

VOCA & CALIFORNIA

In 2015, the Legal Aid Association of California (LAAC) worked with the California Commission on Access to Justice and the State Bar of California to secure funding for legal aid service providers from the state's Victims of Crime Act Victim Assistance Formula Grants (VOCA) Steering Committee. These three organizations did not directly benefit from the advocacy (i.e., receive a VOCA grant), a likely contributing factor in their success and paving the way for legal aid providers to significantly expand their services. As a result of their advocacy, more than \$10 million of VOCA funding was awarded to legal aid service providers in California; and by 2017, there were at least 44 organizations receiving approximately \$24.9 million in VOCA funds to provide legal services to victims of crime. Because of LAAC's advocacy, one grant RFP was specifically dedicated to victims' legal assistance and others had language expressly allowing legal aid organizations.

THE PLAN. In 2015, all states received a significant increase in VOCA Victim Assistance formula funding. The next year, a new VOCA rule allowed for significantly greater flexibility to spend funds on civil legal assistance. Before 2015, no legal aid programs received VOCA funding in California. After then U.S. Department of Justice Office for Access to Justice Deputy Director Karen Lash made a presentation about executive branch funding and partnership opportunities for legal aid programs – including VOCA – the Legal Aid Association of California (LAAC) began probing VOCA more deeply, asking questions about which agency oversaw the funds, and who were the decisionmakers. LAAC is the statewide membership organization of legal services nonprofits and advocates on their behalf to the state.

Upon contacting the VOCA administrator about the new money available, LAAC realized that many groups and organizations had reached out with similar questions about their plans to distribute the new funds. In response to the funding increase, and to manage the numerous requests and inquiries, California soon created a VOCA Steering Committee to help develop spending priorities.

To advocate to the Steering Committee about prioritizing legal services with new VOCA money, LAAC used a three-prong approach: 1) Educate the Steering Committee about how legal services help crime victims; 2) Demonstrate how legal services could meet their program objectives; and 3) Compare California to other states that were using VOCA funds for civil legal services. LAAC partnered with the California Commission on Access to Justice and the State Bar of California to help demonstrate the depth of support. In this planning and pitching stage, LAAC never met with the Steering Committee in person and instead submitted written materials and kept in touch via email and phone. In addition, LAAC identified and reached out to individual members of the Steering Committee known to be supportive of legal aid.

THE PITCH. In July 2015, LAAC, the California Commission on Access to Justice, and the State Bar of California sent a co-signed letter to the VOCA administrator and included three "case studies" – how civil legal aid helps prevent [domestic violence](#), prevent [elder abuse](#), and [protect consumers](#). The case studies were based upon three of the Steering Committee's identified issue areas, so that the focus tied directly to the state's stated objectives for victim services.

LAAC highlighted concrete examples, data, and research that showed how legal aid furthered the state's goals of helping crime victims; framed communications as offers to help; and were friendly, yet persistent. Data was difficult to come by as California had not published a statewide legal needs assessment. LAAC used the [DOJ OVC's Vision 21 Report](#) to show that victims of crime had significant unmet civil legal needs and contacted the Legal Services Corporation (LSC) to get California-specific data from its *Justice Gap* reports.

CA's Victim Assistance Grant Amount

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|------|---------------|
| 2014 | \$51,829,000 |
| 2015 | \$232,723,000 |
| 2016 | \$264,297,000 |
| 2017 | \$218,943,000 |
| 2018 | \$396,642,000 |

THE DESIGN. Because of LAAC's advocacy, one grant RFP was specifically dedicated to victims' legal assistance and other RFPs were open to legal aid organizations. Individual legal aid organizations applied directly to the VOCA administrator through a newly-developed RFP that invited applications to provide legal assistance with maximum grant awards of \$400,000 over two years. All grants were later extended twice, making them cover a total of 42 months. The funding available totaled approximately \$10 million and was dedicated specifically to legal assistance to crime victims. In addition, several other RFPs, for grants to provide crime victim services for target populations or to address target issues, such as victims of crime with disabilities and, socially isolated or underserved populations, and elder and dependent adult

abuse, for the first time included language allowing legal aid partners. As the statewide membership organization of legal aid nonprofits, LAAC worked to publicize the new state-administered federal funding opportunity.

Unlike the model in Washington State or Massachusetts (see [Toolkit narratives](#)), LAAC is not an intermediary for legal aid organizations. LAAC's role was to work with the State Bar and ATJ Commission to make the case for the importance of legal aid to crime victims, and lead the effort to educate the Steering Committee about how legal aid can help them reach their goals. LAAC also played an ongoing role of ensuring grant opportunities and announcements reached legal aid programs and sometimes served as an intermediary between applicants and grantees and the agency.

TOP TIPS

- 1. Persistence is the number one tip, but it is a fine line.** You don't want to badger your VOCA administrator, but you also don't want to disappear.
- 2. Partner with organizations that are not direct beneficiaries of the VOCA funding.** By partnering with the State Bar of California, a semi-governmental agency, and the California Commission on Access to Justice, LAAC was able to present themselves as more neutral brokers, interested in helping the VOCA administrator successfully fulfill her mission, and without financial gain to themselves. This partnership also helped them frame the communication as state agency to state agency to add additional credibility on top of not directly benefiting from the grant funds themselves.
- 3. LAAC worked to identify people on the first Steering Committee who could speak about the need of legal services.** For example, they spoke with representatives from the California Commission on Aging and Administrative Office of the Courts.
- 4. Compare your state to other states.** People don't like hearing that other states are doing better than them.
- 5. Take time to understand how your VOCA administering agency works, both internally and in the larger context.** For example, the California Office of Emergency Services (California's VOCA administrator) structured its staffing around issue areas, with grantmaking staff being separate from other staff. It also made frequent shifts in staffing assignments and structure, particularly when it was busy responding to natural disasters (a primary function of the agency). In terms of context, the California Office of Emergency Services administers grants from several state and Federal sources and submits reports to the California legislature about the grants they oversee. They also regularly review their overarching goals and identify priority issues, as well as partnering with other state agencies or officials on priority issues. The more you know about the VOCA-administering state agency's goals, the players, and processes, the easier it is to make your case.

THE IMPACT. As a result of their advocacy, more than \$10 million of VOCA funding was awarded to about 30 legal aid service providers in California in 2016, with approximately \$24.9 million distributed to 44 grantees by 2018. In 2016, five separate RFPs for crime victims services were specifically opened to legal service providers for the first time in California's VOCA history: Victims with Disabilities, Unserved/Underserved Victim Advocacy & Outreach (2 RFPs), Elder Abuse, and Victim Legal Assistance. Twenty-seven legal aid organizations were funded through the Victim Legal Assistance grant, many of whom also received funds through the other VOCA grants as well. In 2017, there was an additional grant for legal assistance, which funded 17 additional organizations. By 2017, there were 44 VOCA-funded organizations providing legal services to victims of a

wide variety of crimes including human trafficking, LGBT hate crimes, domestic violence, wage theft and other employment crimes, and others.

In June 2018, LAAC made a presentation to the VOCA Steering Committee about funding for legal aid that serves victims of crime after disasters and in rural communities. They seek to increase the \$400,000 cap for grant amounts to allow for a network of coordinated legal services throughout rural parts of the state. LAAC wrote another case study that examines how civil legal aid [helps victims of crime after a disaster](#). In phone calls and meetings with the Steering Committee, LAAC is taking a similar approach to their original advocacy by comparing California to other states and offering examples of how states such as Massachusetts and Washington receive VOCA funds for coordinated services.

