

Renewing Vermont's Commitment to Access to Justice

Vermont faces significant challenges in meeting the goal of providing access to justice for all litigants in its civil courts. Almost one in five Vermonters is eligible for free legal assistance, but our current civil legal assistance programs can represent only about 15% of them. Over the past ten years, federal, state, and charitable funding for civil legal assistance has fallen significantly. At the same time, a new analysis of the economic impact of money spent on Vermont's civil assistance programs shows that every dollar invested in funding for civil legal assistance generates \$11 of additional economic activity in the state. We are requesting that the State of Vermont reinvest in civil legal assistance programs by reinforcing the existing infrastructure and supporting targeted initiatives aimed at the major gaps in our access to justice promise.

The Vermont Access to Justice Coalition (Coalition) prepared this brief. Established in 2004, the Coalition is a joint venture of the Vermont Supreme Court, Vermont Legal Aid (VLA), Legal Services Vermont (LSV), Vermont Law School (VLS) including the South Royalton Legal Clinic (SRLC), the Vermont Bar Association (VBA), and the Vermont Bar Foundation (VBF). The Coalition's broad mission is to encourage and promote access to civil justice; to this end, it also works to promote collaboration among Vermont's major providers of civil legal assistance.¹ The Coalition has identified six targeted investments the state needs to make in its civil legal assistance partners to meet its responsibility to provide access to justice for Vermont's low-income community. As described below, making these investments is not only the right thing to do; it will generate more than \$10 for every \$1 the state authorizes in new funding.

Background of Civil Legal Assistance in Vermont

In contrast to defendants in our criminal courts, most individuals with cases in our civil courts have no constitutional or statutory right to a court-appointed, state-funded lawyer, even when a Vermonter faces the loss of a home or custody of a child, or the denial of an essential benefit.² For more than fifty years, Vermont has recognized the importance of addressing these critical legal problems by providing state funding for the legal advice and representation of low-income Vermonters in the civil courts.

Vermont has an innovative and integrated legal assistance partnership coordinating the efforts of VLA and LSV, SRLC, private lawyers, the VBA's *Low Bono* Project, and the Vermont Volunteer Lawyers Project. In addition, a variety of local and more specialized organizations complement these efforts with local advice clinics or representation in targeted classes of cases, sometimes in association with one or more of the Coalition members. Attorneys in private practice have long provided significant legal services for low-income Vermonters, both on their own, and in association with the providers above.³ The statewide collaboration among these various providers, which avoids duplicate efforts and maximizes the impact of limited access to justice resources, is a model for the efficient and integrated delivery of civil legal assistance.

As a result of the collaboration of Vermont's major civil access to justice providers, Vermonters have access to a single statewide toll-free Helpline, which assesses the caller's legal problem(s) and eligibility for services, and then directs the caller to the most appropriate legal resource that is

available.⁴ Whether that is a staff attorney at VLA, LSV, or another partner agency, a student clinician at the law school, a volunteer attorney, or a low bono attorney, the Helpline can efficiently determine how best to assist the caller.⁵ By coordinating and streamlining their work, the legal assistance partnership has reduced duplication and costs, while helping as many Vermonters as possible with the available funding.

The members of the partnership have also worked together in several counties to create pilot programs to provide universal access to legal representation in rent escrow hearings, and work closely to provide specialized civil legal services to victims of domestic violence and other crimes. These efforts reflect the ethos of teamwork among Vermont's major access to justice providers and their history of cross-organization collaboration.

The Need

There is a tremendous need for civil legal assistance in Vermont. There are more than 110,000 Vermonters with incomes below 150% of the federal poverty guidelines.⁶

LSV and VLA recently completed a statewide legal needs assessment to identify unmet legal needs among low-income Vermonters.⁷ In the two-year study period, over 25,000 Vermonters contacted the Helpline and website asking for legal help, and Vermonters logged over 200,000 page views on the legal information website. Landlord/tenant law and family issues heavily dominated these inquiries. The study also indicated that very large numbers of people are being sued in Vermont courts without representation, including approximately 1,300 divorce litigants, 1,500 tenants facing eviction, and 4,000 credit card debtors each year. Participants in the study repeatedly cited the need for more legal assistance in these cases.

The federal Legal Services Corporation conducted a national study in 2017 of the civil “Justice Gap”—the disparity between legal needs of low-income people and the availability of legal services. The report found that 71% of low-income households experienced at least one civil legal problem in the previous year, and 25% of those households faced six or more separate legal issues. Only 20% of these households sought assistance from a lawyer and, of those that did, over half received either no assistance or only limited assistance.⁸

The number of Vermonters living in poverty has increased significantly over the past twenty years and there are now 22.7% more Vermonters in poverty than there were in 2000⁹. Fully 25% of all Vermonters qualify for the legal assistance offered by VLA and LSV.¹⁰ On a typical day, Vermont's legal services partners will respond to more than fifty calls for help with immediate legal needs. Due to its diverse membership and its integration, the members of the Legal Assistance Partnership are able to respond to a very broad range of problems. They can help a tenant file an answer to an eviction proceeding, help a senior file an appeal of a Social Security overpayment or ensure the reinstatement of a family's health insurance. They can also represent a domestic violence victim in a relief from abuse hearing, guide a caller through the divorce and custody process, or connect a low-income family with a *pro bono* bankruptcy attorney.

Ten years ago, about 8,000 people called the legal assistance Helpline seeking help. By 2018, that number has soared to over 15,000. When coupled with other requests for assistance to other members of the legal assistance partnership, over 25,000 Vermonters are seeking legal assistance each year. Working together, the civil legal assistance partnership was able to provide at least some

assistance to most of the people seeking help. However, because of the lack of funding, a significant number of those seeking help received only telephone advice and information, and still needed to navigate the legal system on their own.

Our courts function best when litigants have lawyers, and self-represented litigants are often at a loss to begin presenting their case. Yet the vast majority of litigants with critical legal issues represent themselves in court. Last year, in all of the kinds of cases important to low-income Vermonters, in all parts of the State, the vast majority of defendants were not represented by attorneys.¹¹

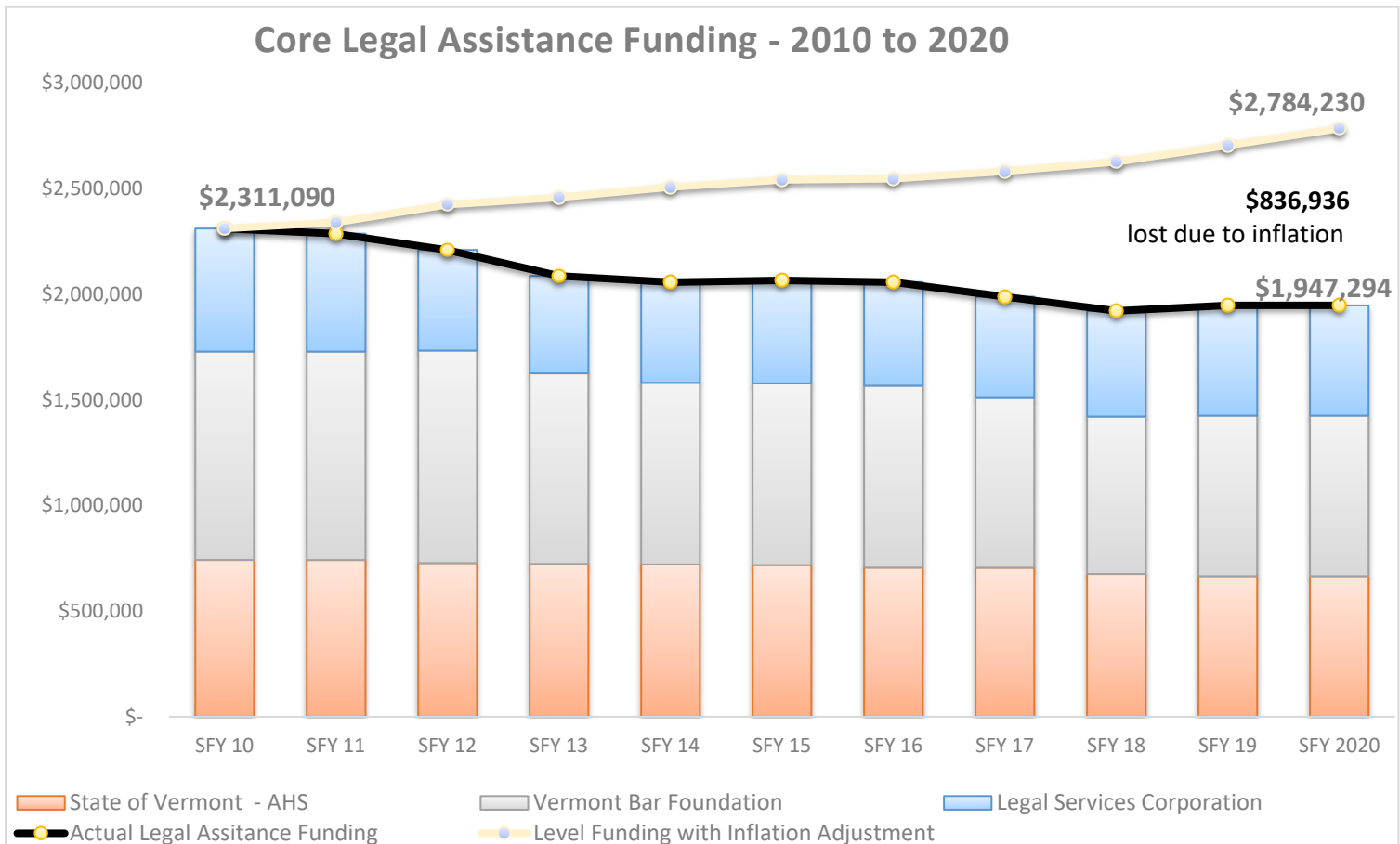
Represented by an Attorney		
Type of Case	Number of Cases	Percent
Landlord/Tenant Eviction – Defendants		
Landlord/Tenant Eviction – Plaintiffs		
Foreclosure – Defendants	730	20%
Foreclosure – Plaintiffs	1,389	99%
Collections – Defendants	98	13%
Collections – Plaintiffs	653	98%
Parentage	690	20%
Divorce/Civil Union Dissolution/Separation	981	33%
Small Claims - Defendants	1511	94%
Small Claims - Plaintiffs	522	36%

Funding for Civil Legal Assistance

Funding for the provision of legal assistance to low-income litigants comes from a variety of federal, state, and charitable sources. The primary vehicle for federal funding is the Legal Services Corporation (LSC), which provides just over \$500,000 annually in a direct grant to LSV. The State of Vermont's primary grant for legal assistance is an annual grant of \$1,373,494 to VLA from the Agency of Human Services, of which a little less than \$700,000 is available for legal services to low-income Vermonters.¹² In addition, the major source of charitable funding for civil legal assistance is the Vermont Bar Foundation, which distributes over \$800,000 in funds from the Interest on Lawyers Trust Accounts (IOLTA) program, as well as private fundraising efforts to the members of the civil legal assistance partnerships and other organizations helping to support access to justice.

