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Executive Summary

Veterans often face complicated legal problems stemming from physical and mental injuries sustained during military service. When these legal problems go unresolved, they can quickly multiply, making it difficult for the veterans to support themselves and their families. Lawyers are often the key to resolving these legal problems and helping vulnerable veterans remove barriers to improving their lives. Unfortunately, while the legal needs are high, there are few lawyers available to help veterans unable to pay for services. The Equal Justice Works Veterans Legal Corps will address this by recruiting, training and placing 40 full-time lawyers and 380 minimum-time law student members and 400 leveraged volunteers at 19 high-need sites in California, Connecticut, Kentucky, Maryland, Ohio, Texas, Washington, West Virginia and other locales. In a three year period, the Veterans Legal Corps will serve 15,000 veterans by preparing, submitting and winning disability benefit cases, reducing fines and debts, and providing advice on and resolving other legal problems. Once relied upon to serve their country as members of the armed forces, the ultimate goal is to enable veterans to return to a high-functioning role in their communities. This project will focus on the CNCS priority area of Veterans and Military Families. The CNCS investment of \$1.51 million will be matched with \$1.27 million, resulting in at least \$15 million in economic benefits secured for veterans.

Rationale and Approach

A. NEED. Veterans are twice as likely as the general population in the U.S. to be homeless (Fargo et al., Prevalence and Risk of Homelessness Among U.S. Veterans: A Multisite Investigation, Preventing Chronic Disease, 2011). On a single night in 2012, there were more than 62,000 homeless veterans in America (Point in Time Survey, U.S. Department of Housing and Urban Development, 2012) and 145,000 veterans use homeless programs each year (National Alliance to End Homelessness, 2011). Another 1.4 million veterans are considered at risk of homelessness due to lack of support networks and poor living conditions in overcrowded or substandard housing (National Coalition for Homeless Veterans, 2012). Many veterans are homeless or at risk because they face complex legal problems and there are few lawyers available to help. In fact, legal needs were three of the top ten unmet needs of such veterans, according to a report by the U.S. Department of Veterans Affairs' Community Homeless Assessment, Local, Education and Networking Groups (CHALENG) (2011).

One of the most significant areas of legal need is disability benefit applications and appealing denial of benefits. Veterans are suffering high rates of mental disabilities as a result of their military service, especially post-traumatic stress disorder (PTSD) and traumatic brain injury (TBI). Eighteen

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percent of the 1.64 million men and women deployed to the wars in Iraq and Afghanistan are estimated to suffer from major depression or PTSD (Rand, 2008) and 26% of Vietnam-era veterans have PTSD (National Vietnam Veterans Readjustment Study, 1988) compared to just 7.8% of the general population (National Comorbidity Study, 1995). Nineteen percent of Iraq and Afghanistan service members experienced a probable TBI during deployment (Rand). Veterans with service-connected disabilities are entitled to VA disability benefits, including a monthly income, access to high-quality health care, housing vouchers and case management services (38 U.S.C. § 1101). Proving a disability and showing its connection to military service can be difficult. Missing or incomplete medical and service records, combined with a lack of understanding of complex regulations and procedures, often lead to poor presentation of viable claims (Sleeth et al, "Lost to History: Missing War Records Complicate Benefit Claims by Iraq, Afghanistan Veterans", 2012). Last year, the VA denied 30% of claims. For mental disability cases the situation was worse: 37% of PTSD claims were denied (Office of Performance Analysis & Integrity, Veterans Benefits Administration, FY2012). When denied applications are appealed, the error rate - claims found by an appeals board to have been denied erroneously - is 29% (Board of Veterans Appeals Annual Report, 2011). For TBI and other complex cases there is an even higher error rate - 38% (Center for Investigative Reporting, 2012). In a national survey claims preparers and VA raters said that mental disability claims, especially PTSD, require more judgment and subjectivity and are more time-consuming than physical injury claims (Final Report for the Veterans' Disability Commission, Center for Naval Analysis, 2007). It is crucial for claims to be as thorough as possible because the wait for a decision is long - nine months on average for an initial claim and 1.8 years for an appeal (Center for Investigative Reporting, 2012). In some jurisdictions, the wait is longer. A recent front page Washington Post article ("Md. Vets can face extreme waits," February 4, 2013) revealed that in Baltimore, a Veterans Legal Corps site, veterans wait an average of 429 days - six times the VA's goal of 70 days - before their claims are decided upon. Finally, in the Kennedy Serve America Act, Congress acknowledged the need and directed CNCS to establish Veterans Corps that assist veterans with disabilities, including helping veterans file benefits claims (42 U.S.C. §§ 12572(a)(4)(B)(iv), (vi)).

Other legal needs include resolving fines, warrants and debts that accumulate during a time of untreated mental disability or homelessness. The VA CHALENG report confirms that legal assistance with child support orders, fines and warrants were the third and sixth highest unmet needs of homeless and at risk veterans. For example, as many as 525,000 veterans have child support orders ("Veterans in the Child Support Caseload", U.S. Department of Health and Human Services, 2011).

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For the estimated 18 to 26% of veterans with service-connected mental disabilities, income can decline when mental illness goes undiagnosed and untreated, which leads to underemployment or unemployment. Such a decline in income provides a legal basis to review and possibly reduce child support. This requires that a proper petition be submitted to the court, but these veterans are not able to access the legal help needed to this (Berenson, "Homeless Veterans and Child Support", Family Law Quarterly, 2011). As a result, debt builds and the punishments escalate. Drivers' licenses and occupational licenses are suspended. An arrest warrant may be issued, putting social supports like subsidized housing and even VA disability benefits in jeopardy. Veterans face wage garnishments as high as 65% as soon as they are able to return to the labor force (Berenson). Because child support and other fines and warrants are ordered by judges in courts of law, lawyers are absolutely essential to resolving these issues - non-lawyers cannot give legal advice or make appearances in court because of laws prohibiting the unauthorized practice of law.

