



Civil Legal Services for Crime Victims Special Project

LAWYERS FOR VICTIMS PROGRAM FUNDING OPPORTUNITY

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Agenda



- ▶ Welcome!
- ▶ Overview of Civil Legal Services for Crime Victims Special Project
- ▶ Overview of Project Safeguard's Lawyers for Victims Program
- ▶ Eligibility & Parameters
- ▶ Tentative timeline
- ▶ Letter of Intent
- ▶ Questions and discussion
- ▶ Comment submission instructions

Overview of Civil Legal Services for Crime Victims Special Project

- ▶ As a result of the statewide needs assessment conducted by the Division of Criminal Justice (DCJ), civil legal services for victims of crime has been identified as a Special Project for the use of the new Victims of Crime Act (VOCA) funds. DCJ's Office for Victims Programs (OVP) is working collaboratively with Project Safeguard and a steering committee of stakeholders to address this need through various statewide strategies.
- ▶ One of these strategies is the expansion of Project Safeguard's Lawyers for Victims Program.



Project
Safeguard
Justice and Safety

Lawyers for Victims Program

ALEXIS FREET, LEGAL DIRECTOR

Lawyers for Victims Program (LFVP)



- ▶ Project Safeguard piloted a project in Arapahoe County, Colorado in 2015-2016, contracting with attorneys on a flat-fee basis of \$750.00 to provide limited-scope representation to victims of domestic violence at civil protection order hearings, at no cost to the client.
- ▶ The pilot project had an efficient and effective client referral process.
- ▶ Interview and survey results from clients and attorneys show a myriad of benefits resulting from access to legal representation.
- ▶ Project Safeguard has since expanded the Lawyers for Victims Program and now serves clients in Arapahoe, Adams, Broomfield, and Denver Counties.

Criteria for LFVP Contract Attorneys



- ▶ Licensed to practice law in Colorado
- ▶ Malpractice insurance
- ▶ Screened for disciplinary history
- ▶ Experience with domestic violence victims
- ▶ Experience doing permanent protection order (PPO) hearings
- ▶ Completion of LFVP screening form
- ▶ Signed contract with Project Safeguard
- ▶ Completed W-9 form

Criteria for Referrals



- ▶ Person seeking a referral must...
 - ▶ be a Project Safeguard client,
 - ▶ have a Temporary Protection Order (TPO) granted in County Court, and
 - ▶ have a child in common with the Respondent.
- ▶ We do not exclude clients based on income levels.

Referral Process – Before the PPO Hearing

- ▶ A Project Safeguard Advocate discusses the program with individuals who meet the criteria and, if the client wishes to be assigned an attorney, the client completes a Release of Information permitting Project Safeguard to send information to a prospective attorney.
- ▶ The Advocate sends the following to the Legal Director for Review...
 - ▶ LFVP Client Screening Form
 - ▶ Project Safeguard Intake Form
 - ▶ Signed Release of Information
 - ▶ TPO Petition and Order
 - ▶ Any other case documents the client has

Referral Process – Before the PPO Hearing

- ▶ The Legal Director reviews the case information prior to assigning it to a contract attorney.
- ▶ The Legal Director contacts a previously screened contract attorney to see if they are available on the date of the PPO hearing, and if they can take the case (party names are provided for conflict checks).
- ▶ If they are not available, or do not respond within 24 hours, a different contract attorney is contacted until the case is accepted.

Referral Process – Before the PPO Hearing

- ▶ The Legal Director informs the client whether they have qualified for the project, and if so, that an attorney has been assigned to their case.
 - ▶ The client is typically contacted within 3 business days of their TPO
- ▶ Verbal consent to confirm the client wants to move forward with the project is obtained. If they do not wish to move forward, the written release becomes void and their information is not released.
- ▶ Case information is sent to the attorney (client contact information, TPO documents).
- ▶ The attorney works directly with the client to prepare for the PPO hearing and attends the hearing with the client.

Referral Process – During/After the PPO Hearing

- ▶ Someone from Project Safeguard (an Advocate and/or the Legal Director) will attend the PPO hearing if at all possible to observe and provide support.
- ▶ The client is provided with support from the Advocate after the hearing, either in-person or with a follow-up call.
- ▶ The Legal Director sends surveys to the contract attorney and client.
- ▶ The contract attorney emails a completed request for payment form to the Legal Director.
- ▶ Once the request for payment is received and the attorney survey is completed, the contract attorney is paid \$750 within 30 days, no matter the outcome of the hearing.

Benefits

- ▶ Increased access to civil legal services for victims of domestic violence
- ▶ Increased success rates, especially when the respondent has representation
- ▶ Clients feel more in control and empowered
- ▶ An attorney is more likely to protect the record for any future hearings/trials (criminal, divorce, custody, etc.)
- ▶ Attorneys refer clients back to Project Safeguard Advocates for other resources/support services and are able to focus on the legal issues
- ▶ Several clients have hired the contract attorney for other matters
- ▶ Some attorneys have taken on pro bono cases for the same client after establishing a relationship through the PPO hearing representation

Other Services

- ▶ The LFVP is only a small part of the services that Project Safeguard provides. We have legal advocates in Denver, Adams, Broomfield, and Arapahoe county courts who meet daily with victims of domestic violence.
- ▶ These advocates help the victims safety plan and provide the victims with information, resources, and referrals.
- ▶ If the client qualifies for LFVP, the advocate refers them to the Legal Director. Project Safeguard clients who are not part of the Lawyers for Victims Program receive support from advocates to pursue a PPO, if desired, and may be referred to pro bono attorneys for PPO representation.