An unfortunate reality is that funding from almost all sources has been largely flat, and in a few cases, has declined sharply over the past decade. As a result, the members of the partnership have been unable to maintain staffing levels and have had to ration the services they provide even more tightly.

The chart below demonstrates the decline in overall civil legal assistance funding for VLA and LSV for the past eleven years. Because of cuts in federal funding and reduction in interest rates, funding in SFY 2020 is almost \$400,000 below what it was in 2010! When adjusted for inflation, that gap is over \$800,000. Over the same period, as described above, more than twice as many Vermonters are seeking civil legal assistance.



Economic Impact of Civil Legal Assistance

“Equal Justice under Law” is inscribed above the doors of the United States Supreme Court and is one of our country’s founding principles. Providing equal access to our justice system is not only the right thing to do, it is a good investment. A study of civil legal assistance in Vermont completed earlier this year found that every dollar invested in funding for civil legal aid generates \$11 of economic activity in the state¹³.

The study found that the work of Vermont’s civil legal assistance programs generated \$32.7 million of additional income for low-income households. Representing low-income Vermonters also saved over \$2.5 million in costs associated with domestic violence, foreclosure, and eviction. The Vermont economy also benefited from significantly increased economic activity as fewer low-income households were in crisis and had more income to spend. Vermonters with more income spent money on food, rent, medical care, utilities, and supplies.

As the State reviews its commitment to equal access to justice, it should consider the significant positive economic impacts of increasing its financial support to those efforts, as well as the clear and compelling humanitarian benefits.

Renewing Vermont's Commitment to Access to Justice

The Coalition has developed a coordinated request to the Legislature to renew Vermont's commitment to providing access to justice by meeting its constitutional obligations, restoring its direct support of civil legal assistance to 2010 levels, and funding new initiatives designed to address today's critical unmet legal needs. The Coalition has identified six separate areas of need and developed targeted approaches to begin to address those needs. These efforts could be funded through a variety of vehicles ranging from direct appropriations to the partnership members or through an expansion of the existing grant to VLA.

1. MEETING VERMONT'S CONSTITUTIONAL AND STATUTORY MANDATES

Vermonters facing adult involuntary guardianship proceedings in the Probate Division of the Superior Court are at risk of losing their personal independence and control over their lives. Vermont has long recognized that the State Constitution may require the right to counsel at public expense in these guardianship cases, and in 1975, the Vermont legislature created a statutory right to counsel in those proceedings.¹⁴ However, the Legislature has never appropriated the funds required to meet this statutory obligation.

Similarly, defendants in child support and other contempt matters face the possibility of incarceration and are legally entitled to counsel.¹⁵ However, in this area as well, the Legislature has not appropriated funds to ensure that these defendants have legal representation.

Courts have relied on the generosity of private attorneys willing to provide below-cost legal services, coupled with the diversion of funding targeted for other civil legal needs, to provide these legally mandated services.

Child Support Contempt Defense

A father fell behind on his child support payments and could not catch up. He was summoned to court for a contempt hearing, where he might be sent to jail for failure to pay the arrearage. Through the Low Bono project, a lawyer was appointed to represent him. His lawyer helped him fill out the necessary financial forms and pull together exhibits for the hearing. At court, the father was able to negotiate a settlement where he could pay the back child support in installments, something he likely could not have managed on his own. Both sides benefitted, as the father stayed out of jail, while the mother and child started getting the child support they needed.

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There are between 100 and 150 involuntary guardianship proceedings each year, and approximately 10 contempt proceedings. The State of Vermont must step up and meet its legal obligation to ensure that an attorney is appointed in each of these cases. The most effective way for the State to provide representation in these cases, while minimizing the administrative overhead, is to use the existing *Low Bono Project* infrastructure. The Vermont Bar Association administers this project in cooperation with the staff of probate and family courts, and pays attorneys in private practice across the state a reduced fee to handle cases for low-income Vermonters. The attorneys participating in the

Low Bono Project have agreed to work for a reduced hourly rate of \$75/hour with a cap on the number of hours. The estimated cost of funding these legal mandates through the Low Bono Project would be \$48,000 per year. See Attachment 1 for a full description of this proposal

2. MAINTAINING THE CORE LEGAL ASSISTANCE INFRASTRUCTURE

Vermont Legal Aid and Legal Services Vermont (formerly Law Line of Vermont) jointly operate Vermont's major legal assistance infrastructure. They are co-located in Burlington and share the same Board of Trustees. They operate the legal assistance Helpline, shared by all members of the partnership, and maintain the website that provides legal information and referral information on civil legal problems. VLA staffs a network of five local legal aid offices providing civil poverty law representation as well as representation to Vermonters facing other kinds of legal problems, including commitment and involuntary medication proceedings.

For more than fifty years, the State has funded Vermont Legal Aid through a contract with the Agency of Human Services (AHS) to provide representation required by statute in mental health commitment cases, as well as representation to address general poverty law issues across the state. As the graph above shows, the funding for that work has remained generally flat, while the requests for help and the costs of providing representation have grown significantly.

Disabled Man Secures Safe and Affordable Housing

A 55-year-old blind and disabled man with an annual income of less than \$10,000 lived in a subsidized apartment outside of the town center on a very busy road with no sidewalks. He was in constant danger whenever he ventured outside his home; he fell on the ice and into the road several times. He had repeatedly asked the agency managing his housing program if he could move into a unit in the center of town. Despite the efforts of his primary care doctor, cancer doctor, chronic care nurse, and the Community Connections staff at the hospital to get him an apartment in town in order to accommodate his disabilities, the agency refused to offer him a new unit.

A lawyer at VLA investigated the case and determined that the client should be receiving an accommodation that would allow him to take the next available apartment in town. Despite the clear right to such an accommodation, the agency refused to discuss the move until VLA filed a lawsuit in federal court. During the litigation, the agency admitted that they did not understand their responsibilities under the Fair Housing Act and agreed to move the client immediately into an available apartment in the town center. The new apartment has been life-changing for our client who now can walk to his medical appointments and shopping. The housing agency agreed to conduct staff training and adopt new guidelines for how it would handle accommodation requests in the future.

Funding from the Agency of Human Services for representation in poverty law cases was \$665,000¹⁷ ten years ago and is virtually unchanged today at \$671,000. During this same period, the rate of general inflation was 13% and the rate of health benefits inflation was over 20%. The result of stagnant state funding has been a significant reduction in poverty staffing at Vermont Legal Aid and a resulting decline in full legal representation of low-income litigants with a shift to telephone and web-based legal advice. At the same time, the LSV Helpline, once staffed by five attorneys, now has funding for only three attorneys and a half-time paralegal.

The State should reinvest in its civil legal aid infrastructure by making a down payment on the million-dollar gap in core civil assistance funding by increasing AHS funding by \$250,000 annually. See Attachment 2 for a full description of this proposal.

3. *HELPING ADDRESS THE CRISIS IN TERMINATION OF PARENTAL RIGHTS CASES*

The opioid crisis has had a variety of significant impacts on Vermont's court system, including its role in safeguarding children. The number of children subject to termination of parental rights proceedings has risen by more than 50% over the past ten years. One innovation to mitigate the all-or-nothing stakes in Termination of Parental Rights (TPR) proceedings, and to achieve more timely and salutary outcomes for children, is the advent of post-adoption contact agreements (PACAs).¹⁸ These agreements allow parents facing a termination of their parental rights to secure the possibility of future contact with their children with some limitation. The agreements can have significant positive impacts on the children, and on the prospective adoptive parents. Unfortunately, the prospective adoptive parents are the only people involved in the child protection proceedings who do not have appointed counsel representing them. Prospective adoptive parents who cannot afford a lawyer face a decision to enter into court-approved, legally binding agreements without the benefit of any legal advice about the consequences of their choices.

Forever Home Secured

The State started a TPR action to protect two children placed in foster care; the foster parents wanted to adopt the children they had been caring for many months. However, the biological father objected and thus a trial would be needed.

Both the foster parents and the father had a lot at stake at that TPR hearing, and the court and the State would need to spend significant resources holding the hearing. Although the father had an attorney, the foster parents could not afford one and would not have been able to negotiate on equal terms with the father's attorney. Fortunately, a low bono attorney was appointed to represent the adopting parents at no cost to them. Their attorney reviewed the case plan for the children, talked with the adopting parents about their concerns and wishes, and negotiated an after-adoption contact agreement with the State and the bio-dad's attorneys. The father could have some contact with his children as they were growing up and the foster parents could adopt them and plan for the long-term. Court time and state resources were saved, and the children were secure in their adoptive home.

The Legislature should support the PACA innovation by ensuring that indigent prospective adoptive parents have the benefit of legal advice in negotiating and signing PACAs. The VBA's Low Bono Project currently provides these parents with representation, but future funding is uncertain, as a one-time Supreme Court grant will run out at the end of 2020. We estimate that there are approximately forty of these cases a year, and request \$12,000 to fund private lawyers working at a reduced rate through the VBA's Low Bono Project to provide that representation. See Attachment 3 for a full description of this proposal.

4. PROVIDING ACCESS TO LEGAL ADVICE FOR VERMONTERS IN FAMILY COURT

Vermont's Family Courts are, by design, more accessible to litigants without lawyers than the other courts. However, the Family Court process is still complex and intimidating to many litigants, who, without assistance, often end up confused and at a loss to understand what to do. Twenty-five percent of all the calls to the legal assistance Helpline are from Vermonters contemplating separation from their partner or who are involved in a custody or other family law dispute.

While there are some online resources and existing informational programs, none of these help Vermonters actually fill out the forms provided by the court or include an individual consultation with an attorney. In addition, the existing court-sponsored education programs are not generally available to individuals before an action is filed, which is often when the answers to their questions are most needed.