Despite the fact that 760,000 lawyers practice in the U.S., there is a serious shortage of lawyers who are willing and able to provide the expert services that veterans can afford. Every study of access to justice in the U.S. yields the same depressing results: at least 80% of the serious legal needs of low-income people go unmet each year (Legal Needs and Civil Justice: A Survey of Americans, American Bar Association, 1994 and e.g. The Washington State Civil Legal Needs Study, Washington Supreme Court, 2004). There is just one legal aid lawyer available for every 6,415 low-income Americans and half of those seeking assistance from federally-supported legal aid organizations are turned away due to lack of resources (Legal Services Corporation, Documenting the Justice Gap, 2005 and 2009). This "justice gap" has widened in recent years due to cuts in funding for legal aid programs and increased demands from poor people harmed by the bad economy. Most legal aid organizations do not have established networks with organizations that serve veterans. As a result, many veterans who qualify for the services of existing legal aid organizations do not access them and legal aid organizations do not possess in-house expertise in veterans law, creating an even wider justice gap for veterans. In fact, veterans filed 94,281 claims for PTSD last year yet the Legal Services Corporation reported that only 796 veterans received help on their benefit applications from legal aid organizations.

The VA CHALENG report shows that the unmet legal needs are spread evenly throughout the country. The largest population of homeless veterans is in California (more than 18,000 on a single night in 2012) and the largest population of homeless veterans in any major city is in Los Angeles (more than 6,000) (Point in Time Survey, U.S. Department of Housing and Urban Development, 2012). This project will operate in other areas where the numbers of homeless veterans are significant,

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for example: Texas -- 4,891; Washington -- 1,478; and Ohio -- 1,279. Legal challenges are faced not only by veterans living in large urban areas, but also by those living in smaller, rural communities. In West Virginia, for example, 51% of veteran households are low-income (defined as less than 80% of the area median income) (GAO, 2007) and at risk of homelessness. To meet these varied needs, the Veterans Legal Corps will focus 20% of member resources in Southern California, but also deploy members to other high-need areas based on criteria outlined in the intervention section below.

Equal Justice Works has focused on serving low-income and homeless veterans because of the results of a CNCS-funded pilot program begun in 2010. This pilot program and an external evaluation showed that the legal needs of low-income and homeless veterans are high, unmet and that AmeriCorps lawyers and law students can make a real difference.

B. AMERICORPS MEMBERS AS HIGHLY EFFECTIVE MEANS TO SOLVE COMMUNITY PROBLEMS. Lawyers and law students will resolve the legal problems of low-income and homeless veterans, leading to improved lives: higher incomes, better health, safe and secure housing and family stability. The Equal Justice Works Veterans Legal Corps will deploy 420 AmeriCorps members - 40 full-time practicing lawyers and 380 minimum-time law students and an additional 400 volunteers - who will resolve the legal problems of low-income and homeless veterans at 19 established legal aid organizations and courts in high need locations in 10 states including: California, Connecticut, Kentucky, Maryland, Ohio, Texas, Washington, and West Virginia. Deploying this specialized, focused Corps will address the unmet legal needs identified in the VA CHALENG report and help close the justice gap for veterans.

Veterans Legal Corps members - lawyers and law students - will improve the lives of low-income and homeless veterans by providing legal services, in particular by: 1) preparing, filing and winning complex claims and appeals for VA disability benefits due to service-connected mental disabilities such as PTSD and TBI; 2) preparing, filing and winning reductions or dismissals of fines, warrants, tickets, and child support orders; and 3) resolving other legal problems that impact the veteran's ability to obtain income, housing, employment, or family stability. Seventy-five percent of the lawyers' time will be spent on resolving legal problems and the remaining 25% on outreach, recruiting and supervising volunteers and collecting and reporting data.

Law students are critical to a cost-effective program. Just as a physician is aided by medical residents who can take medical history and perform minor medical procedures under supervision, so will the Veterans Legal Corps lawyers be aided by law students. The extensive use of law students will allow the program to serve a greater number of veterans. Law student members will serve a

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minimum of 300 hours and divide their time as the lawyers do - however, students will not supervise volunteer lawyers. Students' work product will be reviewed by their supervising lawyer, as required by law, as only licensed lawyers are permitted to give legal advice and file briefs in court. Law student members will also conduct systematic outreach to increase the number of veterans served by legal aid organizations and courts by implementing the Veterans Legal Outreach Project described below. Specifically, members and volunteers will:

1. Conduct an initial intake with the veteran to identify the specific legal issue(s) that need to be resolved. Some legal issues can be resolved with advice and brief services. Veterans whose problems do not require a legal intervention will be given a referral to another appropriate service.

2. Assemble evidence related to the case by interviewing the veteran, obtaining medical and service records, obtaining documents not part of their official files, and gathering testimony from witnesses.

3. Review and assess the validity of evidence collected. For example, in complex cases, seemingly inconsistent facts must be reviewed and a judgment is made as to which evidence is more reliable and relevant to the case. During this process, members will assess the likelihood of prevailing and decide which cases to take on for representation.

4. Prepare the case. Members will assemble the most persuasive evidence, research prior court decisions with comparable facts and develop legal arguments that demonstrate how those facts meet the legal standards necessary to persuade a judge to rule in favor of the veteran.

5. Present the case to the court or agency. Some cases will be presented in writing and others will be presented through oral argument at a hearing or trial where there is an opportunity to examine and cross-examine witnesses. A VA benefit appeal, for example, is a written submission with up to 100 pages of legal arguments and supporting evidence, while a child support modification requires an appearance before a judge.

