

Civil Legal Aid Offers a Second Chance and Keeps Arizonans Working

One in three Arizonans have a criminal record. Nearly 50% of children have at least one parent with a record. People with a criminal record frequently encounter significant barriers to securing a job, obtaining housing, and continuing their education. Having a record of even a single arrest without a conviction can reduce a person's earning capacity, and negatively impact chances of securing housing, education, and credit. The 1.5 million Arizonan adults with a criminal record that appear in background checks can significantly shrink the applicant pool, screening out potentially qualified and eager candidates.

Civil legal aid helps by:

- ⊗ Increasing the ability to obtain and keep employment by reinstating a revoked or suspended driver's license
- ⊗ Increasing the ability to obtain and keep higher paying positions by reinstating professional licensing, certification, or meeting employment requirements such as fingerprint clearance
- ⊗ Untangling court fines/fees and resolving child support issues
- ⊗ Removing barriers to employment and housing by setting aside or sealing criminal records, removing errors on "RAP" sheets, and by resolving or clearing credit issues
- ⊗ Successfully reducing a felony to a misdemeanor and correcting errors in court or arrest records

In Arizona within the last year, construction jobs saw the highest employment gain by sector, approximately 10.9%, and manufacturing, which saw a gain of 5.2%. Yet, a recent survey of Arizona General Contractors revealed that 45% of contractors rated unfavorably the adequacy of the local pipeline for supplying craft personnel because they are unable to pass background checks.

In 2017, without dedicated funding, Arizona's legal aid programs helped 172 Arizona jobseekers complete the set-aside process and/or obtain licenses or certifications. In response to high demand, legal aid programs and trained volunteers hold self-help community based workshops, but they don't come close to meeting the need.

STUDIES SHOW CIVIL LEGAL AID WORKS

Formerly incarcerated individuals are an untapped economic resource. Having minor convictions removed or expunged helps reintegrate returning citizens. [Record clearing](#) boosts employment rates and average real earnings.

Civil legal aid reduces recidivism. "[Fewer than 4% of set-aside recipients were rearrested](#) within five years of the set-aside, and fewer than 2% were reconvicted."

Civil legal aid increases employability. A [qualitative study found](#) that when individuals receive assistance

with expungements and set-asides, they qualify for and experience increased housing eligibility and improvements in their mental health.

Civil legal aid for returning citizens is cost effective.

Successful re-entry not only reduces recidivism, it decreases reliance on public assistance and generates tax revenue.

[One study](#) found a nearly tenfold return on state investment for money spent on expungements and set-asides.

Arizona's Federal Block Grants that allow spending on civil legal aid to remove barriers to employment:

- ⊗ Workforce Innovation and Opportunity Act formula funds
- ⊗ Temporary Assistance for Needy Families
- ⊗ Community Development Block Grant

Civil Legal Aid Increases Child Support Payments

Most parents confront what can be a confusing, stressful, and overwhelming child support process without legal help of any kind. Too often they don't understand the basics, leading to worse outcomes and court inefficiencies. We also know that establishing child support orders based on accurate information and that reflect parents' ability to pay result in higher compliance and increased parental communication.

Civil legal aid helps by:

- Accurately completing and filing child support worksheets and responsive pleadings
- Documenting information about custody, income, and assets relevant to child support amount
- Modifying child support orders
- Preparing domestic violence protective orders when necessary to obtain child support
- Establishing paternity
- Resolving enforcement actions (e.g., garnishment, driver's license suspension, wage withholding orders, income tax intercept, civil contempt proceedings) and disputes over arrears
- Developing online education and outreach materials

Arizona's child support has increased cost effectiveness over the years, but in the most recent report, 64% of child support judgments were still not being paid. Collectively, there is \$1.7 billion outstanding in child support payments.