Good Advice

A survivor of domestic violence came to a Family Law Clinic looking for advice regarding a divorce. An LSV attorney met one-on-one with her and described the entire divorce and custody process. The attorney then gave her specific steps to follow in order to prepare for her divorce, including what documents to assemble and how to propose mediation as a way to resolve a divorce dispute. She felt so positive about the experience that she thanked the attorney and offered to make a donation to the program at a later time.

Experience has shown that when litigants understand what is happening and have help preparing for court hearings, confusion and distress are minimized, and hearings will generally take less time. In addition, public trust in the legal system is strengthened when litigants feel better about the court process, regardless of the outcome of the case.

Legal advice clinics held across the state on a periodic basis would give low-income Vermonters an opportunity to meet one-on-one with an attorney to discuss the family court process and learn which forms to file. They would learn how to present their case, what witnesses to call, or whether a settlement proposal is a good offer. The meetings would be confidential and focused on the litigant's specific legal needs, unlike existing court education and case manager functions that focus on a general overview of the family court process.

While litigants across the state have the same questions and concerns about the family court, the scale of the needed response varies dramatically from a large county like Chittenden, to a smaller one such as Orange. The clinics would be organized and staffed using resources from each part of the existing legal assistance partnership: staff from VLA and LSV, pro bono and low bono lawyers, and student practitioners at the law school clinic. Because of its comprehensive and flexible nature, the partnership would be able to deploy the most appropriate resources to each county. We request \$250,000 per year to operate a statewide Family Law Clinic Project. See Attachment 4 for a full description of this proposal.

5. INCREASING ACCESS TO LEGAL ASSISTANCE FOR VERMONT'S IMMIGRANTS

Vermont has a growing population of immigrants facing ever more-complicated and pressing legal problems. For example, over the past decade, the SRLC has seen an approximate two-fold increase in foreign-born persons seeking legal assistance. Immigrants face significant legal problems, including the threat of deportation and family separation. They are often fleeing persecution and torture, or are survivors of domestic violence and other crimes. Many are children. In addition to legal issues that relate directly to immigration status, other common legal problems include securing safe and affordable housing; tax issues; difficulty applying for public benefits; divorce and child custody issues; and instances of discrimination in the workplace or in law enforcement actions.

More recently, the immigrant community has been grappling with the issuance of new federal immigration orders and policies. Beginning in January of 2017, the number of individuals the SRLC served increased dramatically, with the largest demand being from individuals seeking information and advice about new enforcement measures or limitations on the ability of non-citizens to enter the United States.

In 2017 alone, SRLC attorneys helped more than 500 immigrants and refugees. 2018 and 2019 have seen an increase in requests for help with removal defense, the highest stakes proceedings, and the SRLC is not able to meet that demand.

Despite the dire consequences of most deportations, people in removal proceedings do not have the right to a lawyer at government expense. This is true for even the most vulnerable individuals, such as children and other people with diminished capacity. As the Vera Institute recently reported, “. . . it is nearly impossible to win relief from deportation without the assistance of counsel—only 5 percent of those who won relief between 2007 and 2012 did so without an attorney.”¹⁹

Asylum Secured

A mother and daughter who fled Africa after escaping two years of forced labor and daily torture by rebel soldiers, made their way to Vermont, where distant relatives had moved years before. Once in Vermont, they obtained emergency shelter and were referred to the South Royalton Legal Clinic for help applying for asylum. With help from SRLC and others, they obtained counseling, social work assistance, and expert evaluations needed to support their cases. After three years and two administrative hearings, they won their asylum cases and the right to stay in Vermont.

With immigration laws in constant flux and enforcement on the rise, the State of Vermont should help one of its most vulnerable communities by funding an additional attorney at the SRLC's Immigration Law Project. An expansion of the project would allow staff to increase the numbers of immigrants it can serve and promote immigrant-inclusive policy initiatives at the state and local level. We request annual funding of \$150,000 for this project. See Attachment 5 for a full description of this proposal.

6. REDUCING HOMELESSNESS

Eviction and homelessness impose significant costs, not only on the tenants who are evicted, but also on landlords and the courts. Evictions proceedings make up 31% of all cases on the civil docket, and the State spends millions of dollars each year trying to address the impact of homelessness on Vermont's low-income residents. A study conducted in 2018 showed that there were almost 1,800 eviction cases filed in 2017, most of which were based on non-payment of rent. The tenants were evicted in 75% of these cases. Almost all landlords in the study were represented by lawyers, while only 7% of the tenants in the study had representation. What is more notable is that the median amount of back rent owed was \$2,000. Recent pilot programs in several counties have demonstrated that, when tenants are represented and state resources are made available to help get tenants back on track, the number of evictions and resulting homelessness can be dramatically reduced. Even when defendants have to leave their rental units, having an attorney to assist in making that process as smooth as possible and minimizing long-term adverse effects has a beneficial impact on the defendants, particularly if they have children. By leveling the playing field and supporting representation for tenants in eviction proceedings, better resolutions for both the landlord and the tenant are possible, with the added benefit of minimizing court time.

Tenancy Saved

A couple both lost their jobs at the same time and when their landlord asked when they could pay their back rent, they reacted angrily, cursing and telling the landlord to stop harassing them. The landlord filed for eviction. Once the case was filed, the Rent Escrow Pilot Project sent the tenants a letter with the offer of free legal assistance.

The Pilot Project attorney interviewed the tenants and investigated the case. The tenants admitted they had gotten upset and were embarrassed that they did not have the rent money. However, the attorney also learned that their landlord had not properly credited all of their cash rent payments. The Pilot Project attorney used the tenants' receipts for their cash payments to create an accounting of all rents owed and paid. She then reached out to the landlord's attorney to discuss the missing payments. She also counselled the tenants on how to engage in effective communication with their landlord. They were then able to have a good conversation with him that enabled them to reach an agreement that saved their tenancy. The Pilot Project attorney negotiated a repayment plan with their landlord's attorney, and the case was resolved without a hearing in court. The landlord reported, "I really think we can make things work," and "I'm happy with the results, and so are my tenants."

A number of jurisdictions around the country have fully embraced this concept and established a "right to counsel" in eviction proceedings. Major cities, including New York, San Francisco, and Newark have established programs to provide for representation for all low-income tenants in eviction proceedings. More than ten other cities and at least two states are actively considering adding a right to counsel in eviction cases.²⁰ Studies conducted in those cities project that the net cost of such programs would be modest, or in some cases, they will likely save money for the city or other jurisdiction.²¹

Vermont can spread the Rent Escrow Pilot Project statewide by investing \$300,000 annually in funding to the Coalition's legal assistance partnership. Using a combination of staff attorneys from VLA and LSV as well as pro bono and low bono lawyers, rent escrow clinics could be held in each county in the state, and scheduled and staffed on an efficient and cost-effective basis. See Attachment 6 for a full description of this proposal.

Conclusion

This brief presents an ambitious program for renewing Vermont's commitment to Access to Justice. We understand that funding committed to access to justice work is challenging in more difficult economic times. However, after several years of improved economic prosperity, we submit that now is the time for Vermont to begin to close some of the major gaps in our access to justice promise. As the economic impact study established, additional dollars invested in civil legal assistance programs will produce savings in state expenditures, increase Vermonters' incomes and add significantly to the overall state economy.

Endnotes

¹ The Coalition's mission statement is attached as Exhibit 1.

² There are a few narrow exceptions when representation by an attorney is mandated, such as mental health commitment cases, and involuntary guardianships, discussed *infra*.

³ A 2017 survey found that over 70% of Vermont attorneys provided pro bono, or free, legal services to clients in 2016. On average, Vermont lawyers provided 42 hours of free legal services in 2016. Supporting Justice in Vermont: A Report on the Pro Bono Work of Vermont's Lawyers, American Bar Association Standing Committee on Pro Bono and Public Service, July 2017.

⁴ VLA and LSV work together closely and provide legal services to low income Vermonters statewide. Their joint web site, vtlawhelp.org, is a comprehensive, statewide, robust resource with information, forms, resources, and referrals for people seeking help with a legal problem. LSV runs an attorney-staffed statewide Helpline that provides legal advice, information, forms, and intake for several programs, including more extensive legal services by LSV and VLA. LSV also administers the Vermont Volunteer Lawyers Project (VVLP), the only statewide pro bono project in Vermont. The South Royalton Legal Clinic at VLS takes a wide variety of cases, primarily in central and southeastern Vermont, with statewide services in immigration matters such as asylum and domestic violence petitions and waivers. A core group of experienced attorneys works with law school students to provide legal help in administrative bodies as well as state and federal courts. The Vermont Bar Foundation, supported through IOLTA revenues from interest on lawyer trust accounts and direct fundraising directed primarily but not exclusively at the Bar, provides critical funding for Vermont's legal services providers. Using IOLTA and other grant funds, the Vermont Bar Association's Low Bono Project pays stipends to private attorneys who represent low income Vermonters in priority cases.

⁵ "Low bono" legal services are provided to the client free of charge; the private attorney who provides the services receives a greatly discounted stipend for the legal work. This is in contrast to "pro bono" legal services, which are provided for free.

⁶ This is the standard that Vermont Courts use in determining eligibility for a waiver of court filing fees. State of Vermont funding for legal services uses 200% of the federal poverty guidelines, which extends eligibility for civil legal aid to almost 150,000 Vermonters, while other funding for civil legal aid uses different eligibility standards ranging from 125% to 250% of the federal poverty guidelines.

<https://data.census.gov/cedsci/table?q=VERMONT%20POVERTY%20&hidePreview=true&table=S1703&tid=ACST1Y2017.S1703&t=Poverty&y=2017&lastDisplayedRow=30&g=0400000US50&moe=false>

⁷ Statewide Legal Needs Assessment, Legal Services Vermont and Vermont Legal Aid, December 6, 2019.

⁸ *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans*, Legal Services Corporation, 2017, <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-FullReport.pdf>.

⁹ For 2000 data -

https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_00_SF3_DP3&prodType=table.

For 2017 data -

https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_S1701&prodType=table.