Throughout this process, members are in ongoing contact with the veteran to keep them informed of the progress and status of the case. While the amount of time members spend on each veteran's case varies based on the legal issue, on average a member will spend 40 hours researching and preparing the case. Cases may take between one month and three years to fully resolve. After a member completes his or her term of service, any of their unresolved cases will be monitored and brought to closure by a subsequent member.

Lawyer members will serve within established nonprofit legal aid organizations and state courts. The selected host sites will: 1) be located in areas with high veteran need; 2) have supervisory staff

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with veterans law or trial experience; 3) have established networks of outreach to veterans and organizations that serve veterans; and 4) employ rigorous systems for collecting, reporting and evaluating data. Law student members will serve in the same sites as lawyer members, and in an additional 200 sites in 40 states, providing a broader reach to the program. Host sites will be able to stretch the resources of their experienced attorneys by having a force of persistent AmeriCorps lawyers and law students to provide focused, specialized assistance and outreach to veterans.

VETERANS LEGAL OUTREACH PROJECT. To close the justice gap for veterans, all Veterans Legal Corps members will conduct outreach. Up to 150 law students will specifically be deployed to legal aid organizations and courts to establish or enhance veteran networks. These law students will spend at least 20% of their service hours on outreach and training to veterans and organizations that serve veterans using the Veterans Outreach Toolkit. This outreach could not be accomplished by the legal aid organizations without resources from AmeriCorps. This kit will include a guide to veteran and military cultural competency, background on organizations that serve veterans and how to reach them, and sample "know your rights" fact sheets that the law student will tailor to his or her particular community. To develop this kit, we will continue to consult with the CNCS-funded Points of Light Community Blueprint program. When not assisting veteran clients, these law students will also serve low-income clients by providing legal services at their host organizations.

The following story from the Equal Justice Works AmeriCorps veterans pilot project begun in 2010 illustrates the Veterans Legal Corps intervention: "Adam" is a post-Vietnam-era veteran who lived in a transitional housing facility in West Virginia. Adam struggled with substance abuse but was clean and sober and struggling to overcome mistakes he had made in the last 30 years during a difficult transition from military service to civilian life, including a criminal record of misdemeanors from the 1980s. His application for permanent housing was denied. He had also recently been informed that his veterans benefits were suspended due to a 1986 warrant in another state for failure to appear. The lawyer worked with Adam's social worker to assess and prioritize Adam's legal issues, and together they created a coordinated plan to address Adam's obstacles. Based on legal research performed by a law student, the lawyer determined which of Adam's criminal offenses could be expunged. The lawyer enlisted the help of an out of state a public defender and Adam's 1986 warrant was dismissed. As a result of the lawyer's service, Adam's veterans benefits were reinstated, providing a reliable source of income. The AmeriCorps lawyer then met with the local public housing authority and successfully advocated that Adam's denial of housing be overturned and four months later Adam was in his own apartment. With the tangled web of problems from the past now resolved, Adam could

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serve his country in a new capacity - by leading substance abuse recovery meetings and helping other veterans to overcome substance abuse.

C. EVIDENCE-BASED/INFORMED & MEASURABLE COMMUNITY IMPACT. In 2010, with support from CNCS, Equal Justice Works launched a pilot veterans legal advocacy project to test the concept that AmeriCorps lawyer and law student members could significantly improve the lives of low-income and homeless veterans. We deployed 10 lawyer members and law students to six states. In one year, members served 2,504 veterans, 66% more than the goal of 1,500. Based on an external evaluation conducted by a legal aid evaluation specialist with 30 years experience, members improved the lives of 264 veterans by resolving a legal problem that increased income and access to health care, reduced debt, removed a barrier to secure housing, removed a barrier to income, or increased family stability. Members sites won disability benefits for 25 veterans totaling \$1.5 million - \$422,130 in back benefits, which are paid for the time between when the claim was filed to the time the claim was awarded, and \$1,039,575 in yearly benefits. The beauty of these victories is that they provide ongoing support to the veteran for years to come, with a monthly income, high quality health care, housing vouchers, and case management services. As noted in the needs section, the VA denies 30% of all claims and 37% of PTSD claims. In our pilot project we achieved better results. One Equal Justice Works pilot host site filed only complex mental disability claims and had just 8% of its claims denied by the VA. Published studies confirm that representation makes a positive difference: veterans with representation in disability claims received 2.4 times as much monthly compensation as those without representation (VA Office of Inspector General, 2005; Institute for Defense Analysis, 2006) and 74% of veterans with a representative at the initial VA benefits claims stage won their cases, while only 58% of those with no representative won (Popkin, The Effect of Representation in Nonadversary Proceedings - a Study of Three Disability Programs, 1977).

In addition to the results in disability benefit cases, members successfully resolved 28 child support cases, modifying monthly payments to a manageable level (totaling \$100,464 a year), and reducing arrearages by \$265,078. One-hundred and four veterans obtained housing. Members succeeded in having \$73,714 worth of fines and penalties waived or dismissed for 72 veterans; 10 veterans became employed after a legal barrier was removed; members obtained increased visitation or custody of children for five veterans, and expunged 20 minor criminal matters, increasing the likelihood of gaining employment (Pager et al., "Sequencing Disadvantage: Barriers to Employment Facing Young Black and White Men with Criminal Records", The Annals of the American Academy, 2009). Finally, the pilot program showed that the legal needs of low-income and homeless veterans

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are high and not being met. Host sites reported the demand for legal services far exceeded the supply.