Arizona's legal aid programs currently have limited capacity to take on child support work. Even without dedicated funding in 2017, Arizona's legal aid staff and volunteer attorneys secured more than \$198,000 in one-time payments and nearly \$164,000 in monthly payments for clients in child custody, child support, and visitation cases.

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Legal help to secure payments increases economic self-sufficiency. When legal aid clients obtain wages or child support owed to them, they are more likely to be economically self-sufficient and [less likely to need public assistance](#).

Legal help increases collections. When parents [understand the child support process](#) and are given an opportunity to present their circumstances, support orders are more accurate and perceived as fair.

Self-help services increase child support compliance. Litigants who used self-help services were [less surprised by the outcome](#), less likely to feel that the judge would have ruled differently if they had a lawyer, and were more likely to report being "extremely able to communicate with the judge."

Self-help services increase cost effectiveness. Courts that [provide assistance to self-represented litigants to resolve cases at the first court appearance](#) reduce or eliminate future court

hearings. With self-help services, some parents can establish a support order before the case enters the IV-D caseload.

HHS Office for Child Support Enforcement encourages using federal funds for innovations that provide legal help.

[Legal Aid of Northwest Texas, in partnership with the Texas Office of the Attorney General, has a hotline staffed by attorneys](#) who facilitate agreed-upon orders, reduce conflict and misunderstandings, ensure that orders are "right-sized," and prevent default orders.

[Each county in California has an Office of Family Law Facilitator](#), a collaboration between the Administrative Office of the Courts and the Department of Child Support Services. The attorney facilitators help demystify courtroom procedures and humanize the court system, and provide assistance in child support matters.

Arizona's Federal Block Grants that allow spending on civil legal aid to increase child support effectiveness:

- Title IV-D Program
- Victims of Crime Act Victim Assistance Formula Grant Program (when child support help is related to the victimization)
- Temporary Assistance for Needy Families

Civil Legal Aid is a Critical Partner in Fighting the Opioid Epidemic

Among the nearly 72,000 drug overdose deaths in 2017, the sharpest increase occurred among [deaths related to opioids](#). Every day, [1,000 people are treated in emergency rooms](#) for opioid overdoses. The total economic burden is estimated to be [\\$504 billion](#). Of this, \$28.9 billion is due to health care costs. Including those in recovery and their extended family members, more than 11 million Americans are affected by the opioid crisis. When parents have periods of intense drug use, [children may not be properly fed, clothed, educated, or cared for](#). [Children of addicted parents](#) also experience dramatically increased medical, behavioral, and psychological issues.

Civil legal aid helps by:

- ⊗ Helping obtain child support, child custody, adoption, and guardianship for the children of parents with opioid-related substance use disorders (SUD)
- ⊗ Helping kinship caregivers obtain legal authority to enroll children in school, obtain medical care, and apply for benefits
- ⊗ Securing access to housing and health care services that support recovery and rehabilitation of a person with a substance use disorder
- ⊗ Helping to remove obstacles to employment and increase stability to improve chances for recovery

Within the last year, Arizona released its bold Opioid Action Plan and began implementing the Arizona Opioid Epidemic Act. As DHS Director Dr. Cara Christ said, “[a]ddressing the opioid epidemic requires an all-hands-on-deck approach.” Civil legal aid should be on that deck alongside the state’s law enforcement, doctors, nurses, medical and mental health professionals, social workers, and case managers.

Arizona legal aid programs have the expertise but lack capacity to come close to meeting the need. In 2017, with the help of trained volunteers, Arizona’s civil legal aid organizations were only to help 1,169 Arizonans secure legal guardianship for children in their care and assisted in 135 adoptions.

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Legal aid reduces burdens on the child welfare system.

When parents, including those with a SUD, receive legal representation, [children exited foster care](#) at a rate 11% higher than unrepresented parents. Legal representation also almost doubled the speed to adoption and reduced by half the time to obtain legal guardianship.

