OFFICE OF CIVIL LEGAL AID
STATEWIDE CIVIL LEGAL AID TO CRIME VICTIMS PLAN – July 2016

The Washington State Office of Civil Legal Aid (OCLA), in partnership with the network of legal aid providers that constitute the Alliance for Equal Justice, will operate an integrated Statewide Civil Legal Aid to Crime Victims Program. The program will be underwritten through a dedicated allocation of federal Victims of Crime Act (VOCA) funding made available from the Office of Crime Victims Advocacy (OCVA) in the Washington State Department of Commerce.

I. Purpose and Executive Summary

The purpose of the Statewide Civil Legal Aid to Crime Victims Program is to provide effective civil legal aid services in concert with other community-based professional services to address civil legal problems that arise from criminal victimization and that will help victims of crime move beyond their victimization in ways that are consistent with their individual and family safety, security and well-being.

Through the targeted investment of new VOCA funds, the civil legal aid community will provide dedicated crime victim legal aid capacity on a statewide basis and in every region of the state. Some of this capacity will be focused on meeting the compelling civil legal problems presented generally by victims of crimes. Some will be targeted to meeting unique issues victims of certain crimes (e.g., domestic violence, sexual assault, child abuse) experience. Some will focus on civil legal problems crime victims face on the basis of their immigration status, cultural or other barriers that they face. And some will focus on unique legal problems crime victims experience as a consequence of where and how they live and/or work.

The VOCA-funded legal aid attorneys will work with community-based and statewide providers of crime victim services to ensure that, to the maximum extent possible, victims get the legal help they need where, when and how they can best access it. Direct client services will be designed to offer the right type of legal help that is most responsive to the distinct civil legal problems that individuals experience as a consequence of their victimization. All VOCA-funded staff will be effectively trained to deliver culturally competent and relevant services in a manner that demonstrates an understanding of the social, economic, physical and mental health challenges experienced by victims of crime.

This Statewide Legal Aid to Crime Victims Plan contemplates the addition of 35 dedicated crime victim attorneys and 4.5 dedicated immigration advocates who will work together and in partnership with many private volunteer attorneys to provide direct legal assistance, advice and representation that protect the health, safety and security of victims of crime throughout Washington State.

II. Background and Client Needs to be Addressed

Domestic violence and sexual assault continue as devastating phenomena, doing more to destabilize families and impoverish children than any other crime. A study published in the Journal of the American Medical Association found that women who reported experiencing domestic abuse had an associated higher lifetime prevalence of mental health disorders, dysfunction and disability.[1] In addition to physical harm, victims and survivors experience significant emotional upheaval, stress, poor health status, and institutional re-victimization. Impaired access to financial support and resources often results in lack of housing, health care, employment opportunities, transportation, and access to other basic needs. Victims often lose their jobs because of absenteeism due to illness as a result of the violence. Absences occasioned by court appearances can also jeopardize their livelihood. Victims may have to move many times to avoid violence. Moving is costly and can interfere with continuity of employment.[2]

In addition to violence at home, sexual assault, including rape, also persists on college campuses, high schools and places of employment.[3] Women and children are often not safe in these environments, which are the focus of their daily lives.

The statistics remain alarming. In 2000, according to a Department of Justice Report, nearly twenty-five percent (25%) of women surveyed said they were raped or physically assaulted at some point in their lifetime.[4] This did not include the additional five percent (5%) of women who reported having been victims of stalking; date rape then was not surveyed at all. While the percentage of domestic violence incidents against women significantly decreased between 2000 and 2002, as of 2013 intimate partner violence accounted for all violent victimizations from 2003 to 2012, 76% of which were committed against women.[5] Non-Hispanic persons of two or more races and non-Hispanic African-American persons had the highest percentages of victimization, compared to non-Hispanic whites, Hispanics and non-Hispanic persons of other races.[6]

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[1] http://www.shalomtaskforce.org/articles/the_impact_of_domestic_violence_in_our_community

[2] Sully, Patricia, Taking It Seriously: Repairing Domestic Violence Sentencing in Washington State, 34 Seattle U. L. Rev. 963 (2011), n. 11; VAWnet.org, Economic Stress and Domestic Violence, available at http://www.vawnet.org/applied-research-papers/print-document.php?doc_id=2187

[3] Data show that 8% of rapes occur while the victim is at work and that one in five women and one in 16 men are sexually assaulted while in college. http://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf

[4] Patricia Tjaden and Nancy Thoennes, Extent, Nature and Consequences of Intimate Partner Violence, Findings from a National Violence Against Women Survey, Department of Justice, National Institute of Justice (2000) available at https://www.ncjrs.gov/pdffiles1/nij/181867.pdf

[5] Bureau of Justice Statistics, Non-Fatal Domestic Violence, 2003-2012, available at http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4984

[6] *Id.*

In Washington, in 2014 there were 49,360 incidents of reported domestic violence, including violations of protection orders, and a total of 4,397 reported victims of sexual assault.[7] A key finding of the 2015 Civil Legal Needs Study (CLNS) Update report, specifically related to victims of domestic violence and sexual assault in Washington State, was that domestic violence (DV)/sexual assault (SA) victims "continue to experience the highest number of problems overall and per capita than [the] general population or any other demographic group."[8] DV/SA victims also experienced the highest number of aggregate legal problems than any other CLNS Study targeted group, with an average of over 19 legal problems experienced by survey respondents, a rate that is two times higher than the general low-income population in Washington.[9]