In sum, in one year, 10 lawyers and their law students were able to improve the lives of 264 veterans, secure concrete benefits worth at least \$1.9 million and serve 2,240 veterans with legal advice and brief services, which studies show result in positive outcomes more than 30% of the time (see Brief Services study below).

These lawyers and law students also had a systemic impact: one lawyer member established an on-site legal aid program at a VA facility in Clarksburg, West Virginia, which ultimately led to a national directive from the VA to replicate this model. The result: there are now 19 flourishing partnerships where legal services are provided by legal aid organizations and bar associations on-site at VA facilities (VA Office of General Counsel, 2012). Some members focused on outreach, which enabled more veterans to be served by existing resources. Indiana Legal Services (ILS), for example, serves the entire state of Indiana and, before the Equal Justice Works AmeriCorps project, served very few veterans. The lawyer member at this site, a veteran herself, trained ILS lawyers on veterans law and veteran cultural competency and conducted significant outreach that included all 92 of Indiana's county-employed Veteran Service Officers. As a result, in two years, ILS' 51 attorneys nearly quadrupled the number of veterans served from 152 to 600 (not counting those served directly by the AmeriCorps member). This evidence informs the Veterans Legal Outreach Project.

Studies show that individuals represented by lawyers, across a wide range of problems in a wide range of tribunals and courts, receive better outcomes than unrepresented individuals. Rebecca Sandefur of the American Bar Foundation examined 12 studies which looked at more than 70,000 civil legal cases. These studies all demonstrated that people represented by lawyers fared better than those without (Sandefur, *The Impact of Counsel: An Analysis of Empirical Evidence*, 2010). For example, in housing cases, a randomized control trial found that 51% of tenants in eviction proceedings without lawyers legally lost possession of their homes while only 21% of tenants with lawyers lost possession (Seron et al., *The Impact of Legal Counsel on Outcomes for Poor Tenants in New York City's Housing Court: Results of a Randomized Experiment*, 2001). Sandefur concluded that the more procedurally complex the case, the more impact a lawyer has on achieving positive client outcomes because greater complexity makes it more difficult for lay litigants to identify legally cognizable claims and to pursue those claims through hearings, trials, and legal documents. Finally, advice and brief services given by the legal aid system achieves positive outcomes as well. Studies in three states showed that clients achieved positive outcomes 32 to 35% of the time following advice only or brief services from the legal aid system (Pennsylvania Advice or Brief Services Client Survey,

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also citing studies in Virginia and New York, 2012).

IMPACT. Over a three year period, members and their volunteers will provide legal services to 15,000 veterans and 7,500 veterans will have a legal case prepared and submitted for resolution. These legal cases will remove barriers to income, housing, employment and family stability. As a result, veterans will receive \$15 million in documented economic benefits such as reduced fines, modified child support orders, or disability benefits received. Of the 15,000 veterans who receive services, some will not have meritorious legal claims, some will receive advice and brief services and some will withdraw their request for service for personal reasons. In addition, 200 legal aid organizations and courts will increase the number of veterans they serve by at least 6% because of law student member outreach to 1,000 organizations that serve veterans. The 380 law students who participate in the Veterans Legal Outreach Project will be exposed to the legal problems and potential legal solutions of veterans and increase their knowledge about and change their behavior toward veterans. These students will carry these experiences with them in their future legal careers, making them more likely to represent veterans either full time or as pro bono clients in private practice.

We will report annually as follows: Lawyer and law student members will use the Veterans Legal Corps Tracking Log to document the number of veterans they serve, the legal issue involved, assistance provided, case outcome and economic benefit obtained. Members will also document the number of veterans served who did not have meritorious claims, who received advice or brief services, or who withdrew their request for services to determine whether the program design can be modified to serve more veterans. Law student members engaged in the Veterans Legal Outreach Project (VLOP) will use the VLOP Tracking Log to record each outreach call or visit with an organization that serves veterans and the results. Host sites will report the number of veterans served before and after the VLOP.

In addition to exceeding targets in the veterans area, in our last full year of program operation, we met or exceeded most performance measurements. For example, our goal was for lawyers and law students to provide legal services in foreclosure, veterans, disaster and medical-legal partnerships to 10,000 people. Members actually served 28,853.

We determined performance measurement targets for this request based on past performance and the results of the external evaluation. We used the results achieved by 10 full time lawyer members and their law students to make projections based on 40 lawyers and their law students providing less advice and brief services and more intensive services to veterans.

D. MEMBER RECRUITMENT. Specialized research, case evaluation, writing and trial skills are

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taught in law school and all Veterans Legal Corps members will be screened and selected to ensure they come equipped with these skills. Equal Justice Works has 198 member law schools from which to recruit AmeriCorps members. Our reputation as the nation's largest provider of public interest legal fellowships and public interest law opportunities enables us to reach the most committed, brightest, persistent and diverse law students and lawyers. Each year, our programs receive thousands of applications from talented law students and lawyers eager to make a difference with their legal training. Applicants learn about our program through webinars and presentations at law schools and career fairs - including the annual Equal Justice Works Conference and Career Fair, held each October in the Washington, DC area, which attracts more than 1,200 public interest law students. Equal Justice Works' social media network is strong: an email list of 7,000 members and nearly 3,000 followers each on Twitter and Facebook. We will use these resources to recruit members. We will attempt to draw veteran members by reaching out to the Judge Advocate General Corps (military lawyers), veteran student associations and law school deans.

A recent study revealed that the vast majority of law students come from relatively elite backgrounds, with half the students at the top 20 law schools coming from the top 10 percent of the socioeconomic population (Sander, University of Denver Law Review, 2011). Despite this, the Equal Justice Works AmeriCorps programs consistently attract diverse lawyers and law students. Of the 2012-2013 lawyer members, 39% are from a low-income or working class background, 23% are first-generation college graduates, 20% are people of color, and 5% are veterans. Of the 2012 law student members, 35% were from a low-income or working class background; 24% were first-generation college graduates, 35% were people of color, and 1% were veterans (eight members).

