SD) and legal services

- Each year, VETS sets funds aside from the HVRP budget activity to award SD grants. SD funding is a non-competitive grant awarded on a first-come, first-served basis until available annual funding is exhausted.
- [Same language as HVRP:](#) “Vouchers may be purchased for minor time-limited legal services”

HUD-VASH

- U.S. Department of Housing and Urban Development & U.S. Department of Veterans Affairs

HUD provides rental assistance vouchers for privately owned housing to Veterans who are eligible for VA health care services and are experiencing homelessness. VA case managers may connect these Veterans with support services such as health care, mental health treatment and substance use counseling.

FY2017: \$498 million; FY2016: \$462 million

HUD-VASH – language re legal services

- The [HUD-VASH resource guide](#) references legal assistance several times. For example, it states that case managers should:
 - “Monitor and solidify linkages to community resources–this might include legal assistance, schools for children, religious/spiritual connections, community treatment and support systems” (p. 63).
 - It also explicitly states that legal assistance is considered an eligible supportive service for veteran families: “Assistance with eviction prevention or prevention of housing loss through short-term cash assistance, legal assistance, and short-term service supports” (p. 87).

Resources to learn more

- [HUD-VASH Resource Guide for Permanent Housing and Clinical Care](#)
- [Ending Veteran Homelessness on Tribal Lands: A Tribal HUD-VASH Grants Guide](#)

Q & A



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