While many of the civil legal problems experienced by these crime victims are family law-related, they also experience legal problems affecting health care, employment/income, credit/debt collection, housing and municipal services at disproportionately higher levels than the general low-income population.[10] Further, while most of the DV/SA survey respondents were white (58%), African-Americans (13.2%), Native Americans (16.1%) and Hispanic (21%) victims were significantly over-represented in proportion to their population in Washington.[11] Also, relative to the entire DV/SA victims group surveyed, African-Americans, Native Americans, Hispanic/Latinos, persons with disabilities and young victims experienced substantially higher number of civil legal problems involving issues of discrimination and unfair treatment (including institutional discrimination within the justice, financial, employment and housing settings).[12]

Additionally, given the unique make-up of Washington's population it is important to note the presence of 26 federally recognized Indian Tribes and other tribal communities. Among victims of domestic violence and sexual assault, Native American women, in particular, are seven times more likely than all other women to be victims of domestic violence/sexual assault.[13] The reasons for this are many-fold and include social isolation, a history of exploitation and internalized oppression, lack of effective police enforcement on reservation, difficulty of accessing state court remedies, the unwillingness of federal authorities to invoke available

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[7] 2014 Report of Washington Crime Statistics, Washington Association of Sheriffs and Police Chiefs (WASPC), p. 9 available at http://www.waspc.org/assets/CJIS/ciw%202014%20small.pdf

[8] Technical Report # 15-034, Social and Economic Sciences Research Center (SESRC), Civil Legal Problems Experienced by Victims of Domestic Violence and Sexual Assault in Washington State, p. 2 (2015), available at http://ocla.wa.gov/wp-content/uploads/2015/07/DV-victims-report-for-OCLA-07-05-2015-Final.pdf

[9] *Id*.

[10] *Id*.

[11] *Id*. at p. 4.

[12] *Id*. at pp. 2 and 9.

[13] Petillo, Jeana, Domestic Violence in Indian Country, 45 Conn. L. Rev. 1841, 1849 (2013), discussing the "epidemic rates" of violence against Native American women both on and off reservation, citing National Institute of Justice findings that findings that "three out of five Native women have been assaulted by their spouses or intimate partners, one-third of Native women will be raped during their lifetimes, and on some reservations, Native American women are murdered at a rate ten times higher than the national average."

prosecutorial jurisdiction and cultural norms that impair incident reporting and data collection to support increased response.[14] These same reasons also produce significantly high rates of sexual assault against farmworkers within the agricultural workplace, with even greater force with respect to dependency on employers and lack of available services and law enforcement.[15]

Beyond the areas of domestic violence and sexual assault, Washington state residents experience a range of civil legal problems that arise from their criminal victimization. Many of these problems involve the need to directly address urgent situations stemming from criminal human trafficking, wage theft, hate crimes, criminal physical and financial exploitation, child abuse and other crimes against their persons and property. Civil legal aid will help these individuals secure their personal and family safety, protect their identity and economic security, gain access to critically needed housing and support services, immigration status, and ensure legally entitled access to essential public health/mental health, income and other assistance.

III. The Statewide Civil Legal Aid System

Washington State is served by a nationally recognized, integrated community of civil legal aid programs that operate under the umbrella of the Alliance for Equal Justice (Alliance). Alliance members deliver legal aid services in accordance with a framework of common expectations set forth in the State Plan for the Delivery of Civil Legal Aid in Washington State[16] adopted and periodically updated by the Washington State Supreme Court's Access to Justice Board.

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[14] *Id*. at 1848-49. See also, *The Facts on Violence Against American Indian/Alaskan Native Women*, p. https://www.futureswithoutviolence.org/userfiles/file/Violence%20Against%20AI%20AN%20Women%20Fact%20Sheet.pdf,

[15] See, generally, *Cultivating Fear: The Vulnerability of Immigrant Farmworkers in the U.S.to Sexual Violence and Sexual Harassment,* Human Rights Watch Report, May 15, 2012, available at https://www.hrw.org/report/2012/05/15/cultivating-fear/vulnerability-immigrant-farmworkers-us-sexual-violence-and-sexual "C]ertain workers are much more powerless and more likely to be victimized than others, including girls and young women, recent immigrants, single women working alone, and indigenous workers…[and] few farmworkers have access to [victim services] agencies. Even where such agencies are present in rural communities, they are not always able to provide adequate services to limited-English-proficient…victims…. Farmworker survivors of workplace sexual violence face the challenges all survivors face, but on top of that, they face particular challenges as farmworkers and as migrants. …Agricultural workers are excluded from such basic [labor law] protections... The laws that do exist are not adequately enforced, and several studies… have found that wage theft, child labor, and pesticide exposure occur with troubling frequency. In such an environment, farmworkers are unlikely to have faith in the ability of authorities to rectify abuses."

[16] The most recent State Plan is at http://www.wsba.org/~/media/Files/Legal%20Community/Committees_Boards_Panels/ATJ%20Board/Plan%20for%20the%20Delivery%20of%20Civil%20Legal%20Aid%20to%20Low%20Income%20People%20in%20Washington%20State%20-%20Revised%202006.ashx. A comprehensive revision is being developed by the ATJ Board in response to the 2015 Civil Legal Needs Study Update and other substantial changes in circumstances facing Alliance members and the low income communities they serve.