¹⁰ <https://www.kff.org/other/state-indicator/population-up-to-200-fpl/?currentTimeframe=9&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D> and <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

¹¹ <https://www.vermontjudiciary.org/sites/default/files/documents/Judicial%20Branch%20Overview%20010219.pdf>

¹² The total AHS grant to VLA was \$1,373,494 for FY 2020, however, the contract requires VLA to handle every commitment case across the entire state and VLA spent a little over \$700,000 in that work, leaving only \$671,000 for poverty law work.

¹³ Economic Impacts of Civil Legal Assistance Programs in Vermont, by The Resource for Great Programs, Inc., June 25, 2019, http://vtbarfoundation.org/wp-content/uploads/2019/10/VT-Economic-Impact-Tables-and-Graphs_June-25-2019.pdf

¹⁴ 14 V.S.A. § 3065 (right to counsel for proposed ward in guardianship proceedings).

¹⁵ See *Choiniere v. Brooks*, 163 Vt. 625 (1995).

¹⁶ This story and the subsequent ones are based on actual cases handled by members of the legal assistance partnership. However, the names and other identifying information has been altered to insure confidentiality and improve readability.

¹⁷ The total AHS grant to VLA was \$1,373,494 for FY 2020, however, the contract requires VLA to handle every commitment case across the entire state and VLA spent a little over \$700,000 in that work, leaving only \$671,000 for poverty law work.

¹⁸ 33 V.S.A. § 5124.

¹⁹ “Advancing Universal Representation: A toolkit” by the Vera Institute, the Center for Popular Democracy, and the National Immigration Law Center, January 2018, <https://storage.googleapis.com/vera-web-assets/downloads/the-case-for-universal-representation-1/advancing-universal-representation-toolkit-mod1.pdf> (last accessed 8/22/19).

²⁰ <http://civilrighttocounsel.org/map>

²¹ <https://ibo.nyc.ny.us/iboreports/2014housingcourtleter.pdf>; <https://nlihc.org/resource/field-san-francisco-voters-guarantee-right-counsel-all-tenants-facing-eviction>

Attachment: Statewide Family Law Clinics

Goal

Provide one-on-one legal advice, form completion and hearing preparation services for low-income self-represented litigants in each of Vermont's 14 counties. In 70% of the 13,000 family law cases, parties struggle to represent themselves without counsel. Attorneys staffing the legal advice clinics will provide necessary advice and services to directly target needs of the parties in their particular family proceeding.

Project Activities

Design, establish and coordinate family law advice clinics statewide by using a combination of *pro bono* and low bono attorneys, student and paralegal volunteers, and staff attorneys from VLA and LSV and other legal services partners. Frequency of clinic operation would be customized depending on the location, volume of anticipated hearings, court calendar, and available attorney resources. Project staff would screen all litigants for low-income eligibility and conduct follow-up activities with litigants served. Each litigant will have up to one hour with an attorney to ask questions, fill out forms and to receive advice on court process, how to organize and present their case, what witnesses to call, and whether a settlement offer is fair.

Project Budget

The partnership is seeking an annual appropriation of \$250,000 to hire a staff attorney and to cover payments to private and contracted attorneys to appear at family law advice clinics.

1 FTE staff attorney to set up clinics, find clinic staffers, screen litigants and coordinate program; salary/benefits/OH	\$100,000
Payments to Private and/or Partnership Staff Attorneys @ \$750 per clinic	\$126,000
Mileage/transportation costs for attorneys and staff, advertising, website integration, payment coordination, etc.	\$ 24,000
Total Budget	\$ 250,000

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Attachment: Adult Involuntary Guardianship Representation

Goal

Provide legal representation for low-income, low-asset proposed wards in adult involuntary guardianship establishment hearings.

Project Activities

Using the successful model pioneered by the Vermont Bar Association, private attorneys will represent respondents in an estimated 120 guardianship establishment proceedings each year. These respondents typically include elderly Vermonters, young adults and trauma victims who have diminished capacity to manage their affairs. The attorneys for these respondents will file limited notices of appearance, and those who choose to be paid will receive a stipend of \$75 per hour for up to 3 hours in each matter. Client eligibility (low-income/low-asset) will be determined by probate court staff.

Project Budget

The partnership is seeking an annual appropriation of \$30,000 to cover private attorney stipends and administrative costs.

Payments to private attorneys @ \$225 per case for 120 cases	\$ 27,000
VBA administrative costs to cover attorney recruitment and training, case placement and payments, tax and grant reporting, professional liability insurance coverage and client satisfaction monitoring.	\$ 3,000
Total Budget	\$ 30,000

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Attachment: Child Support /Alimony Contempt Defense Representation

Goal

Implement the right to counsel for low-income defendants in contempt proceedings for failure to pay child support or spousal support.

Project Activities

Using the VBA's low-bono project model, private attorneys will represent defendants in contempt proceedings for failure to pay support obligations. It is estimated that 10 cases will be covered in the first year, but that the number will grow with awareness of the program. Because they face incarceration, contempt defendants are entitled to legal representation. The attorneys for defendants will file limited notices of appearance to confine their work to the contempt proceeding. Attorneys who choose to be paid will receive a stipend of \$75 per hour for up to 5 hours in each matter. Client eligibility (low income/low asset) will be determined by family court staff.

Project Budget

The partnership is seeking an annual appropriation of \$18,000 to cover administrative costs and private attorney stipends; once the program is publicized and established statewide, administrative costs will decrease and attorney stipends will increase.

Payments to private attorneys @ \$375 per case for 10 cases	\$ 3,750
VBA administrative costs for outreach & education to court staff, attorney recruitment and training, case placement and payments, tax and grant reporting, professional liability insurance coverage and client satisfaction monitoring	\$26,250
Total Budget	\$30,000

Contact

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Appendix 2: Restore Core Legal Assistance Funding

Goal

Restore state funding for the low-income legal assistance infrastructure to 2010 levels. Core funding for low-income legal services at VLA and LSV is over \$350,000 less than it was in 2010 in actual dollars and when adjusted for inflation, the shortfall is almost \$1 million. The state's share of that deficit is over \$500,000.

Project Activities

The core infrastructure of Vermont's low-income legal assistance partnership is the network of staff attorneys and paralegals at VLA and LSV's five offices located across the state. That staff operates a toll-free helpline and a website to provide low-income Vermonters with the full range of legal services, from legal information and referrals, to counsel and advice, to full representation in every county in the state. As financial support has stagnated, staffing for actual representation in court has declined as VLA and LSV have been forced to shift to providing advice over the phone instead of full representation. The restoration of state support to 2010 levels would allow more than 500 Vermonters facing critical legal problems to get the legal representation they need.

Project Budget

The partnership is seeking an annual appropriation of \$250,000 as a down payment on the state's \$500,000 core funding shortfall. This funding would allow VLA to restore two full-time attorney positions lost due to lack of funding, and help support its share of the legal assistance helpline and website.

Contact

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Appendix 6: Increasing Access to Legal Assistance for Vermont's Immigrants

Goal

Despite the dire consequences of most deportations, people in removal proceedings do not have the right to a lawyer at government expense. The primary goal of this effort is to help vulnerable Vermont immigrants secure representation in high-stakes removal proceedings.

Project Activities

Increase capacity to provide representation for low-income non-citizens facing removal proceedings. Collaborate with other service providers in Vermont who serve this same population, such as the Defender General's Office, the Association of Africans Living in Vermont, Migrant Justice, and the ACLU. Staff will screen all litigants for low-income eligibility and eligibility for humanitarian relief, and will track outcomes for the purposes of reporting and assessing the effectiveness of the program.

Project Budget

The partnership is seeking an annual appropriation of \$1500,000. This funding would increase the number of immigrants the project can serve by providing funding for more attorney time and for case-related expenses, such as the cost of traveling to Boston Immigration Court, hiring experts, and securing professional interpretation services when needed.

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Attachment: Post Adoption Contact Agreement Representation (PACA)

Goal

Provide legal representation to low-income adoptive parents as they negotiate with relinquishing parents for post adoption contact with their children.

Project Activities

Using the VBA's low-bono project model, private attorneys will represent adoptive parents in an estimated 40 PACA matters each year. The PACA attorneys' work is limited to negotiating and drafting terms of PACA agreements. Those attorneys who choose to be paid will receive a stipend of \$75 per hour for up to 3 hours for each matter. Client eligibility will be determined by court staff in the related TPR matter which typically triggers the PACA request.

Project Budget

The partnership is seeking an annual appropriation of \$12,000 to cover private attorney stipends and administrative costs.

Payments to private attorneys @ \$225 per case for 40 cases	\$ 9,000
VBA administrative costs to cover attorney recruitment and training, case placement and payments, tax and grant reporting, professional liability insurance coverage and client satisfaction monitoring	\$ 3,000
Total Budget	\$ 12,000

Contact

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Appendix 6: Rent Escrow Pilot Project

Goal

Provide access to representation at all rent escrow hearings by expanding existing pilot projects to each of Vermont's 14 counties. In Vermont, there are over 1,000 unrepresented defendants in eviction cases each year. By expanding rent escrow projects to all Vermont counties the project hopes to offer representation to each low-income litigant at the most critical stage of their eviction, the rent escrow hearing.

Project Activities

Design, establish and coordinate rent escrow clinics in counties without an existing clinic by using a combination of *pro bono* and low bono attorneys, student and paralegal volunteers, and staff attorneys from VLA and LSV. Each clinic operation would be customized based on the location of the clinic, relative volume of anticipated hearings, county court calendar, and available attorney resources. Project staff would screen all litigants for low-income eligibility and conduct follow-up activities with litigants served.

Project Budget

The partnership is seeking an annual appropriation of \$300,000. This funding would allow LSV to hire a staff attorney to coordinate the clinics and handle cases; as well as to contract with both the VBA Low-Bono Project and VLA to handle clinics in some counties.

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Economic Impacts of Civil Legal Assistance Programs in Vermont

A Study Commissioned by the Vermont Bar Foundation and
Funded by a Grant from the Vermont Supreme Court

Fall 2019

Presented by the Access to Justice Coalition

Members:

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Executive Summary

Civil legal aid organization in Vermont are, like many other services in the state, organized along a variety of lines. The primary low-income legal service providers are Vermont Legal Aid, Legal Services Vermont, the South Royalton Legal Clinic at the Vermont Law School, and the Vermont Bar Association's low and pro bono project. Together with the Vermont Bar Foundation, which provides funding to these and other organizations, these groups represent the best of the public service bar and contribute hundreds of hours at low, reduced, or free rates to ensure that the civil legal needs of Vermonters are met.