Access to civil justice is cost effective. Availability of civil [legal aid leads to cost savings](#) for foster parents, increases in subsidies for children’s medical care, and lowers the expense

of monitoring the foster family. Further, providing parents with legal help [improves child health and access to food and income resources](#).

Civil legal aid improves health. When civil legal needs were addressed, inpatient and [emergency department use dropped](#) 50%, and overall health care costs decreased 45%. Also, when foster parent/kinship care legal needs are met, [children’s health improves](#).

Arizona’s Federal Block Grants that allow spending on civil legal aid for individuals suffering from substance use disorder and their families:

- ⊗ Substance Abuse Block Grant
- ⊗ Mental Health Block Grant
- ⊗ State Opioid Response Grants
- ⊗ Victims of Crime Act Victim Assistance Grants (legal help for children whose parents have a SUD)

Civil Legal Aid for Victims of Domestic Violence is Critical for Safety

[Nearly one in four American women have experienced domestic violence.](#) On average, more than three women are murdered by their intimate partners in the U.S. every day. Children exposed to violence are more likely to require hospitalization or mental health services, and be involved in the child welfare and juvenile justice systems. The costs exceed \$5.8 billion each year in associated health care costs, lost wages, lost productivity, and other expenses. Victims also lose a total of nearly 8 million days of paid work each year—the equivalent of more than 32,000 full-time jobs—and nearly 5.6 million days of household productivity as a result of the violence. This violence compromises public safety, restricts the U.S. economy, and destroys lives.

Civil legal aid helps by:

- Securing or modifying custody orders so that a mother and her children can legally and safely leave the abuser
- Preventing future violence by obtaining, renewing, and enforcing protective orders
- Counseling victims about safety and potential legal matters
- Resolving identity theft and other forms of financial exploitation perpetrated by abusers
- Assisting in matters related to separation and divorce, employment, finances, and housing
- Strengthening and stabilizing families by mitigating healthcare needs, special education and counseling for affected children, and reducing work absences

Since 1999, Arizona’s pioneering Domestic Violence Legal Assistance Project has provided legal help to more than 125,000 victims of domestic violence and volunteer attorneys have donated the financial equivalent of \$13.9 million in legal assistance.

During a recent fiscal year – thanks to multiple funding sources – our legal aid programs served about 8,000 victims. But, Arizona Department of Public Safety’s most recent report to the US DOJ about VOCA-funded victim services showed more than 45,000 family and/or domestic violence victims, a fraction of whom received legal services.

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Access to civil justice is critical to safety. [83 percent of victims with an attorney obtained a protective order](#), compared to only 32 percent of victims without. [Studies](#) have also shown that access to civil legal aid has a stronger effect on victim safety than other services, like access to a shelter.

Domestic violence victims have the most civil legal needs. They present more than [double the civil legal needs of other low-income individuals](#), but [86 percent](#) of low-income survivors of recent domestic violence or sexual assault received inadequate or no professional legal help.

Economic benefits are significant. Civil legal services [increase economic self-sufficiency](#) by increasing income and decreasing reliance on government assistance. A US Department of Justice funded study revealed that

approximately [1 in 4 homeless women](#) “is homeless mainly because of her experience with violence.”

Civil legal aid improves law enforcement efficiency. Having access to legal services increases the likelihood of reporting a domestic violence incident. By improving access to protective orders and assisting with child custody issues, legal aid decreases repetitive calls to law enforcement, [saving money and resources](#).

Improves efficient court operations. Increasing access to self-help services, a form of legal aid, [can reduce costs for the state and courts](#). Self-help services, like providing legal education and information about court proceedings, have [facilitated effective participation in the legal process](#), promoted public trust, reached non-English speakers, and were rated highly by judges.

Arizona’s Federal Block Grants that allow spending on civil legal aid for victims include:

- Victims of Crime Act Victim Assistance Formula Grant Program
- Family Violence Prevention and Services Program
- Temporary Assistance for Needy Families
- STOP Violence Against Women Formula Grant Program