Alliance Members include:

- The Northwest Justice Project, a statewide federally and state funded legal aid program that maintains a statewide hotline/call center for people in need of legal assistance (CLEAR), 17 community-based legal aid offices serving every geographic region of the state, a statewide self-help resources website (www.washingtonlawhelp.org), and infrastructure to provide training, advocacy coordination and support for the broader legal aid system.

- Two statewide programs that provide services of a nature or to client communities that cannot be helped by state or federally funded legal aid providers. The Northwest Immigrant Rights Project (NWIRP) provides a wide range of legal information, advice, assistance and representation to people in Washington State who need help adjusting their immigration status, protecting themselves and family members from removal, ensuring due process and fair treatment in the immigration system and at the federal Northwest Detention Center in Tacoma, WA, and otherwise protecting the legal rights of those who are in the United States without current legal authority. NWIRP represents many individuals who are victims of crime both in the United States and in their host countries and for whom immigration laws offer the prospect of adjustment, safety and security.

  Columbia Legal Services (CLS) is a statewide legal aid program that addresses systemic legal problems affecting low-income, minority and otherwise vulnerable communities principally through class action litigation, policy advocacy at the local and state levels and community based work with key advocacy institutions. CLS does not generally represent individuals, but more often focuses on class based legal help designed to address structural and systemic injustice on behalf of many of the most invisible and vulnerable people and communities in Washington State.

- Local and statewide providers of specialized legal assistance to members of specific groups or in areas of common legal need. These specialized providers include, but are not limited to TeamChild (statewide civil legal help for children involved in the juvenile justice system); Unemployment Law Project (help with unemployment insurance matters); Seattle Community Law Center (regional help for homeless persons and others in need of federal disability benefits); Solid Ground Family Assistance Program (legal help with public benefits); Center for Justice (general legal and civil rights assistance in Spokane and eastern WA); Legal Action Center (Seattle-based program provides legal help for persons being evicted); Sexual Violence Legal Services (legal assistance to sexual assault victims in King/Snohomish Counties and statewide through the SVLS Legal Line).

- Seventeen (17) independent community-based programs that facilitate the involvement of private and public volunteer attorneys in the delivery of civil legal aid services. Staff in these volunteer legal aid programs (VLP's) recruit, train, support and refer clients to volunteers who, collectively, provide more than 60,000 hours of free legal assistance to low-income people each year throughout the state. In accordance with the ATJ Board's State Plan, these VLP's are integrated at the local, regional and statewide levels to ensure maximum coordination of the volunteer legal services effort with the statewide efforts of the staffed and specialty legal aid programs.

IV. Developing a Unified Civil Legal Aid to Crime Victims Program

In July 2015, shortly after Congress appropriated a substantial increase in VOCA funding, the Office of Civil Legal Aid, in consultation with the Access to Justice Board's Delivery Systems Committee, convened a meeting of key statewide Alliance leaders to assess the feasibility of developing a comprehensive, coordinated and integrated approach to participating in the VOCA State Plan update process convened by the Office of Crime Victims Advocacy (OCVA) at the Department of Commerce. Leaders agreed that, much like earlier efforts in the home foreclosure arena and other coordinated initiatives, a unified approach to engagement in the OCVA process and the development of a unified plan for delivering civil legal aid services to crime victims throughout the state offered the best opportunity to be effective and successful in encouraging significant investment in civil legal aid services to crime victims.

Through comments submitted by the Office of Civil Legal Aid (OCLA) in October 2015, the Alliance proposed an integrated, statewide system for providing legal aid services to crime victims in association with other providers of professional services (health, safety, shelter, mental health, etc.) to victims. These comments were premised on the findings of the recently published 2015 Civil Legal Needs Study referenced in Section II above, and proposed a substantial investment in a community based model to integrate civil legal aid services into services provided by other VOCA-funded providers of services to crime victims.

Following OCVA's adoption of the 2015-19 VOCA State Plan, these same Alliance leaders reconvened to develop the outlines of the current plan. The goal was to develop a targeted approach to investing in legal aid programs with a demonstrated history of representing and working with community-based organizations that serve crime victims, expanding equitable geographic access to crime victim legal aid services throughout the state, addressing unique legal problems (e.g., immigration, on-job sexual harassment/assault, wage theft, fraud) that limit the ability of people to move past their victimization and ensure that the right legal aid resources are available at the right time and in the right places for victims who need them. This Statewide Civil Legal Aid to Crime Victims Plan and the client service functional responsibilities associated with each of the seven legal aid providers is the consensus result of this process.

V. Guidelines and Expectations of the Program

Implementation of the statewide Integrated Civil Legal Aid for Crime Victims Program will be carried out consistent with the following guidelines:

A. Program services will be delivered by civil legal aid programs with a demonstrated history of providing services to crime victims, especially those who have experienced domestic violence or sexual assault, victims of human trafficking, child abuse and other crimes against people.

B. Program resources will be invested to underwrite a full range of civil legal aid services for crime victims, consistent with applicable VOCA regulations and guidelines.

