

VOCA & MASSACHUSETTS

In 2017, the Massachusetts Legal Assistance Corporation (MLAC) received an \$8.3 million two-year grant to create and manage a statewide legal aid collaboration to provide civil legal assistance to victims of crime.

Dubbed the Civil Legal Aid for Victims of Crime (CLAVC), its six regional programs offer civil legal services to clients within a specific geographic area and four statewide programs focus on children's rights, consumer rights, disability rights, and sexual assault. Another statewide program oversees the day-to-day administration of the program. CLAVC was developed following a Massachusetts needs assessment of victim service providers and several public listening sessions throughout the state, both of which highlighted the unmet legal needs of crime victims.

THE PLAN. At the same time Victims of Crime Act Victim Assistance Formula Grants (VOCA) funding increased, the new VOCA federal rule expanded allowable kinds of legal assistance for crime victims, and the Department of Justice, Office for Victims of Crime (DOJ OVC) released its Vision 21 report. Around that same time, in 2014, the Massachusetts Office for Victim Assistance (MOVA) conducted its own [needs assessment of victim service providers](#). This needs assessment found one of the largest unmet needs of crime victims was civil legal assistance. The survey further found that 27 percent of victim service providers (the highest percentage) rated legal aid as an area in which they wanted to see increased training, technical assistance, or resources.

The convergence of federal and state findings about the largely unmet civil legal needs of crime victims and new federal funding and spending authority created a perfect opportunity for Massachusetts to revolutionize how it funded legal aid for crime victims.

Following the release of its needs assessment, and acknowledging the increase in funding it was to receive, MOVA held listening sessions around the state. The Massachusetts Legal Assistance Corporation (MLAC), which would later oversee the statewide use of VOCA funds for legal aid, the Access to Justice Commission (ATJ), and the state's IOLTA committee ensured that legal aid providers and other legal advocates attended those listening sessions. During the listening sessions, victim services providers joined legal aid programs in putting forth the importance of meeting the unmet civil legal needs of crime victims.

During this time period, the executive director of MOVA met with several civil justice system leaders including the director of Massachusetts IOLTA, the Board chair of MLAC, and the co-chair of ATJ. These representatives spoke with the executive director and his staff about how legal aid was currently being funded by the state, explaining the role of each of the entities that oversee such funding. They described the roles of statewide players and the civil justice community's recent experience creating a networked statewide program with multiple local legal aid program subgrantees during the foreclosure crisis. The state Attorney General awarded a significant grant to MLAC to manage HomeCorps, a statewide legal services foreclosure prevention program. They discussed prospects for replicating the HomeCorps approach in the VOCA context, similarly enabling a knowledgeable intermediary organization to oversee a statewide legal services program with high quality trainings for all legal staff, common data collection and analysis, shared best practices, warm handoff among partners, and other benefits. Most importantly, this network would improve service delivery to Massachusetts' crime victims. It had the added benefit of reducing administrative burdens with one intermediary grantee rather than multiple and uncoordinated smaller grantees.

COLLABORATION OF STAKEHOLDERS.

Recognizing that there could be an opportunity to present a more formal pitch at some point, ATJ pulled together a working group of legal services attorneys, domestic violence, consumer debt and sexual assault advocates, and other stakeholders and held five to six meetings over the course of the next year. They brainstormed what the best statewide model for legal services to victims could be, including oversight, triage/intake, areas of legal specialty (focusing on needing generalists to meet the variety of needs of crime victims), and trainings. Conversations from the working group also pointed to statewide collaboration being a key component of success—legal service providers wanted to work closely with social service providers, victim witness advocates, and others to expand resources to crime victims throughout the entire state.

Out of this working group, directors of legal services organizations

MA's Victim Assistance Grant Amount

2014	\$9,462,000
2015	\$40,870,000
2016	\$46,288,000
2017	\$38,410,000
2018	\$69,233,000

came together and drafted a letter to MOVA in which they proposed that a statewide entity be identified to distribute funds to legal aid service providers and ensure statewide services.