These organizations along with the Vermont Supreme Court comprise the Access to Justice Coalition, which coordinates efforts among the members and seeks to find new ways to expand access to justice.

The report accompanying this summary represent the coordinated efforts of several individuals and groups. It began in the spring of 2018 when the Vermont Bar Foundation sought a grant from the Vermont Supreme Court to study the impacts of low-income legal services on the greater Vermont economy. Following receipt of this grant, the Foundation convened a work group comprised of representatives from the Foundation and the four primary legal service providers, together with Dr. Ken Smith and the *Resource for Great Programs*.¹ From October of 2018 through June of 2019, the working group met to compile the most recent data of each group's caseload, outcomes, and judgments. From this information, Dr. Smith and his team were able to identify, analyze, and quantify the value of this work.

In brief, the Study found that:

- The results of this study show that these legal service groups provide two important benefits:
 - They provide direct benefits to their clients through greater access to the legal system to defend their rights and to make meritorious claims.
 - They provide indirect benefits to all Vermonters in the form of a substantial economic return to the larger economy.
- For every \$1 invested in Vermont Low-Income Legal Services, the State and Vermonters see a rate of return of \$11, or a social impact return on investment of 1106%.
- In 2017, Vermont's Low-Income Legal Services had a \$66.4 Million impact on the Vermont economy at a cost of \$6 Million.

¹ The Resource for Great Programs is a national research firm dedicated to providing strategic support to civil justice organizations that seek to expand access to justice for low-income people. Details about The Resource may be obtained at www.GreatPrograms.org.

- These impacts include:
 - \$32.7 Million in new income for low-income households
 - \$2.6 Million in cost savings (Preventing evictions, foreclosures, and domestic violence)
 - \$31.1 Million impact on local spending.
- This analysis reveals that Vermont civil legal aid organizations are providing essential services that help low-income residents of Vermont each year address critical legal issues directly affecting their families, homes, incomes, jobs, and access to vital services. The gap between the need for these services and the capacity of these organizations to address them is profound.²

Major Findings

1. Low-income Legal Services Provide an Important Economic Resource at a Low Cost

The income generated by civil legal aid providers goes directly to low-income Vermonters. This is money in the pockets of individuals and families to purchase the essentials of life. It is food for groceries, rent, medicine, clothing for school, and reliable transportation. These results are achieved with a relatively low investment in civil legal aid services. This \$11 benefit for every \$1 invested is one of the best in the nation.³ As compared to other states, Vermont low-income legal services provide effective and efficient representation.

2. The \$66.4 Million impact that low-income legal service providers had in 2017 consisted of three major components:

- a. **\$32.7 Million in direct dollar benefits.** These payments received directly by low-income clients and other entities as a result of successful legal assistance by legal aid organizations in 2017 included the following:
 - \$10.7 Million in SSI, SSDI, and other Social Security benefits received by low-income individuals and their families.
 - \$17.4 Million in Medicaid- and Medicare-funded reimbursements received by Vermont health care providers.

² The Vermont Committee on Equal Access to Legal Services published a report on Vermont's low-income legal needs in 2001. https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ATJReports/ls_VT_clns_2001.pdf. A subsequent study focusing on older Vermonters was published in 2010 by Vermont Legal Aid. https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ATJReports/ls_VT_Elderclns_2010.pdf.

³ For a broad comparison, see the American Bar Association's Collection of State Needs Assessments and Impact Studies, available at https://www.americanbar.org/groups/legal_aid_indigent_defendants/resource_center_for_access_to_justice/atj-commissions/atj_commission_self-assessment_materials1/studies/.

- \$4.2 Million in child and spousal support payments to low-income clients of legal aid organizations.
 - \$0.4 Million in Veteran's benefits to veterans and their families.
 - \$0.5 Million in increased wages to immigrants due to attainment of legal permanent resident (LPR) status or becoming U.S. citizens with legal assistance from Vermont legal aid organizations.
- b. **\$2.6 Million in cost savings.** In addition to the direct dollar benefits outlined above, Vermont civil legal aid organizations achieved the following cost savings for clients and other stakeholders as a result of services provided in 2017:
- \$0.8 Million in preventing domestic violence thereby reducing emergency medical treatment and law enforcement costs.
 - \$1.1 Million in foreclosure avoidance representing costs that were not incurred and were avoided by low-income homeowners, lenders, neighbors, and local governments through the legal assistance provided by the organizations in this study.
 - \$0.7 Million in preventing evictions thereby avoiding costs of emergency shelters and associate social costs of homelessness.
- c. **\$31.1 Million from the economic multiplier effect** of revenue brought into Vermont from outside the state. A large portion of the dollars received by legal aid clients from such external sources as federal SSI/SSDI benefits and the federal share of Medicaid reimbursements are spent within the state, thereby increasing revenue for local businesses and creating jobs for working Vermonters. This boost to the Vermont economy would not have occurred without the successful legal assistance that eliminates legal barriers to low-income Vermonters' receiving benefits for which they are eligible under the law.

3. Low-Income Legal Services Bring Stability to Vermonters.

Through access to services, income, prevention of homelessness, and protection of basic rights, low-income legal services protect those who are most vulnerable. As these numbers show, these services help individuals and communities recover and obtain economic benefits. More importantly, these needs prevent individuals and families from slipping further into poverty and its accompanying issues. Helping a family fight an eviction keeps them from involuntary homelessness, loss of employment, and potential issues like drug use, and crime. Investing in this type of preventative program is both less expensive and more effective than dealing with these issues as they emerge.

Civil legal aid organizations ease the burden on the Vermont court system. Legal aid advocates enable Vermont courts to operate more efficiently and effectively by helping self-

represented litigants prepare to navigate the courts and by hosting community legal education events to inform residents how the legal process works.

4. Access to Justice is more than numbers.

It is about meaningful access to the legal system to resolve disputes, obtain benefits or services owed, or defend rights and processes. Yet this mission also produces economic impacts that ripple outward to benefit many other segments of society. Making local government officials, business people, bar leaders, funders, and other stakeholders aware of the scope and impact of these outcomes is an important opportunity that this report seeks to address.

The substance of this report reflects the significant efforts of Vermont private lawyers to support civil legal aid efforts and to narrow the justice gap. The Vermont Bar Association and local county bar associations collaborate with legal aid organizations across the state to identify needs and to promote pro bono service to low-income Vermont residents.

Methodology Used in the Study

The impacts reported above were estimated using a methodology developed by The Resource for Great Programs over the past two decades and applied in 12 states—including New York, Virginia, Pennsylvania, Georgia, and New Hampshire—encompassing more than 80 civil legal aid organizations. This methodology first quantified the number of legal aid cases for which specific outcomes for clients were achieved during the study period, such as avoidance of domestic violence or prevention of eviction. These figures were derived from case statistics and outcomes data collected by the legal aid organizations through their recordkeeping systems.

The outcome figures were then multiplied by estimates of the dollar benefits or cost savings per successful outcome to derive estimates of the total impact. For example, each successful SSDI/SSI case produces an average income stream of \$715 per month for the client that lasts for an average of 11 years. These dollar multipliers were derived from a variety of external data and evaluation results such as government databases and analyses, research papers and reports, and various models and surveys such as the Regional Input-Output Multiplier System (RIMS II) maintained by the U.S. Bureau of Economic Analysis.

Details regarding the data sources, computations, and assumptions used for deriving the estimates produced by this study are provided in appendices to this report, available from the Vermont Bar Foundation at www.vtbarfoundation.org.

Conclusion

This study has revealed that the civil legal aid organizations funded in part by The Vermont Bar Foundation are providing essential services that help thousands of low-income residents of Vermont each year to address critical legal issues directly affecting their families,

homes, incomes, jobs, and access to vital services. The gap between the need for these services and the capacity of these organizations to address them is profound.

The “justice gap” represents both a challenge to the justice system and an unrealized opportunity for the Vermont civil justice community and its supporters to produce even more profound economic and societal benefits for low-income Vermont residents and the entire community. Every additional \$100,000 of funding enables legal aid organizations to generate an additional \$1.1 Million in economic benefits. The findings of this study have demonstrated that additional investments aimed at bridging the “justice gap” not only will help many more people, but also will have dramatic economic impacts that benefit all Vermonters.

EQUAL JUSTICE

for All Vermonters

 HOUSING

 FAMILY LAW

 PUBLIC BENEFITS

 HEALTH CARE

 IMMIGRATION

 CONSUMER LAW

Civil legal assistance brings stability to Vermonters by protecting the basic rights of low-income and vulnerable individuals as they face civil legal issues related to housing, health care, and access to services and income. Civil legal assistance brings economic benefits to individual clients, private business, and the state. With fully 25% of all Vermonters eligible for legal assistance, it is critically important to ensure that we increase support for these essential services, which in turn support the stability of individuals, families, and communities.

Unfortunately, over the past 10 years, federal, state, and charitable funding for civil legal assistance has fallen significantly, and legal services organizations are forced to further ration the services they provide.

Almost
1 in 5
VERMONTERS
is eligible for free
legal assistance

At current funding levels,
Vermont's civil legal assistance
programs can represent
only about
15%
of the state's
eligible residents

The Legal Services
Corporation estimates that
71%
of low-income households
experienced at least one civil
legal problem in a typical year

For every \$1 invested in Vermont low-income legal services,
the State and Vermonters see a **rate of return of \$11.**

Vermont has an innovative and integrated legal assistance partnership that works to meet the needs of low-income Vermonters. This partnership is supported by a variety of local and more specialized organizations, as well as attorneys working in private practice. The statewide collaboration among these various providers, which avoids duplicate efforts and maximizes the impact of limited access to justice resources, is a model for the efficient and integrated delivery of civil legal assistance. After several years of improved economic prosperity, now is the time for Vermont to begin to close some of the major gaps in its access to justice promise. Additional investment in civil legal assistance programs will produce savings in state expenditures, increase Vermonters' incomes, and add significantly to the state's economy.

Vermont Access to Justice Coalition

Vermont Legal Aid | Legal Services Vermont | Vermont Law School, including the South Royalton Legal Clinic
Vermont Bar Association | Vermont Bar Foundation | Vermont Supreme Court

Renewing Vermont's Commitment to Access to Justice

The Coalition has identified six areas of need and developed targeted approaches to begin to address those needs.