C. Within the limits of available funds, program services will be offered equitably to persons throughout Washington State. Resources will be invested in a way that will ensure that members of historically marginalized populations have equitable access to culturally and linguistically responsive civil legal aid services.

D. Civil legal aid services will, where practicable, be made available to crime victims where they seek and receive other services arising from or related to their victimization. This may be at courthouses, domestic violence or sexual assault victim support or service centers, shelters or other appropriate locations. The objective is to minimize hardship on client victims and maximize coordination of legal services with other professional services needed by the client.

E. Crime victims will be eligible for legal aid services from the program without regard to age, income, ethnicity, citizenship or immigration status, race, sexual orientation, gender identity, religion, language, ability or disability or other legally protected characteristic.

F. While program services are not subject to income eligibility limits, limited resources and limited client service capacity require the establishment of service delivery and case acceptance priorities. Priority focus will be given to clients presenting the most critical legal needs and who experience the greatest barriers to securing the legal help they need to address the problems arising from their victimization. Case acceptance priorities will consider victims' social, cultural, racial, and language barriers, geographic isolation, cognitive ability and/or literacy limitations. Priorities will also consider victims' and their families' vulnerability (including vulnerability due to legal status), the nature of their criminal victimization, the existence of physical and/or mental disabilities and

other characteristics that effectively or disproportionately limit their ability to secure resolution of the problem(s) without legal assistance. Formal criminal charges will not be required in order for a crime victim to obtain civil legal aid services under this plan.

G. Legal aid providers will coordinate with one another to offer as seamless an array of legal services to crime victims throughout Washington State as possible.

VI. Legal Aid Providers Delivering Services under the Program

The Integrated Civil Legal Aid to Crime Victims Program will be implemented by legal aid providers with a demonstrated track record in serving the needs of crime victims. Effective September 1, 2016, these providers will include:

a. **Northwest Justice Project (NJP)** is a statewide and the largest provider of civil legal aid to the poor in Washington. Since 1995, NJP has been the sole recipient of federal funds from the national Legal Services Corporation and has been the primary recipient of state civil legal aid funding since 2005. NJP has 17 staffed offices throughout the state and has a national reputation as a high quality legal aid program. NJP has significant expertise in handling domestic violence, sexual assault and stalking cases and has been a leader on advocacy to ensure access to justice for low-income immigrant and limited English speaking victims of domestic violence, sexual assault and stalking.
b. **Northwest Immigrant Rights Project (NWIRP)** was founded in 1984 and is the only organization providing comprehensive immigration legal services to low-income individuals in Washington State. NWIRP serves more than 10,000 people each year from four offices throughout the state, in Seattle, Granger, Tacoma and Wenatchee. Since 1996, NWIRP has maintained a specific Violence Against Women Act (VAWA) unit devoted to assisting immigrant survivors of domestic violence, sexual assault, stalking and other crimes and helping them access the various protections available under immigration law. In the past 20 years, NWIRP has assisted thousands of immigrant survivors by providing services ranging from advice and referral to brief service to direct extended legal representation.
c. **King County Bar Association (KCBA) Pro Bono Services:** KCBA's Family Law Mentor Program assists parents with children at risk of abuse or neglect in contested family law matters. Clients are primarily domestic violence survivors who need protection from abusive partners and whose children face ongoing exposure to domestic violence either as witnesses to family violence or as direct victims. Through the program, pro bono attorneys represent clients in contested family law cases that require seeking extensive legal protections for victims and their children. Services provided through the Mentor program include but are not limited to: direct representation in contested family law actions, limited assistance such as advice and counsel on the various legal options

available to the client, or brief services such as legal drafting for clients who may only need limited assistance to help pursue their case on their own.

d. **Tacoma Pierce County Bar Association Volunteer Legal Services (TPCBA VLS):** TPCBA VLS has been providing low-income civil legal services in Pierce County in its present form for 20 years, and as a separate legal services program supported by the Tacoma-Pierce County Bar Association since 1962. Staff and volunteer attorneys working with the TPCBA VLS Program have substantial experience working with victims of domestic violence and coordinate services with local domestic violence service and support programs including but not limited to YWCA Pierce County and the Crystal Judson Family Justice Center.

e. **Snohomish County Legal Services (SCLS):** Snohomish County Legal Services is a free legal aid program, founded in 1983, serving Snohomish County residents experiencing poverty. SCLS's staff, pro bono attorneys and volunteers provide information, advice and legal representation to ensure meaningful access to justice regardless of individual barriers and needs. Programs include the areas of family law, housing (eviction defense and foreclosure prevention), debt relief, bankruptcy, and estate planning for seniors. Staff and volunteer attorneys have extensive experience assisting survivors of domestic violence and sexual assault, and partner with local domestic violence providers including, among others, Domestic Violence Services of Snohomish County and YWCA Pathways for Women.

f. **Eastside Legal Assistance Program (ELAP):** Eastside Legal Assistance Program (ELAP) was founded in 1989 to provide legal services to low income individuals in East King County. Since that time it has grown into a hybrid organization with volunteer attorneys, paid staff attorneys, and a Fellows Program providing training to attorneys who wish to work in Family Law and with survivors of domestic violence and or sexual abuse. Through these programs clients are offered limited assistance, brief services, and direct representation to help with domestic violence protection orders, parenting plans and other civil legal issues. Services are offered to survivors of domestic violence throughout all of King County. ELAP offers over 27 clinics and lectures each month covering numerous civil legal issues. In addition to its in house attorneys, ELAP provides a full time attorney at the DAWN shelter in South King County.

g. **YWCA of Seattle/King/Snohomish – Sexual Violence Legal Services (SVLS)**: Located within the YWCA of Seattle, King and Snohomish counties, SVLS offers victims of sexual assault equitable access to comprehensive legal assistance, prioritizing victims from underserved/vulnerable populations that have been historically marginalized and victims who have multiple emergency civil legal needs. These services are provided by attorneys who have in-depth training and substantial experience dealing with the specific legal and emotional needs of victims of sexual assault.