Following additional informational meetings, MOVA prepared and issued a formal Request for Grant Applications to award VOCA funds to an eligible applicant to administer and coordinate a program for free, statewide, trauma-informed civil legal services to victims of crime.

Qualified applicants were required to be a public agency or a nonprofit organization with 501(c)(3) status, who provided or have the ability to provide services statewide, and had a history of administering a statewide legal services program. MLAC was the only entity to respond to this RGA and they completed the full VOCA-required grant process, including grant narratives and budgets for all participating programs.

THE DESIGN. In 2017, MLAC was awarded a VOCA grant from MOVA to oversee a statewide and regional legal aid collaboration for crime victims, which is called Civil Legal Aid for Victims of Crime (CLAVC). MOVA wanted to make sure that a broad array of crime victims would be covered with the funding, and that all victims of crime – not just low-income victims – would be served.

CLAVC funds six regional programs that offer civil legal services to client crime victims within a specific geographic area and four statewide programs that focus on children’s rights, consumer rights, disability rights, and rape and sexual assault. There are 26 case handlers housed throughout MA at these legal aid programs. In addition, CLAVC funds approximately 4.5 FTE intake staff statewide. CLAVC advocates handle a wide range of civil legal issues for victims of crime, including family law matters, immigration issues, housing litigation, recovery from identity theft, special education matters, and protecting victims’ privacy rights. MLAC provides the administrative, programmatic, and fiscal oversight of the overall project. It also provides data collection and outcome measurement expertise. Two part-time experienced attorneys at the Massachusetts Law Reform Institute (MLRI) give substantive support and oversee outreach, training, technical assistance, communications and program operations.

Outreach to the victim services community throughout MA is a key part of the CLAVC initiative, both to make sure that providers and the public are aware of this important new resource for those with civil legal needs, and to enhance collaboration and connections between the legal services community and other victim service providers. For example, MLRI, in conjunction with the CLAVC subgrantees, has overseen extensive outreach to service providers, such as hospitals and the District Attorneys’ Victim Witness Advocate Programs, to increase referrals, expanding the reach of the subgrantees legal service organizations.

THE IMPACT. MLAC used MOVA’s outcome reporting requirements and their own outcome reporting to develop program evaluative descriptors for the CLAVC initiative. Each subgrantee uses a custom Excel sheet, which they populate with their case data and send to MLAC quarterly. MLAC staff compiles the data, resolves problems or ambiguities, and sends it to MOVA, streamlining the reporting process for all involved. MLAC also produces a special CLAVC invoice for MOVA every quarter to show what was spent by MLAC and their CLAVC funded subgrantees on staff, consultants, overhead, technical assistance, program and supplies, outreach and training, travel, translators and interpreters, and case support costs giving them content for their own success story.

The CLAVC initiative began operations in July 2017. During the first 18 months of the grant, over 2,100 cases were opened for victims of crime with civil legal needs. Many of these CLAVC clients suffer from multiple victimizations – over 4,100 victimizations were reported. The CLAVC initiative’s pool of clients is made up of a significant number of underserved and hard to serve clients; 28 percent have limited English proficiency, and 24 percent have disabilities.

MLRI also developed the [CLAVC website](#), which launched in the fall of 2017. The website includes a “find legal help” search tool for victims seeking legal help, contact information for the CLAVC partner programs, information about the legal rights of crime victims and an online referral that community advocates can use to refer their clients to CLAVC.

Training is another key component of the CLAVC initiative. MLRI coordinates four to five in person, all-CLAVC meetings per year, as well as regular online trainings that focus on process and substantive skills, all of which have been very well received. Trainings have included vicarious trauma and trauma-informed practices, skills building such as interviewing skills, substantive law topics to facilitate issue spotting and emerging issues in legal practice. They have also afforded an opportunity for CLAVC advocates to connect with other victim service providers and legal advocates who work with victims of crime. Trainings and materials developed for CLAVC are made available to non-CLAVC legal services staff, enhancing the overall capacity of legal services to assist victims of crime. Training programs statewide were helped immensely by purchasing a videoconferencing system which was installed at each CLAVC program, and then ensuring that CLAVC staff could use the equipment to get the most from a remote training.