E. MEMBER TRAINING. Lawyers and law students will come with significant legal training in evaluating the merits of a case, assembling and presenting evidence, and making legal arguments to persuade a judge to rule in favor of their clients. Therefore training will specifically focus on veterans law, veterans outreach and sustainability. In the first weeks of service, each host site will provide lawyer and law student members with topical and up-to-date background information about the local legal community, partner agencies, the needs of veterans, and veterans law. All Veterans Legal Corps lawyer members will attend a three day Leadership Development Training in Washington, DC in late October. The faculty will include AmeriCorps alumni and national experts who will train with a heavy emphasis on small group work and individual problem solving. Members will gain the following knowledge and skills: advanced veterans law, especially PTSD and TBI evaluation and case presentation; child support modification; how to resolve old and out of state

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warrants; veteran and military cultural competence; how to reach out to veterans and partner with organizations that serve veterans; strategic project planning; project sustainability; and media and communications. Members will also be trained on AmeriCorps regulations, including prohibited activities.

Minimum-time law student members will receive four hours of training at the beginning of their terms on the Veterans Legal Outreach Toolkit. Law student members will gain the following knowledge and skills: veterans law; how to reach out to veterans and organizations that serve veterans; and veteran and military cultural competence. Host sites will also be required to provide an additional four hours of training to each member at the beginning of service on substantive law, such as veterans' benefits law and regulations and legal practice, such as conducting effective intake interviews. We will also train law student members and their supervisors about prohibited activities during recruitment, enrollment, and throughout service. We will conduct joint training with the sister AmeriCorps programs at the American Legion Auxiliary, Points of Light, and the Veteran Justice Corps at the Council on Crime and Justice, all of whom we consulted in developing this program.

F. MEMBER SUPERVISION. Members will be supervised by a licensed lawyer with an average of five years experience on staff at the host site. Host sites are chosen in part based on the quality of their supervisors, past performance in supervision and quality of the supervision plan. Many host site supervisors, particularly supervisors of the lawyer members, will be national experts and leaders in veterans law. Members will develop a work plan with their supervisor to establish project goals, benchmarks and to guide weekly supervisory meetings.

We will train Veterans Legal Corps supervisors on best practices in supervision, prohibited member activities and other important AmeriCorps and veteran-related topics at the beginning of the service term. We will oversee supervision through monthly check in calls with lawyer members, email check in with law student supervisors, and work through any challenges that members or supervisors are facing. Supervisors will be supported through check in during site visits and periodic calls.

G. MEMBER EXPERIENCE. The following program components enable Veterans Legal Corps members to have a powerful service experience, including continued civic participation and connectivity with other AmeriCorps and national service participants: 1) Each year, lawyer members will personally interact at the Equal Justice Works Leadership Development Training and learn about AmeriCorps history and goals. We will invite the AmeriCorps director and General Counsel to address the members, as they did in 2012; 2) Members will be connected using online tools such as LinkedIn members-only pages, Twitter, webinars, and conference calls; 3) Joint training with American Legion

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Auxiliary AmeriCorps members; 4) Veterans Legal Outreach Project members will interface with each other and share best practices using a members-only LinkedIn group, webinars, and conference calls. AmeriCorps identity will be encouraged through consistent messaging and training. We will give Veteran Legal Corps lawyer members AmeriCorps lapel pins to wear on their suits while serving clients and attending court, as well as posters to hang at their desk. Business cards will identify lawyer members as AmeriCorps members. We will connect members with other AmeriCorps members through continued participation with state commissions. In December 2012, we consulted with state commissions in each state where we will be operating. State commissions are on our mailing list and will be invited to appropriate training and other events.

H. VOLUNTEER GENERATION. Members will recruit and manage 400 volunteer lawyers, law students, paralegals and community volunteers over the course of the three-year grant. Members will recruit and manage these volunteers through pro bono programs that already exist at each host site. Members will make special efforts to recruit veterans and military family members as volunteers by reaching out to the Judge Advocate General Corps, military law societies and local military bases. Volunteer lawyers and law students will resolve the legal problems of veterans by evaluating and preparing cases as described above. Our program will ensure that volunteers are not recruited for or engaged in prohibited or unallowable activities by limiting volunteer work to direct services for low-income veterans. Host site supervisors and Veterans Legal Corps members will monitor the activities of volunteers through regular check-ins.

I. COMMITMENT TO AMERICORPS IDENTIFICATION. Lawyers have been part of the national service movement from the very beginning; from VISTA lawyers in the 1960s, '70s and '80s, to the Equal Justice Works AmeriCorps program that began in 1993, to the 19 Equal Justice Works AmeriCorps lawyers who responded to Hurricane Katrina, to the 50 deployed during the foreclosure crisis from 2009 to 2012. Equal Justice Works will teach this history to members during the annual training. We will also ensure that host sites reinforce AmeriCorps branding by: 1) spelling out the requirement to brand AmeriCorps on websites, business cards and publications, and with service gear in a written agreement with the host site; 2) incorporating the importance and reason for AmeriCorps identification into the national training; and 3) including host sites' branding as part of the regular monitoring program described in the compliance section of this application.