VII. Crime Victims Service Delivery Plan

The Statewide Integrated Civil Legal Aid to Crime Victims Program (Program) will build upon existing legal services infrastructure and expertise to create a system that will more effectively and robustly respond to the legal needs of victims of crime. Consistent with the Program Guidelines and Expectations (Section V above), the Program will do this by targeting resources into particular areas of existing need that have been identified by providers and community partners and by expanding or replicating successful existing collaborations. This effort will:

- Ensure equitable geographic access to civil legal aid services for crime victims
- Target and deliver legal aid services that are culturally relevant and responsive to traditionally marginalized populations including but not limited to immigrants, refugees, Native Americans and members of racial and ethnic minorities
- Facilitate on-the-ground integration and coordination with community-based providers of health, social and human services to crime victims in a manner that reduces professional discipline silos that impose additional burdens on crime victims and promotes more holistic services
- Explore new and innovative ways to identify and address emergent civil legal needs of crime victims through coordination with courthouse based prosecuting attorney staff and victim advocates
- Promote coordination of services and service delivery expectations at the statewide level through consistent engagement between the VOCA-funded providers, the broader civil legal aid community and the communities/associations serving and supporting related services to crime victims
- Where possible, integrate the crime victim legal aid effort into the broader effort to provide civil legal aid services to low-income people in Washington State.[17]

The initial primary components of the service delivery plan and the target geographic areas that will be served are as follows:[18]

A. Enhance CLEAR*DV: (Statewide -- 2 FTE)

Northwest Justice Project (NJP) will add 2 FTE attorneys to its Coordinated Legal Education, Advice, and Referral (CLEAR) hotline that provides a primary entry-point for individuals seeking legal assistance in the State (CLEAR*DV). This system provides a specialized avenue for domestic violence and sexual assault advocates around the state to refer directly their most compelling and difficult DV and/or sexual assault cases to a CLEAR*DV attorney.

[17] VOCA funded legal aid services will be provided without regard to a victim's income.
[18] A consolidated list of VOCA funded attorneys and immigration advocates by geographic area served attached as Exhibit 1.

B. CLEAR*DV for Native American Victims: (Statewide – 1 FTE)

NJP will add a specialized statewide CLEAR*DV advocate who will focus on serving Native American communities, reservations and individuals. This will increase CLEAR*DV capacity overall and enable the delivery of culturally relevant legal assistance to Indian victims/survivors of domestic violence statewide.

In Washington, the WomensSpirit Coalition (WSC) is a statewide coalition of Native American domestic violence/sexual assault advocates that supports and assists tribal DV/SA advocates who provide on-reservation services to victims. NJP's CLEAR*DV-NA specialist will coordinate with WSC to conduct outreach to tribal domestic violence advocates and work hand-in-hand with these advocates to provide culturally sensitive legal assistance to these victims/survivors.

C. Statewide Sexual Violence Legal Services Line (Statewide – 2 FTE)

Sexual Violence Legal Services will re-establish and staff a statewide hotline for sexual assault victims. Similar to NJP's CLEAR*DV, SVLS's Legal Line provides remote emergency assistance specifically tailored to the needs of sexual assault victims. Callers to the Legal Line receive anonymous legal information and referrals related to their emergency, or if they agree to forego anonymity (so that a conflict check may be conducted) they can receive more extensive direct legal assistance by phone and electronically (such as document review and drafting). Although the SVLS Legal Line previously had a statewide service area and received calls from every county in Washington, in the past two years, funding cuts have limited these services to King and Snohomish County. The Program will add 2.0 FTE at SVLS who will provide remote emergency legal services to sexual assault victims outside of King and Snohomish County.

D. **Serving Immigrant Domestic Violence and Child Abuse Victims** (Regions Served: Benton-Franklin, Yakima, Pierce and King Counties), – 3.5 FTE attorneys, 2.5 FTE immigration advocates)

As a result of increased migration over the past 3-5 years, Washington State has experienced increased numbers of immigrant victims of domestic violence and child abuse who need specialized outreach and services. These victims may not be connected with existing services and are more likely to be considered priorities for immigration enforcement. The Program will provide legal advocacy for these victims who are identified as such while at the regional immigration detention center in Tacoma. NWIRP will deploy 3.5 FTE VOCA-funded attorneys and 2.5 VOCA legal advocates to reach and serve these victims in locations throughout the state.