Lawyers for Victims
Program Funding
Opportunity

VOCA Eligibility Criteria



- ▶ To be eligible to apply and receive funds, applicant organizations must:
 - ▶ Have been in existence for a minimum of two years
 - ▶ Provide direct services to crime victims
 - ▶ Use volunteers
 - ▶ Assist victims with applying for victim compensation
 - ▶ Be able to demonstrate that at least 25% of their annual budget comes from sources other than VOCA
 - ▶ Provide a 20% match

Eligible Expenses

Type of Expense	Notes
Personnel/Professional Services	
Support for a Victim Advocate to provide support for victims served through the program	Direct services and coordination of services are eligible use
Civil legal assistance services where reasonable and where the need for such services arises as a direct result of the victimization.	Contracting for specialized professional services must be at a rate not to exceed a reasonable market rate
Minimal support of supervisor of direct victim services provider	Direct supervisor of Lawyers for Victims Program Coordinator and associated Victim Advocate(s)
Training	
Training related costs such as travel per diem, lodging, and registration fees for direct service staff	Training must be tied to the project's goals and objectives
Organizational Costs	
Indirect Costs	Programs can request indirect costs (federally negotiated rate or de minimus, and organizational expenses that are necessary and essential to providing direct services

Pilot Program Parameters – Types of Agencies

- ▶ The grantee must be an established and deeply connected agency that, with our assistance, will refer limited-scope legal matters to previously screened contract attorneys for a flat fee.
 - ▶ The pilot programs are not limited to PPO hearings and the amount of the flat fee should be determined by the agency based on the type of representation being offered.
- ▶ The agency should have their own advocates already in place and available to provide support and resources to address the other needs of the client.

Pilot Program Parameters – Project Manager

- ▶ We strongly advise that the Project Manager be an attorney.
 - ▶ At a minimum, the agency must explain how the agency/Project Manager will be able to bring the necessary legal expertise to the project.
- ▶ Depending on the size of the project, the Project Manager position can be full-time or part-time.

Pilot Program Parameters – Implementation

- ▶ Project Safeguard's Legal Director will assist with developing the method of screening and selecting contract attorneys, as well as the method of identifying the needs of the client and the appropriateness for referral, but each Project Manager will be expected to implement these methods.

TENTATIVE TIMELINE

- December 8, 2016 – Webinar for potential applicants
- January 5, 2017 – Letter of Intent due (submitted via e-mail by 5:00p.m.)
- January 30, 2017– RFP announced
- March 6, 2017-RFP's due (submitted via e-mail by 3:00p.m.)
- March 2017- Review of applications and selected sites notified by end of the month
- April 2017-Project sites accept and contracts completed
- May 2017-Funding begins for 20-month grant cycle (May 1, 2017-December 31, 2018)
- January-February 2018 – Project sites apply for continuation funding through the Crime Victims Services (CVS) Funding Opportunity (funding to support activities in 2019/2020)

Letter of Intent

- ▶ Agencies interested in applying for grant funds through this funding opportunity must submit a Letter of Intent (LOI) no later than **January 5, 2017** (submitted via e-mail by 5:00p.m.).
- ▶ A sample LOI can be found here: <http://dcj.ovp.state.co.us/grants/programs/statewide-special-projects> and will be sent out to webinar attendees via e-mail along with the PowerPoint slides following this presentation.
- ▶ LOI's should be sent by the deadline to:
Ashley Riley Lopes: ashley.lobes@state.co.us

To Summarize...

- ▶ Eligible organizations who provide direct victim services to VOCA-eligible crime victims are encouraged to apply.
- ▶ Organizations are **required** to complete and submit a Letter of Intent (LOI) by the deadline to be able to apply.
- The Announcement, RFP, and Instructions are slated to be released **January 30, 2017** and applications will be due via e-mail **March 6, 2017**.
- Organizations are also *strongly encouraged* to contact Alexis Freet with Project Safeguard to discuss programmatic questions regarding the project prior to the release of the RFP, and prior to their submission of the LOI if possible.
- The limited number of selected expansion sites will be notified by the end of March, and the grant period will be **May 1, 2017 to Dec. 31, 2018**.

Questions and Answers

- ▶ Type your comments or questions into the Chat or Question box
- ▶ We will provide all attendees with FAQs early next week.
 - ▶ The FAQs will be updated regularly, as we receive more inquiries, and will be available on our website here: http://dcj.ovp.state.co.us/grant_programs/statewide-special-projects

Contact Info.

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THANK YOU!