Organizational Capability

A. ORGANIZATIONAL BACKGROUND & STAFFING. Equal Justice Works is the nation's largest provider of public interest opportunities for law students and lawyers. The organization's mission

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mirrors AmeriCorps': mobilizing the next generation of volunteers to serve the economically disadvantaged. Believing that legal training makes lawyers and law students uniquely equipped to solve problems, Equal Justice Works deploys them across the country to address legal issues of veterans, natural disaster victims, and the foreclosure crisis among others. Having spent 26 years developing its fellowship program and building a network of effective legal aid organizations and courts, Equal Justice Works has tested systems and structures to deploy highly qualified and persistent new lawyers to top notch host sites to address the nation's needs in a cost-effective manner.

The program will be staffed at Equal Justice Works by a Director, two Program Managers, and two Program Coordinators. The Deputy Director of Equal Justice Works and two communications staff will also support the program. Each host site with lawyer members will have a Project Director, Fiscal Manager, and a lawyer supervisor. Each host site with law student members will have a lawyer supervisor. Kerry O'Brien, Director of Federal Programs and Strategic Initiatives, is responsible for the overall direction of the AmeriCorps program. Ms. O'Brien is a seasoned nonprofit manager with over 14 years of management experience. She is a former Equal Justice Works Fellow, a former Echoing Green Fellow, co-founder of a nonprofit legal aid organization, and a former director of a \$3 million direct services program. She holds a Juris Doctor degree from Georgetown University. Program Manager Kathryn Gravely served as an AmeriCorps VISTA at the Points of Light Foundation, and has four years of management experience, five years of legal experience, and advanced degrees including a law degree and a Masters in Forensic Psychology. Program Manager Katrina Mason has managed several Federal grants and has five years of management experience, three years of legal experience, and holds advanced degrees including a law degree and a Masters Degree in International Development.

At the host sites, the Project Director's role is to coordinate all service activities, ensure that the organization's intake and outreach operations are available for the AmeriCorps member, and to oversee reporting on member outcomes. The Fiscal Manager's role is to ensure proper payment and adherence to Federal spending requirements. The lawyer and law student supervisor's role is to provide guidance in the practice of law, including conducting effective client interviews, effective legal research, quality preparation of legal applications and appeals, and proper follow up. All members will be covered by the host organization's malpractice insurance policy.

Equal Justice Works will train and orient staff, including host sites, through in-person training, and on-boarding manuals. Our systems have been described by our CNCS program officer as "turnkey" which makes training and orienting staff more efficient. This year, we have improved our

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training and orientation even more and now have 150 pages of standard operating procedures. As an example, Equal Justice Works staff recently re-designed a record keeping system to allow for more electronic records and reduced response time for the yearly audit by 94.5%.

Equal Justice Works has a strong capacity to provide training and skills development for members. Our signature multi-day training, the Leadership Development Training, is in its 20th year. All staff members receive "train the trainer" information and expert and alumni trainers are evaluated each year. Ninety one percent of the participants in the 2012 training reported that the information provided at the training will enhance their leadership skills and 82% reported that the information provided will help them better fulfill their project goals. Equal Justice Works maintains a subscription to a sophisticated webinar and document sharing platform and maintains adequate bandwidth to conduct effective trainings.

Equal Justice Works has provided support for external evaluators three times in the last seven years. In 2008-2009, the Urban Institute conducted an evaluation of the Hurricane Katrina initiative, which deployed 19 AmeriCorps lawyer members for disaster relief. In 2011-2012, Equal Justice Works supported the Results Leadership Group's evaluation of the influence of AmeriCorps service on the public service careers of members. In 2012-2013, we supported John Tull and Associates' evaluation of the pilot veterans legal project.

Equal Justice Works has 20 years of experience managing a multi-state AmeriCorps program, and two years' experience managing a U.S. Department of Justice grant. The management structure includes Executive Director David Stern, a 21-year employee and a 2011 White House "Champion of Change," a Deputy Director, and Directors of the organization's four departments: Federal Programs and Strategic Initiatives; Fellowships and Advancement; Communications and Outreach; and Finance and Operations. The Directors meet weekly to advance the organization's strategic goals and ensure integration of programs. Equal Justice Works directors and staff members will support the AmeriCorps program by using the resources of 198 member law schools and increasing our direct engagement with law students interested in national service. These efforts provide a wonderful base for recruiting members and future host sites. The staff also collaborates to develop training for members, especially the yearly Leadership Development Training.

The AmeriCorps program is integrated and supported within the organization through the cooperation and collaboration described above, including having its Director as part of the senior management structure. Equal Justice Works has a strong track record of managing CNCS programs well, performing satisfactorily, complying with rules and regulations, and responsiveness. The

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organization has never had a significant finding in a CNCS audit. In the two most recent grant years, we exceeded nearly all performance measures, including national performance measures. Further, in 2012, Equal Justice Works had strong program management scores: a 99.8% enrollment rate, a 97.7% retention rate, 99.5% on time enrollment, 99.6% on time exit and exceeded the required grant match.

B. SUSTAINABILITY. Equal Justice Works secures the financial and in-kind resources necessary to support program implementation from two main sources: a required match from host sites and a successful private fundraising operation from private law firms and corporations. Equal Justice Works requires a minimum \$14,400 match per lawyer member from each host site, along with in-kind support in the form of grant administration and expert lawyer supervision. For minimum-time law student members, Equal Justice Works requires in-kind support in the form of lawyer supervision. These in kind contributions are above and beyond the required match.

Equal Justice Works and our host sites have significant experience raising funds to support service activities and initiatives. Most host sites have been in existence for at least 20 years, most have other Federal grants, and all have successfully demonstrated that they can raise and sustain the required match. Equal Justice Works has a strong track record of fundraising. In 2011, the organization set an ambitious goal of \$2.5 million for its 25th anniversary dinner, and raised \$2.7 million. In 2012, the goal was \$2 million and the final tally was \$2.5 million. Equal Justice Works also raised \$4.6 million from private law firms, corporations, and state access to justice commissions to fund 50 non-AmeriCorps two-year national service positions for lawyers. We also generate revenue through dues from law schools, and we recently launched our first "e-book" on the topic of educational debt for law students and lawyers, which is selling on the Amazon Kindle store.