E. **Immigration Services to Crime Victims at the Northwest Detention Center in Tacoma** (Region Served: Tacoma/Statewide. 1 FTE attorney and .5 FTE immigration advocate)

NWIRP maintains a regular presence at the federal Northwest Detention Center in Tacoma. Many of those detained have been victims of crime in their host countries or in the United States. NWIRP will dedicate 1 FTE attorney and .5 FTE immigration advocate to identify and provide immigration assistance to those eligible for adjustment due to their crime victim status.

F. **Regional Integrated Rural Legal Assistance for Immigrant Victims of Crime**: (Regions Served: Benton-Franklin-Walla Walla, Yakima-Kittitas, Whatcom-Skagit-Island-Snohomish, Thurston-Mason-Grays Harbor-Pacific, Pierce County. (Total 9 FTE attorneys, 2 FTE immigration advocates)

NJP and NWIRP have demonstrated the effectiveness of an integrated model to address the complex and interrelated civil legal needs of immigrant victims of crime. Collaborating with three victim services agencies in the five-county region of North Central Washington, NJP and NWIRP implemented and sustained the Integrated Rural Legal Assistance Project (IRLAP) that serves the legal and safety needs of immigrant, limited English proficient, victims/survivors of domestic violence, sexual assault, stalking and date rape. This project positions one attorney each at NJP and NWIRP who accepts referrals for representation from the partner victim services agencies, conducts training of the agency DV/SA advocates, provides indirect consultation and pro se assistance, and advocates on their behalf with law enforcement, prosecutors, state agencies and others responsible for protecting the public. While NWIRP assists these survivors with U Visa applications and other immigration relief, NJP addresses the family safety, housing, health care access, and other legal needs that arise from their victimization. In so doing, IRLAP is able to help victims stabilize their situations and ensure protective safety planning. Together IRLAP assists nearly 600 immigrant/LEP DV/SA clients a year in North Central Washington.

Under this Plan, IRLAP will be expanded to five other regions where there are significant immigrant/LEP populations: Pasco/Walla Walla (SE WA), Yakima, Tacoma, Aberdeen/Olympia (Olympic Peninsula), Pierce County and the Northwest Region (Island/Skagit/Snohomish /Whatcom). This will be accomplished by adding 5.0 FTE attorneys at NJP, 3.5 FTE attorneys and 2 immigration advocates at NWIRP, and 1 FTE attorney at the Tacoma-Pierce County Bar Association Volunteer Legal Services program (TPCBA VLS). To the extent resources allow, NJP and TPCBA VLS attorneys (and volunteer attorneys in the case of TPCBA VLS) will also provide services to non-

immigrant crime victims in these regions who are referred through the partner victim services programs.

G. Regional General Crime Victim Legal Aid Services (Regions Served: NW WA, Snohomish County, King County, Pierce County, SW WA, Inland Empire – 6 FTE Attorneys)

Dedicated legal aid services for crime victims will be added in Bellingham/Everett (serving Snohomish, Skagit, Whatcom, Island, San Juan counties), King County, Pierce County, Vancouver (serving SW WA) and Spokane (serving Eastern and Northeastern WA). NJP will add dedicated crime victim attorneys to its staff in Bellingham/Everett, Tacoma, Seattle, Spokane and Vancouver. Snohomish County Legal Services, the King County Bar Association's Pro Bono Services Program (KCBA) and Eastside Legal Assistance will add a dedicated crime victim attorney in Everett, Seattle and Bellevue respectively. These attorneys will provide direct assistance to crime victims as well as facilitate legal assistance by coordinating pro bono attorneys.

H. "Project Safety" Piloting New Collaborations with Prosecuting Attorney's Offices (Region Served: King County – 5 FTE)

With the encouragement and support of King County Prosecuting Attorney Dan Satterberg and the King County based legal aid providers, a new VOCA-funded initiative will be developed to explore the feasibility and effectiveness of coordinating criminal justice system provided victim services with those offered through the legal aid community. Under the tentative label "Project Safety", legal aid providers and staff at the King County Prosecuting Attorney's office (KCPAO) will develop integrated courthouse-base protocols to provide crime victims with necessary legal assistance and representation to address a range of civil legal needs that will help to stabilize their situations in order to effectively address their current circumstances and prevent further victimization.

Working with the KCPAO, NJP, NWIRP, the King County Bar Association (KCBA) Volunteer Lawyers Program, Sexual Violence Legal Services (SVLS) and Eastside Legal Assistance Program (ELAP), Project Safety will triage victims and survivors referred from the KCPAO and their Victims Advocacy Unit to resolve legal problems arising as result of or related to their victimization. The Project Safety framework will include development of an effective assessment tool to provide individualized assessment of legal needs, a referral and triage protocol to ensure that the victim/survivor gets to the appropriate agency for legal help, along with a protective information sharing protocol, and record-keeping on the services provided. Attorneys will be specifically assigned to this project; NJP attorneys will be primarily located in South King County (near the Kent Regional Justice Center), and all providers

will coordinate their assigned responsibilities to maximize the resources and avoid duplication of effort.

Staffing capacity for this pilot project will include 2.0 FTE attorneys at NJP and 1.0 FTE attorney for each of KCBA, SVLS, and NWIRP for a total of 5.0 FTE. The project will also coordinate with the 1.0 FTE VOCA funded attorney allocated under this plan at the Eastside Legal Assistance Program (ELAP).