1. MEETING VERMONT'S CONSTITUTIONAL AND STATUTORY MANDATES

Many Vermonters--such as those facing adult involuntary guardianship proceedings in the Probate Division of the Superior Court, and defendants in child support and other contempt matters--cannot access legal representation, despite being legally entitled to counsel.

Estimated cost to ensure representation in these cases: \$60,000/year

2. MAINTAINING CORE LEGAL ASSISTANCE INFRASTRUCTURE

Vermont Legal Aid and Legal Services Vermont jointly operate Vermont's major legal assistance infrastructure, including the legal assistance Helpline and a website that provides legal information and referral information on civil legal problems. VLA staffs a network of five local legal aid offices providing civil poverty law representation as well as representation to Vermonters facing other kinds of legal problems, including commitment and involuntary medication proceedings. Funding for that work has declined significantly, while requests for help and the costs of providing representation have continued to grow.

Estimated cost to begin to bridge the funding gap in civil legal assistance: \$250,000/year

3. HELPING ADDRESS THE CRISIS IN TERMINATION OF PARENTAL RIGHTS CASES

The opioid crisis has had significant impacts on Vermont's court system, including its role in safeguarding children, with the number of children subject to termination of parental rights proceedings (TPR) having risen by more than 50% over the past 10 years. One innovation to mitigate the all-or-nothing stakes in TPR proceedings is through post-adoption contact agreements, which allow parents facing a termination of their parental rights to secure the possibility of future contact with their children with some limitation. Unfortunately, prospective adoptive parents are the only people involved in the child protection proceedings who do not have court-appointed attorneys representing them.

Estimated cost of providing legal advice to adoptive parents in these cases: \$12,000/year

4. PROVIDING ACCESS TO LEGAL ADVICE FOR VERMONTERS IN FAMILY COURT

Vermont's Family Courts are, by design, more accessible to litigants without lawyers than the other courts. However, the Family Court process can be complex and intimidating to litigants without assistance, who often end up confused and at a loss to understand what to do. Legal advice clinics held across the state on a periodic basis would give low-income Vermonters an opportunity to meet one-on-one with an attorney to discuss the family court process and learn which forms to file.

Cost to operate a statewide Family Law Clinic as described above: \$250,000/year

5. INCREASING ACCESS TO LEGAL ASSISTANCE FOR VERMONT'S IMMIGRANTS

Vermont has a growing population of immigrants facing complicated and pressing legal problems. Many immigrants are fleeing persecution and torture, or are survivors of domestic violence and other crimes. Immigrants face significant legal problems, including the threat of deportation and family separation, and an ever-changing landscape of federal immigration orders and policies. At the same time, only about 30% of immigrants have attorneys representing them in high-stakes removal proceedings.

Estimated cost to meet the civil legal needs of Vermont's immigrant communities: \$150,000/year

6. REDUCING HOMELESSNESS

Eviction and homelessness impose significant costs, not only on the tenants who are evicted, but also on landlords and the courts. Eviction proceedings make up 31% of all cases on the civil docket, and the State spends millions of dollars each year trying to address the impact of homelessness on Vermont's low-income residents. Studies conducted in cities that have expanded right to counsel in eviction cases project that the net cost of such programs would be modest, or in some cases, they will likely save money for the city or other jurisdiction.

Estimated cost to expand legal representation for tenants facing eviction: \$300,000/year



ECONOMIC IMPACTS of Civil Legal Assistance Programs in Vermont

- The Bottom Line
- Cost Savings
- Where the Impacts Come From
- Income for Low-Income Clients
- The Multiplier Impact on Communities
- TABLES AND NOTES

FINAL– June 25, 2019



The Bottom Line

2017 Estimated Impact of Civil Legal Services in Vermont: **\$66.4 Million**

A **\$11.00** return for every **\$1** in funding

Legal Services Funding

Program Funding
from All Sources

**\$6.0
Million**



Economic Impact

Impacts &
Cost Savings

**\$66.4
Million**



Where the Impacts Come From:

Economic Impact

Income &
Cost Savings

**\$66.4
Million**



- **Income for low-income households \$32.7M**
Legal Services cuts barriers keeping people in poverty
- **Cost savings \$2.6M**
Legal Services saves money
- **Multiplier impact on communities \$31.1M**
Spending by clients provides new revenue for businesses and creates jobs

Income for Clients

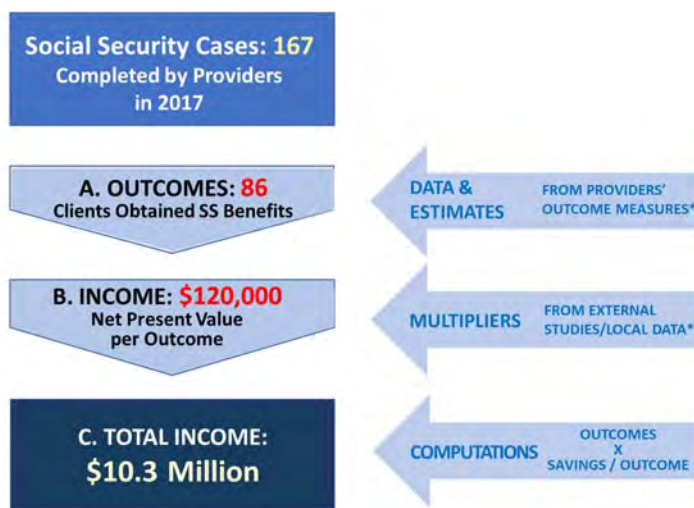
Legal Services Secured **\$32.7M** for Clients,
Comprised of

- Supplemental Security Income (SSI) and Social Security Disability Income (SSDI) – **\$10.3M**
- Medicare & Medicaid reimbursements – **\$17.4M**
- Child support – **\$4.1M**
- Veterans and other benefits – **\$0.4M**
- Increased Wages for Immigrants Receiving Work Authorization – **\$0.5M**



How the Study Quantifies the Income Received by Clients

EXAMPLE: *SSI and SS Disability Income*



* See final report and appendices for documentation of data sources and assumptions used in the analysis.

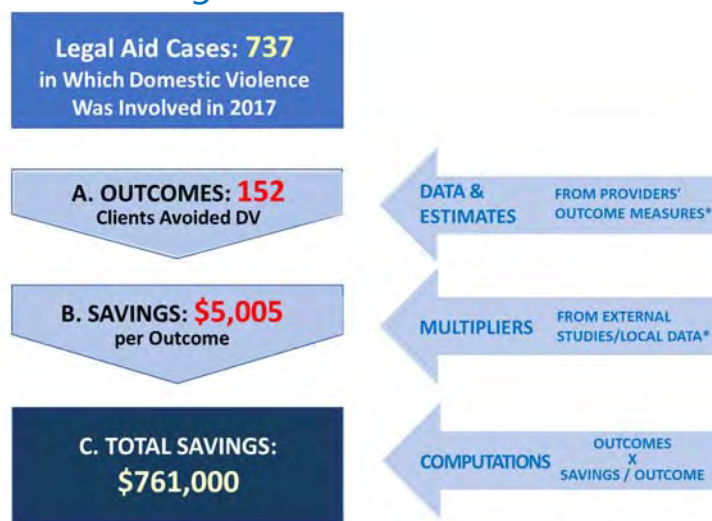
Cost Savings

Legal Services Saved **\$2.6M** for Clients and Other Stakeholders by

- **Preventing domestic violence** thereby reducing emergency medical treatment and law enforcement costs (**\$0.8M** savings)
- **Avoiding foreclosure** thereby avoiding costs to clients, neighbors, lenders, and local governments (**\$1.1M** savings)
- **Preventing eviction** thereby avoiding costs of emergency shelter (**\$0.7M** savings)

How the Study Quantifies the Cost Savings

EXAMPLE *Preventing Domestic Violence*



* See final report and appendices for documentation of data sources and assumptions used in the analysis.

Multiplier Impact on Vermont Communities: **\$31.1M**

How the Study Estimates the Multiplier Impact

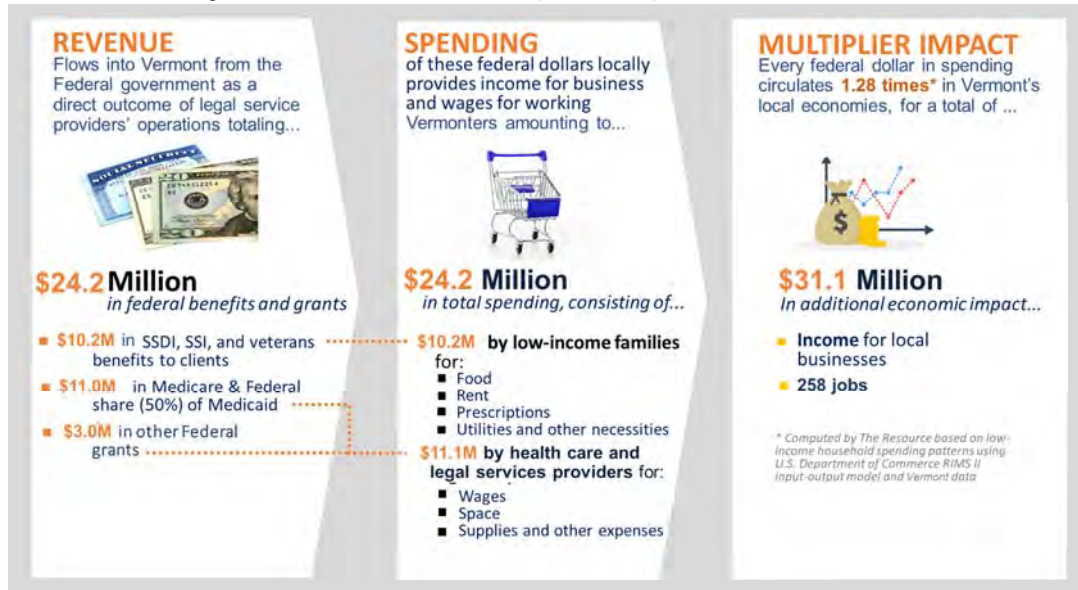


Table 1: Summary of Economic Impacts

\$66.4 Million in Impacts Achieved for Clients, Businesses, and Communities

Summary of Economic Benefits and Savings	Total Impact, \$Millions	Table # For Details
A. Total Impact	\$66.4	1
B. Dollar Benefits to Clients and Their Families	\$32.7	
1. SSI, SSDI, and Other Social Security	\$10.3	2
2. Medicare	\$2.8	3
3. Medicaid	\$14.6	4
4. Child Support	\$4.1	5
5. Veterans Benefits, Unemployment Compensation, and Tax Credits	\$0.4	6
6. Increased Wages for Immigrants Receiving Work Authorization	\$0.5	7
C. Cost Savings for the Community	\$2.6	
1. Prevention of Foreclosure	\$1.1	8
2. Prevention of Domestic Violence	\$0.8	9
3. Avoidance of Emergency Shelter	\$0.7	10
D. "Economic Multiplier" Impact on Local Economies	\$31.1	11
Return on Investment	\$11.00	
<i>Dollars of Impact per Dollar of Funding</i>		