Our plan to ensure that the program leaves a lasting impact for veterans and for the legal profession in the United States begins with host site selection. Each host site must describe its plans for sustainability. When members are selected, we train them on sustainability and continually challenge them by asking, "What are you going to leave behind?" Equal Justice Works' track record on sustainability is strong: a recent external evaluation and survey of lawyer members found that 47% stayed on at their host sites following their term of service, and 91% are still working in public service. Finally, in a 2012 survey of non-legal organizations that serve veterans, 63% of respondents agreed that the Equal Justice Works' members' outreach had been successful in strengthening the network of organizations that serve veterans and fostering collaboration among them.

Our main partners are the nonprofit legal aid organizations and courts that host lawyer and law student members. Many are grantees of the Legal Services Corporation, a Federal grant making

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agency with 134 grantees in more than 800 locations. The host sites are involved in planning and implementing the proposed program. In October 2012, for example, representatives from all current host sites came together and contributed to Equal Justice Works' theory of change and national performance measures, as well as the most effective strategies for community collaboration.

Involving the host sites contributes to long-term sustainability by building the capacity of legal aid organizations to engage in rigorous performance evaluation; by helping legal aid organizations with established veteran projects and ties to strengthen them; and by encouraging legal aid organizations with high veteran need in their service area to build a viable and sustainable program. Outside of the host sites, the community stakeholders are local organizations that serve veterans including Volunteers of America and the Salvation Army, veteran-serving government agencies including the U.S. Department of Veterans Affairs, county and state courts, and low-income veterans themselves.

C. COMPLIANCE & ACCOUNTABILITY. Equal Justice Works will carry out a comprehensive review and monitoring program to ensure compliance with AmeriCorps requirements. Prior to the initiation of the program, we will conduct a risk-based monitoring review for each host site application to evaluate the sites' ability to be compliant. We will use this information when selecting sites. After selection, we will conduct compliance trainings through webinars and in-person trainings.

We will use a risk-based monitoring system to rank selected host sites according to risk. Using these rankings, we will set the annual schedule for six site visits; the rest of the sites will be required to complete desk audits. We will speak to each member at least quarterly. Finally, we will use a score card system to evaluate host site timeliness and compliance. Equal Justice Works will train all members and host site staff to prevent and detect compliance issues. Many of our host site staff are trained lawyers themselves, making them especially vigilant in preventing prohibited activities.

Equal Justice Works has a three-phase process to hold itself, host sites, and service locations accountable for noncompliance. Upon the identification of noncompliance, the noncompliant actor must develop a plan of action to fix the issue. The Equal Justice Works Director and Program Managers closely monitor progress on this plan of action for the following six months. If noncompliance continues to be an issue, Equal Justice Works will cease payment of the living allowance to the host site and make the decision of whether to suspend/terminate the member's service or suspend/terminate the host site. We will consult with our Grants Officer as needed.

DEMONSTRATED COMPLIANCE. Equal Justice Works' AmeriCorps enrollment and retention rates are strong: 99.8% and 97.7%, respectively in 2011-2012. The enrollment rate was not 100% because we allowed two law student slots to go unfilled when several law students dropped out last

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minute and could not be replaced due to an insufficient waitlist. We will have a longer wait list in the future. The retention rate was not 100% due to personal decisions to exit early, exits for cause, and compelling circumstances. To improve our retention rate, we began monthly calls to lawyers to increase communication in order to detect and remedy potential early exit situations. Further, October 2011 and August 2012 CNCS position description reviews identified no prohibited activities.

During the 2010-2011 program year, Equal Justice Works had 20.4% late exits. Upon identification of this weakness, we hired a quality improvement consultant to develop a plan of action that included improved technology, better communication and better monitoring. As a result, in 2011-2012, we were successful in reducing late exits to 0.12%.

Cost Effectiveness and Budget Adequacy

A. COST EFFECTIVENESS. Equal Justice Works provides CNCS with a very cost-effective program to resolve the complex problems of low-income veterans. The cost per Member Service Year (MSY) is lower by \$266 - from \$12,812 in the 2012 grant year to \$12,546/MSY in this application, despite the increased cost of criminal background checks and an increase in evaluation spending.

The sources of organizational funding include: Greenberg Traurig, Texas Access to Justice Foundation, Ohio Legal Assistance Foundation, Alston & Bird LLP, AIG, Baker & McKenzie, The Chicago Bar Foundation, Cigna Corporation/Cigna Foundation, Goldman, Sachs & Co., Intel Corporation and many other private law firms, corporations, state bar associations and individuals. Over the last five years, Equal Justice Works has received the following grant support from CNCS: 2008-2009: \$1.1 million (National Direct); 2009-2010: \$2.35 million (two National Directs, including one ARRA); 2010-2011: \$2.93 million (two National Directs); 2011-2012: \$2.93 million (two National Directs); 2012-2013: \$1.48 million (National Direct). This funding request of \$1.51 million is the entire request of CNCS (no State Commission requests), and is 14% of the Equal Justice Works' \$10.9 million annual budget.

Equal Justice Works will provide its proposed match of \$1,269,107 from diverse sources consisting of state access to justice commissions, private law firms, local community foundations, and state and local government agencies. Host sites must provide a match and identify the source in their application to Equal Justice Works. The match from Equal Justice Works' organizational funds is already raised from private funders such as law firms, bar associations, corporations, and individuals.