I. *Campesina Digna* Project – Serving Victims of Agricultural Workplace Sexual Assault (Region Served: Central WA – 1 FTE)

With VOCA funding, NJP will continue a specialized project to conduct outreach and provide services to victims of agricultural employment-based sexual assault, primarily directed to immigrant non- and limited-English-proficient workers. The project, *Campesina Digna* is based in Wenatchee, and provides services throughout Central WA. *Campesina Digna* integrates litigation strategies with community partnerships to serve agricultural workers who are victimized by sexual predatory behavior on the job or as a condition of employment. The project collaborates with the federal Equal Employment Opportunity Commission (EEOC), the Washington State Human Rights Commission (WA HRC), victim services agencies, prosecuting attorneys and other legal aid providers. Because temporary funding for *Campesina Digna* ends in September, 2016, the project will be carried forward with VOCA funding.

J. Statewide Direct Client Service Coordination and Support

A statewide project of this magnitude will require consistent coordination, mentoring, technical assistance and support. As the largest provider of civil legal aid in Washington State and a dedicated statewide support entity, NJP will employ up to two FTE statewide client service advocacy coordinators. These coordinators will work directly with VOCA-funded attorneys across the state both within NJP and in the other VOCA funded legal aid programs. Consistent with applicable VOCA guidelines, these coordinators will provide case specific support and technical assistance as well as necessary resources required by field client service providers to effectively and successfully address the civil legal problems that arise from their clients' criminal victimization.

K. Community-Based Non-Legal Crime Victim Service Partners

Crime victims are often traumatized and face a range of problems and urgent needs for help across a wide range of disciplines. VOCA-funded legal aid programs are committed to working intentionally with community-based and statewide with the crime victim service and support providers to minimize adding additional burdens and barriers and to effectively integrate

professional services when and where crime victims need them. A central premise of the Integrated Civil Legal Aid to Crime Victims Program is that victims are better served when needed professional services (legal and non-legal) are integrated and delivered at locations where victims go for help in the first instance.

The legal aid programs participating in the Program have a long and successful history of working with community based crime victim service providers. Consistent with the Guidelines and Expectations outlined above (Sec. V), the VOCA-funded attorneys described in this plan will build on these relationships and work to establish protocols and referral systems that allow the timely and effective coordination and integration of legal services where and when victims require them. An initial list of community based programs with which the VOCA funded programs will work is attached as Exhibit 2.

Beyond this, the Office of Civil Legal Aid's Victims of Crime Legal Aid Program Manager and NJP's crime victims client service advocacy coordination staff will coordinate statewide delivery efforts with their peers at other statewide organizations providing services to crime victims including, but not limited to, the Washington Association of Prosecuting Attorneys, the Washington State Coalition Against Domestic Violence, the Washington Association of Sexual Assault Programs and the Washington Coalition of Crime Victim Advocates.

VIII. Administration, Support and Oversight

The Office of Civil Legal Aid will assume direct responsibility for administration, support, oversight and assessment of the effectiveness of the Program. A full time Civil Legal Aid to Crime Victims Program Manager will be hired. The Program Manager will:

A. Originate and monitor sub-recipient agreements with participating civil legal aid programs.
B. Serve as OCLA's principal liaison with staff at the Office of Crime Victims Advocacy (OCVA) to ensure compliance with applicable federal and state fiscal, administrative and reporting requirements.
C. Serve as OCLA's principal liaison to staff at the Department of Social and Health Services who administer and oversee VOCA-funded shelter and related services across the state.
D. Track, aggregate, analyze and report on data documenting the services provided to crime victims, including qualitative and quantitative outcomes achieved.
E. Ensure agency and sub-recipient compliance with OCVA fiscal, client service and narrative reporting requirements.
F. Coordinate with statewide organizations providing services to crime victims including, but not limited to, the Washington Association of Prosecuting Attorneys, the Washington State Coalition Against Domestic Violence, the Washington Association of Sexual Assault Programs and the Washington