Table 2: SSI, SSDI, and Other Social Security

\$10.3 Million in SSI, SSDI, and Other Social Security Benefits for Clients

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Advice and Counsel Cases Only

1. SSI, SSDI, and Social Security cases closed ¹	103
2. Estimated percentage of cases for which SSI, SSDI, or other Social Security benefits were obtained ²	58.2%
3. Estimated number of cases for which SSI, SSDI, or other Social Security benefits were obtained ³	60

B. Limited Action and Extended Representation Cases

1. SSI, SSDI, and Social Security cases closed ¹	64
2. Estimated percentage of cases for which SSI, SSDI, or other Social Security benefits were obtained ⁴	40.4%
3. Estimated number of cases for which SSI, SSDI, or other Social Security benefits were obtained ⁵	26

C. All Cases

1. Estimated total cases for which SSI, SSDI, or other Social Security benefits were obtained ⁶	86
2. Estimated total federal back awards (\$M) ⁷	\$0.442
3. Estimated total state supplement back awards ⁷	\$2,183
4. Average federal monthly award per successful case ⁸	\$859
5. Estimated total federal monthly awards (\$M) ⁹	\$0.074
6. Average duration of federal monthly benefits (months) ¹⁰	133
7. Projected value of federal monthly benefits (\$M) ¹¹	\$9.8
8. Average state supplement monthly award per successful case ¹²	\$4.24
9. Estimated total state monthly awards ¹³	\$364
10. Average duration of state monthly benefits (months) ¹⁴	125
11. Projected value of state monthly benefits (\$M) ¹⁵	\$0.05
12. Total estimated SSI, SSDI, and other Social Security benefits (\$M)¹⁶	\$10.3

Notes

1. Source: Case management system records provided by the legal services provider programs.

2. This estimate is based on recent Social Security Administration claim data for Vermont, combined with data from The Resource for Great Programs' survey of legal services clients receiving advice and counsel in Pennsylvania in 2011. Participants in this survey were randomly sampled from a population of legal services clients and then interviewed by phone to determine the outcomes of their cases, making it possible to calculate the percentage of individual case types resulting in particular outcomes in the sample. This information was then used to estimate the outcomes of advice and counsel cases in Vermont. When applied to this table, the percentage found among Pennsylvania clients was increased by approximately nine points, to account for the higher favorable determination rate reported by recent Social Security Administration claim data for Vermont, as compared to the rate reported for Pennsylvania during the survey year.

3. This number is the result of multiplying line A.1 by line A.2.
4. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When tracked outcomes data were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual closed-case totals for the relevant case types by the median outcome-to-case benchmarks obtained from similar programs that provided us with relevant outcome information from their data systems.
5. This number is the result of multiplying line B.1 by line B.2.
6. This number is the result of adding lines A.3 and B.3.
7. Due to data limitations in Vermont total back awards were not available from program records and had to be estimated. The estimation for federal back awards is based on median federal back awards per successful SSI/SSDI/Social Security case across a selection of similar legal services programs in Florida, Mississippi, and Virginia. The estimation for federal awards is used to estimate an average delay in receipt of benefits, from which state back awards are then estimated.
8. The dollar amount on this line is based on Vermont-specific benefit data collected by the Social Security Administration. The amount is adjusted to account for the difference between the average SSI payment and the average SSDI payment in Vermont as well as the ratio of SSI outcomes to SSDI outcomes achieved by the programs.
9. This number is the result of multiplying line C.1 by line C.4.
10. Estimated federal benefit duration is calculated using national exit rate data provided by the Social Security Administration. The duration of benefits is adjusted to account for the difference between the average SSI benefit duration and the average SSDI benefit duration, as well as the ratio of SSI outcomes to SSDI outcomes achieved by the programs.
11. This number is the result of multiplying line C.5 by line C.6.
12. The dollar amount on this line is based on Vermont-specific benefit data collected by the Social Security Administration, combined with case and outcomes data. The amount is less than the average state supplement reported by the Social Security Administration for SSI, because not all successful cases classified as "SSI, SSDI, or Social Security" result in a state SSI supplement.
13. This number is the result of multiplying line C.1 by line C.8.
14. Estimated state benefit duration is calculated using national exit rate data for the SSI program provided by the Social Security Administration.
15. This number is the result of multiplying line C.9 by line C.10.
16. This number is the result of adding lines C.2, C.3, C.7, and C.11.

Table 3: Medicare

\$2.8 Million in Medicare Benefits Achieved for Legal Services Clients

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Medicare Benefits

1. Estimated total cases in which SSDI benefits were obtained ¹	29
2. Estimated percentage of SSDI recipients newly enrolled in Medicare after 2-year waiting period ²	86%
3. Estimated number of cases from line 1 resulting in new Medicare enrollment ³	25
4. Estimated federal monthly Medicare benefit per case on line 3 ⁴	\$796
5. Estimated state monthly Medicare benefit per case on line 3 ⁵	\$149
6. Assumed duration of monthly benefits (months) ⁶	117
7. Projected total Medicare benefits per case in line 3 ⁷	\$110,623
8. Total Medicare benefits from federal dollars (\$M) ⁸	\$2.3
9. Total estimated Medicare benefits from SSDI eligibility (\$M)⁹	\$2.8

Notes

1. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When tracked outcomes data were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual closed-case totals for the relevant case types by the median outcome-to-case benchmarks obtained from similar programs that provided us with relevant outcome information from their data systems.

2. SSDI recipients are eligible for Medicare after a two-year waiting period, but some individuals are enrolled in Medicare prior to becoming eligible through SSDI benefits. The estimation on this line relies on data provided in Riley and Rupp, "Longitudinal Patterns of Medicaid and Medicare Coverage Among Disability Cash Benefit Awardees," *Social Security Bulletin*, 2012, 72(3) 19-35.

3. This line is the result of multiplying line 1 by line 2.

4. The average federal Medicare benefit is estimated by using the most recent data available at the time of this study from the Centers for Medicare and Medicaid Services' National Health Expenditure Data for Vermont adjusted for inflation.

5. States help pay the Medicare premiums and deductibles of low income individuals. Estimated benefits are based on 2017 Medicare guidelines available from the U.S. Department of Health and Human Services.

6. Average duration of Medicare benefits resulting from SSDI enrollment is estimated to be equivalent to the average duration of SSDI benefits, minus 24 months, due to the waiting period required before Medicare enrollment occurs. Estimated benefit duration of SSDI is calculated using national exit rate data provided by the Social Security Administration.

7. This line is the result of adding line 4 to line 5 and then multiplying this sum by line 6.

8. This line is the result of multiplying lines 3, 4, and 6.

9. This line is the result of multiplying line 3 by line 7.

Table 4: Medicaid

\$14.6 Million in Medicaid Benefits Achieved for Legal Services Clients

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Clients Obtaining Medicaid Benefits from SSI Eligibility Cases¹

1. Estimated total cases in which SSI benefits were obtained ²	31
2. Estimated percentage of SSI cases that resulted in new Medicaid enrollments ³	73.3%
3. Estimated number of cases resulting in new Medicaid enrollment⁴	23

B. Clients Obtaining Benefits from Successful Medicaid Eligibility Cases¹

1. Total number of Medicaid cases in which SSI benefits were obtained²	128
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C. Estimated Medicaid Benefits Achieved from "A" and "B"

1. Total number of clients for whom Medicaid benefits were obtained	151
2. Average monthly Medicaid benefit ⁵	\$777
3. Assumed duration of monthly benefits (months) ⁶	125
4. Projected average total Medicaid benefits achieved per case on line A.3 ⁷	\$97,002
5. Projected total Medicaid benefits (\$M)⁸	\$14.6

B. Total Estimated Medicaid Benefits from Federal Dollars Only

1. Percentage of Medicaid Benefits from Federal Dollars ⁹	59%
2. Federal Medicaid Dollars Produced (\$M)¹⁰	\$8.7

Notes

1. Vermont uses the Social Security Administration's rules for SSI eligibility to determine Medicaid eligibility, even though the state's application for Medicaid is separate from the application for SSI. When a provider assists a client with demonstrating SSI eligibility, this also helps demonstrate eligibility for Medicaid, and a provider can help a client complete applications for SSI and Medicaid at the same time.

2. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When tracked outcomes data were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual closed-case totals for the relevant case types by the median outcome-to-case benchmarks obtained from similar programs that provided us with relevant outcome information from their data systems.

3. Some individuals are already enrolled in Medicaid at the time that they begin receiving SSI benefits, and therefore not all new SSI benefits result in new Medicaid benefits. The estimation on this line relies on data provided in Riley and Rupp, "Longitudinal Patterns of Medicaid and Medicare Coverage Among Disability Cash Benefit Awardees," *Social Security Bulletin*, 2012, 72(3) 19-35.

4. This number is the result of multiplying line A.1. by line A.2.

5. Average benefit is based on the summary of Medicaid expenditures for Vermont provided in the Financial Management Report for FY 2016, published by Centers for Medicare and Medicaid Services, and enrollment data collected by the Centers for Medicare and Medicaid Services through the Medicaid Budget and Expenditure System (MBES). This the latest available data, inflation-adjusted to 2017.

6. Estimated benefit duration is calculated using national exit rate data provided by the Social Security Administration.