To meet the 20 percent match requirement to receive VOCA funding, MOVA agreed that MLAC could use money the state legislature appropriates to MLAC to fund legal aid programs that work on domestic violence issues. The match is aggregate—it is not a 20 percent match from each of the subgrantees, but a match that comes from MLAC for all of the subgrantees. This allows smaller organizations without extensive pro bono programs or cash match ability to still be eligible for VOCA funding and alleviated all programs of the intensive work needed to track matches (including making sure that the same funds and/or time of staff was not used to match other federal grants).

The largest categories of civil legal needs are family and immigration issues, but CLAVC attorneys are helping victims of crime with many other legal issues as well, including issues related to housing, employment, disability rights, public benefits, consumer and identity theft, and health. Tellingly, CLAVC has enabled legal services programs to reach victims of crime that they could not previously serve with existing funding. In particular, CLAVC funding allows legal services programs to serve victims of crime who have legal issues that are not within programs’ usual priorities (for example, helping survivors of homicide victims with guardianship matters). In addition, CLAVC has no financial eligibility guidelines, so CLAVC advocates can serve people who are over 125% of the federal poverty guidelines (the threshold for most civil legal services funding) but can in no way afford legal help.

CLAVC is also bringing new attention to the civil legal needs of victims of crime and is strengthening the overall capacity of legal services programs to meet these needs.



TOP TIPS

1. **The ATJ Commission can play an important convening role, both in meetings with your VOCA administrator and with the stakeholders involved.**
2. **Consider a statewide approach to funding, rather than a decentralized one.** While it can be difficult to get all the stakeholders to work together, it may likely be the case that you can receive increased funding working together than separately, and, most importantly, victims of crime will benefit from a coordinated approach.
3. **Find an entity in your state that can serve as a coordinator of such a statewide effort.** While Massachusetts doesn't have the fully unified legal services system that some states have, the state has MLAC – an 35-year old entity that serves as the manager of any funds it receives from government, community or private foundations, IOLTA, donations, and others; provides financial support in the form of grants to legal aid programs that apply and meet certain criteria; thoroughly evaluates each of its grantees every three years; collects and analyzes data from the grantees to support the need for further funding; and supports the work of the grantees in serving clients through initiatives in addition to funding. MLAC was involved in the process from the beginning, and demonstrated to MOVA that it was the right intermediary to spearhead a unified statewide project.
4. **Educate your state's VOCA administrator about how civil legal aid supports crime victims, and how legal services operates in your state.** If your state has a published needs assessment, use the language from their own assessment to further your case.
5. **Think about how you are going to do financial reporting at the outset.** Reporting for federal grants can be difficult, so have financial officers participate in the planning stages, get help from auditors or other fiscal operatives who have experience with federal audits, and draft resources to teach the subgrantees how the financial reports work.
6. **Build in money for language access services, technical support and training, new space and computers for new lawyers, and outreach activities.**
7. **Have a point person from each VOCA-funded legal aid organization.** This individual should help organize outreach efforts and help the organization redefine who they help with legal aid, moving from just low-income individuals to all victims of crime.
8. **Time goes faster than you think: staffing up can take months, especially for programs seeking to hire generalists.** You can't necessarily supplant the work of those already employed so you have to find new lawyers either for the new initiative, or to take over the work of experienced attorneys who are going to join the new initiative.
9. **Do not wait until the last day to come up with an acronym for the project name—work on something early on that is easy to pronounce and memorable.**



Find legal help

To get help from a CLAVC lawyer...

1. You must be a victim or a survivor of a crime;
2. You must have a civil (non criminal) legal problem that is a result of that crime; and
3. You must live in Massachusetts, or the legal problem must be in Massachusetts.

The crime does not need to have been reported to the police or prosecuted.