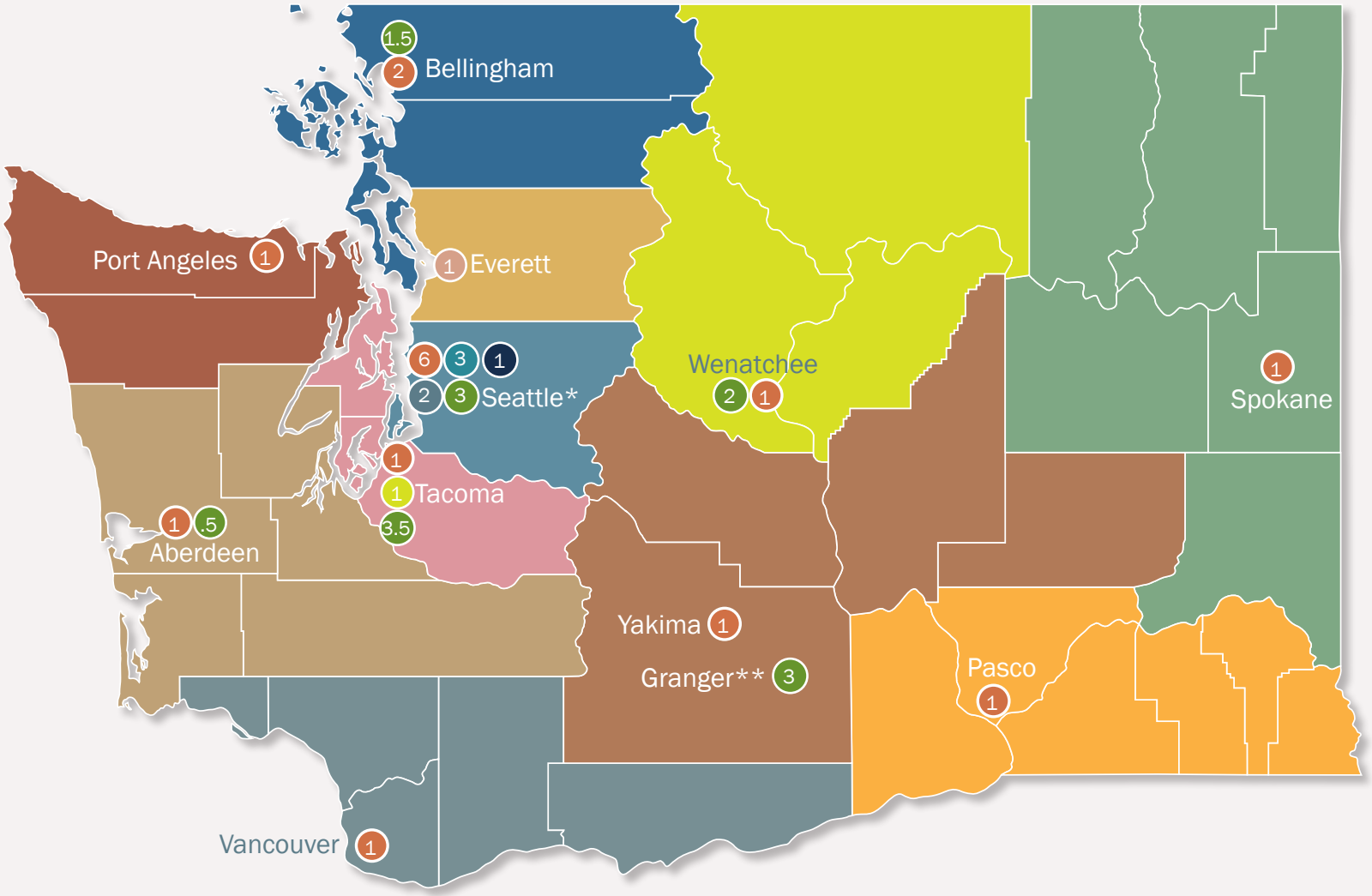
Coalition of Crime Victim Advocates to ensure effective coordination between the VOCA-funded civil legal aid program and other emergency services programs for victims of crime.

G. Coordinate with the legal aid NJP-based statewide crime victim advocacy coordination team to ensure that VOCA funded attorneys and advocates receive necessary support and assistance.

H. Produce an Annual Report on the substance and impact of VOCA-funded civil legal aid services provided to crime victims.

CRIME VICTIM LEGAL AID STAFFING BY PROGRAM AND REGION

Map presents physical location of VOCA-funded legal aid positions by program and region. Project descriptions are included in the Legal Aid to Crime Victims State Plan.



LEGEND

The number inside each circle represents total FTEs.

- Northwest Justice Project
- Northwest Immigrant Rights Project
- Sexual Violence Legal Services
- Snohomish County Legal Services
- King County Bar Pro Bono Services
- Eastside Legal Assistance Program
- Tacoma-Pierce County Volunteer Legal Services Program

**3 NJP attorneys located in Seattle will staff statewide legal aid hotlines*
2 Sexual Violence Legal Services attorneys in Seattle will staff a statewide sexual violence hotline
***1.5 NWIRP attorneys based out of Granger will serve the Tri-Cities region*

Exhibit 1 -- VOCA FTE Deployment

Position	FTE Attorney	Advocates
NJP CLEAR*DV	2	
CLEAR*DV-NA	1	
IRLAP Replication (Focus on Rural Immigrant Crime Victims in Tri-Cities, Yakima, NW WA, Pierce, South Sound/Grays Harbor)		
NJP	5	
Pro Bono (Pierce)	1	
NWIRP	3.5	2
KC Pilot Project (Serving Victims of Crime Related to Prosecutions Arising at or Through Both KC Courthouses)		
NJP	2	
KCBA	1	
SVLC	1	
NWIRP	1	
SVLC Sexual Assault Victims Hotline	2	
NJP General Crime Victim Attorney South King County	1	
NJP General Crime Victim Attorney Olympic Peninsula	1	
NJP NW WA General Crime Victims (Whatcom, Skagit, Island)	1	
NJP Inland Empire General Crime Victims (Spokane, Lincoln, Tri-County, Whitman)	1	
NJP Pierce County General Crime Victims	1	
NJP SW Washington Crime Victims (Clark, Skamania, Cowlitz)	1	
NJP *Campesina Digna (Farmworker Sexual Assault Victims in Central WA)*	1	
NWIRP Detention Needs	1	0.5
NWIRP DV Asylum/Child Abuse (Tacoma, Wenatchee and Granger)	3.5	2
Snohohmish VLS	1	
KC Bar Association	1	
ELAP	1	
Statewide Crime Victims Advocacy Coordinators -- NJP	2	
Total	**36**	**4.5**