SPECIAL CIRCUMSTANCES. Equal Justice Works requests that CNCS take into account special circumstances in evaluating this project for cost-effectiveness. Lawyers are uniquely qualified to untangle the complex problems of veterans and set them on a path to permanent self-sufficiency.

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By winning one disability benefits claim with the help of a lawyer, a veteran in Southern California can go from earning less than \$300 a month in general relief to more than \$2,000 a month, in addition to having access to high quality health care and case management services. Lawyers do cost more than other members. Our budget uses the maximum living allowance of \$24,200 for lawyer members. This is necessary to attract high quality lawyer candidates, many of whom are carrying large educational debt, averaging \$75,415. Further, many of the lawyers will serve in high cost of living areas such as Los Angeles. However, the 380 law students members receive no living allowance, instead benefiting by furthering their professional development.

With this application, Equal Justice Works is proposing a deeper impact and broader reach than past applications without a commensurate increase in Federal funds. More member resources will be targeted to resolving complex legal problems and less to brief legal services. Outreach will be more focused and the impact of that outreach will be tracked more closely. Further, Equal Justice Works is providing a 46% match for this application, well above the 26% required match.

COST COMPARISON. The Veterans Legal Corps is a cost-effective approach for addressing the pressing needs of low-income veterans. From 2010 to 2012, Equal Justice Works deployed about 10% of the grant's MSYs to work with veterans. The pilot program's external evaluation found that members achieved documented economic benefits of \$1.9 million. Thus, a \$140,000 investment (10% of \$1.4 million grant) yielded at least \$1.9 million in benefits to low-income veterans, or \$13.57 return per dollar spent in comparison to the \$4.00 average return on national service (National Service: Cost-effectively Delivering the Critical Services to Americans in Need, Voices for National Service, 2012). Additionally, staff at organizations serving veterans affirmed that the services provided by the AmeriCorps members were unique and valuable: 89% of those surveyed agreed that the members had been successful in removing legal impediments to employment, benefits, housing, health care and other needed services, that veterans were not able to obtain in the past. Specifically, a Los Angeles Salvation Army homeless shelter stated that legal services provided by a lawyer member accelerated veterans' transition from homelessness to permanent housing by an average of two months, saving the shelter \$2,000 per veteran.

Additionally, the Veterans Legal Corps is cost effective in comparison to the cost of private lawyers on the open market. A first year lawyer earns an average of \$125,000 annually and a second year law student earns an average of \$23,000 for 10 weeks of work in the summer, the equivalent of \$119,000 a year (National Association of Law Placement, 2012). At these rates, 40 full-time lawyers and 380 law students bring \$13.7 million in lawyer and law student value for a \$1.51 million grant.

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Finally, from 2009 to 2012 Equal Justice Works members served low-income Americans at a cost of \$40.39 per person served, far below the average \$284 billing rate for just one hour of legal services from a private lawyer.

B. BUDGET ADEQUACY. Equal Justice Works has reasonably structured the proposed budget to fund required expenses, including a rigorous external evaluation and the increased costs of criminal background checks. The program structure capitalizes on the strengths and existing resources of Equal Justice Works and its subgrantees, and utilizes the infrastructure to maximize the impact that members can have on communities, while minimizing expenses. First, we will maintain our program management personnel funding. However, only one staff member will conduct on-site monitoring visits instead of the previous two. Second, we will increase the number of desk audits for more thorough and cost-effective monitoring. Third, host sites will provide expert lawyer supervisors at no cost, allowing us to minimize program supervision costs while capitalizing on needed expertise. Fourth, we will lower training costs through better use of technology. The budget adequately provides for external evaluators at 5% of the grant and includes the cost of criminal background checks.

Evaluation Summary or Plan

SUMMARY. Equal Justice Works is pleased to submit the report of legal aid evaluation expert John Tull. His evaluation covers the period from July 2010 to October 2012 and is a process and outcome evaluation of 10 full time lawyer members deployed to the legal needs of veterans. In response to the findings, Equal Justice Works is: 1) focusing service on individuals with complex problems and less on brief services and advice; 2) enhancing host site selection criteria to more carefully review and evaluate an organization's existing relationships with organizations that serve veterans; 3) collecting and using data more systematically; and 4) creating the Veterans Legal Outreach Project.

PLAN. Equal Justice Works will engage an evaluation team to design and conduct an evaluation examining the programmatic and beneficiary-level effects of our program compared to the strongest counterfactual feasible. We have begun to explore both experimental and quasi-experimental designs. We would prefer to be able to randomize potential clients to treatment and control, but this will require the consent of many organizations. If randomization proves impractical, we will identify a quasi-experimental comparison by considering both records-based comparisons and comparisons drawn in the field. Whatever design chosen, our design and control structure will provide the strongest possible internal validity while maintaining adequate external validity to permit inferences about the program as it operates.

The evaluation will also examine Equal Justice Works' selection and oversight of host sites. The

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evaluator will use the recommendations from the Tull evaluation, including 1) changing data collection methods to align with the data required by other funders (e.g. Legal Services Corporation), 2) exploring the data sets of VA grantees, such as those receiving Veterans Affairs Supportive Housing voucher funds or funds from the Supportive Services for Veterans and Families program.

Equal Justice Works has spoken with four evaluation firms, three of which are submitting proposals now. All are confident that a strong quasi-experimental evaluation can be conducted within the budget, which is significantly larger than in Equal Justice Works' past grants. All have creative ideas about working with the VA, VA grantees and other organizations that serve veterans to obtain data about the ultimate outcomes of those veterans who receive services from Equal Justice Works members. Evaluation will begin in year one, with evaluation design and data collection. Year two will be data collection and preliminary evaluation and year three, evaluation and report.

Amendment Justification

N/A

Clarification Summary

N/A

Continuation Changes

N/A