7. This number is the result of multiplying line C.2 by line C.3.

8. This number is the result of multiplying line C.1 by line C.4.

9. This percentage is based on expenditure data for Vermont from the Medicaid Budget and Expenditure System.

10. This number is the result of multiplying the total estimated Medicaid benefits on line C.5 by line B.1

Table 5: Child Support

\$4.1 Million in Child Support Payments Achieved for Clients

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Advice and Counsel Cases Only

1. Number of divorce, custody, support, and domestic violence cases closed ¹	737
2. Estimated percentage of above cases in which child support was awarded or increased ²	18%
3. Estimated number of cases in which child support was awarded ³	134

B. Total Support Benefits Awarded to and Expected to be Received by Clients

1. Estimated total back awards ⁴	\$60,862
2. Average monthly benefit per case in which support was awarded or increased ⁵	\$377
3. Estimated duration of monthly payments (months) ⁶	108
4. Total projected amount of monthly awards ⁷	\$5.4
5. Total amount of support awarded ⁸	\$5.5
6. Estimated percentage of awarded amounts that will be received by clients ⁹	73.8%
7. Total estimated support benefits (\$M)¹⁰	\$4.1

Notes

1. Source: Case management system records provided by the programs.
2. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When complete sets of outcomes data appropriate for this category were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual case closure totals for the relevant case types by the median results obtained by similar programs that provided us with relevant outcome information from their data systems.
3. This number is the result of multiplying line A.1 by line A.2.
4. Due to data limitations in Vermont back awards for child support were estimated by using the median back award per successful child support case for similar legal services providers in Florida, Mississippi, and Virginia.
5. This estimate is based on information from the U.S. Census Bureau, "Custodial Mothers and Fathers and Their Child Support: 2013," which was developed using data from the Child Support Supplement to the Current Population Survey, April 2014. The dollar value has been adjusted for inflation.

6. This estimate is derived by subtracting the average age of children at time of divorce (9 years) from age of maturity, 18 years. In "Attachment and Parental Divorce: A Test of the Diffusion and Sensitive Period Hypotheses," Chris Fraley analyzed data from 7,735 survey respondents; over one third of respondents had parents who divorced, and the average age of a child at the time of divorce was nine (*Personality and Social Psychology Bulletin*, September 2013). An average age of nine years is also reported in Liu "The Effect Parental Divorce and Its Timing on Child Educational Attainment: A Dynamic Approach," 2007, page 17.

7. This number is the result of multiplying line A.3 by lines B.2 and B.3.

8. This number is the result adding line B.1 to line B.4.

9. Not all child support that is awarded is actually received. The estimate of 73.8 percent is based on data for Vermont from the U.S. Department of Health and Human Services, Administration for Children & Families, Office of Child Support Enforcement; "Preliminary Report, FY 2017."

10. This number is the result of multiplying line B.5 by line B.6.

Table 6: Veterans Benefits, Unemployment Compensation, and Tax Credits

\$.4 Million in Veterans Benefits and Other Awards for Clients

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

1. Veterans Benefits ¹	n/a	\$3,614	101.9	\$368,436
2. Unemployment Compensation ²	n/a	\$8,008	5.7	\$46,015
3. Earned Income Tax Credit ³	\$5,898	n/a	n/a	\$5,898
Total Benefits (\$M):				\$0.420

Notes

1. Monthly Veterans Benefits were estimated using provider case records combined with expenditure and recipient statistics from the National Center for Veterans Analysis and Statistics. Due to data limitations in Vermont complete outcomes information for Veterans Benefits was not available at the time of this study, and an estimate of 50 percent was used as the rate for achieving favorable benefit determinations in Veterans Benefits cases. The duration of Veterans Benefits was calculated using data from the 2012 "Summary of Veterans Benefits" from the National Center for Veterans Analysis and Statistics (NCVAS), the pension estimates reported in "Evaluation of VA Pension and Parents' DIC Programs, VA Pension Program Final Report," by ORC Macro Economic Systems, Inc., December 2014 (based on a PricewaterhouseCoopers closed group projection), and life expectancy information from both the Veterans Benefits Manual and Chesney, Goodwin, and Fazel, "Risks of all-cause and suicide mortality in mental disorders: a meta-review," World Psychiatry, June 2014.

2. Monthly Unemployment Compensation was estimated using legal services provider case records, the federal poverty guidelines published by the U.S. Department of Health & Human Services, and compensation information provided by the Vermont Department of Labor, "Calculating Your UI Benefits". The duration of benefits was estimated using nationwide average data from the Bureau of Labor Statistics.

3. The total EITC refund amount was estimated using provider case data combined with 2017 tax return information for Vermont from the IRS. Due to data limitations in Vermont complete outcomes data for EITC cases were not available at the time of this study, and an estimate of 50 percent was used as the success rate for cases involving these benefits.

Table 7: Increased Wages for Immigrants Receiving Work Authorization

\$450,000 in Increased Income for Immigrant Wage Earners	
Estimated impacts from cases closed in 2017 by the South Royalton Legal Clinic	
A. Number of program clients who achieved work authorization¹	30
B. Impact on Working Immigrant Women	
1. Percentage of the total in line A who were female ²	51%
2. Number of women who achieved authorization ³	15
3. Percentage of authorized immigrant women who are employed ⁴	100%
4. Number of employed women who received authorization ⁵	15
5. Assumed differential in average annual wages between unauthorized and authorized female immigrant workers ⁶	\$1,459
6. Estimated annual wage impact for women⁷	\$22,000
C. Impact on Working Immigrant Men	
1. Percentage of the total in line A who were male ⁸	49%
2. Number of the total in line A who were male ⁹	15
3. Percentage of authorized immigrant men who are employed ¹⁰	94%
4. Number of employed men who received authorization ¹¹	14
5. Assumed differential in average annual wages between unauthorized and authorized male immigrant workers ¹²	\$1,639
6. Estimated annual wage impact for men¹³	\$23,000
D. Total Estimated Annual Wage Impact¹⁴	\$45,000
E. Assumed Duration of Wage Impact in Years¹⁵	10.0
F. Estimated Net Present Value of Wage Impact¹⁶	\$450,000

Notes

1. Source: Source: Case management system records provided by the programs.
2. For this analysis, we assumed that 51 percent of clients were female, based on data found in Furtuny, Capps and Passel, "The Characteristics of Unauthorized Immigrants in California, Los Angeles County, and the United States; The Urban Institute, 2007; Table 9. This table shows the characteristics of foreign-born citizens, legal non-citizens and unauthorized immigrants.
3. This number is the result of multiplying line A by line B.1.
4. Based on information received from legal advocates in other immigration legal services programs we have analyzed, we have assumed here that all female clients were employed.
5. This number is the result of multiplying line B.2 by line B.3.

6. Source: Pastor, Scoggins, Tran and Ortiz, "The Economic Benefits of Immigrant Authorization in California", 2012. That study found an average wage differential between unauthorized and authorized immigrant workers to be 9.5 percent controlling for human capital and other characteristics. To estimate the impact for men we applied the differential to the average wage for unauthorized Latino immigrants working in California's "Building Maintenance and Groundskeeping" industry. To estimate the wage impact for women we applied the differential to the average wage for unauthorized Latino immigrants working in California's "Personal Care and Service" industry. We assumed the workers were employed 35 hours per week, 50 weeks per year, or 1,750 hours per year. The study's findings were expressed in 2009 dollars and have been inflation-adjusted to 2017 dollars.

7. This number is the result of multiplying line B.4 by line B.5.

8. This number is the result of subtracting line B.1 from 100 percent.

9. This number is the result of multiplying line A by line C.1.

10. Source: Furtuny, Capps and Passel, Table 9 - see Note 2 above.

11. This number is the result of multiplying line C.2 by line C.3.

12. See note 6 above.

13. This number is the result of multiplying line C.4 by line C.5.

14. This number is the result of adding lines B.6 and C.6.

15. The duration of the wage impact of authorization was assumed to be 10 years, the period for which the original work authorization applies before requiring renewal. This is an extremely conservative assumption; a more realistic estimate is 23 years based on a calculation that assumes the average age of an immigrant at authorization is 42 years and the person would work until retirement at 65 years.

16. This number is the result of multiplying line D by line E.

Table 8: Prevention of Foreclosure

\$1.1 Million in Savings to Communities from Prevention of Foreclosure

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Savings for Homeowners, Neighboring Property Owners, Lenders, and Local Governments

1. Total limited action and extended representation foreclosure cases ¹	32
2. Estimated percentage of above cases in which foreclosure was avoided ²	37%
3. Estimated total cases in which clients avoided foreclosure ³	12
4. Estimated total savings per foreclosure prevented ⁴	\$92,141
5. Total estimated savings from foreclosure prevention (\$M)⁵	\$1.1

Notes

1. Source: Case management system records provided by the programs.
2. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When complete sets of outcomes data were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual case closure totals for the relevant case types by the median results obtained by similar programs that provided us with relevant outcome information from their data systems.
3. This number is the result of multiplying line 1 by line 2.
4. Cost savings per foreclosure avoided are based on the average total economic benefits reported in Hollar, "Regulatory Impact Analysis: Emergency Homeowners' Loan Program," *Cityscape: A Journal of Policy Development and Research*, U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2011, Exhibit 1. The benefit amount appearing in this table has been adjusted for inflation.
5. This number is the result of multiplying line 3 by line 4.

Table 9: Prevention from Domestic Violence

\$0.8 Million in Cost Savings from Prevention of Domestic Violence

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Limited Action and Extended Representation Cases

1. Number of divorce, custody, support, and domestic violence cases closed ¹	737
2. Estimated percentage of above cases in which clients received protection from domestic violence ²	20.6%
3. Estimated number of cases in which clients received protection from domestic violence ³	152

B. Medical Cost Savings Achieved from Domestic Violence Prevention

1. Estimated annual cost of medical and mental health treatment for domestic violence injuries, per victim ⁴	\$5,005
2. Estimated savings from prevention of domestic violence (\$M)⁵	\$0.761

Notes

1. Source: Case management system records provided by the programs.
2. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When tracked outcomes data were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual closed-case totals for the relevant case types by the median outcome-to-case benchmarks obtained from similar programs that provided us with relevant outcome information from their data systems.
3. This number is the result of multiplying line A.1 by line A.2.
4. Estimated cost is based on data provided in "Cost of Intimate Partner Violence Against Women in the United States," Centers for Disease Control and Prevention, 2003. The costs for medical and mental health care reported by the CDC have been adjusted for inflation and for the cost of living in Vermont (by using the health indices in a Council for Community & Economic Research survey).
5. This number is the result of multiplying line A.3 by line B.1.

Table 10: Avoidance of Emergency Shelter*

\$.7 in Savings to Communities from Emergency Shelter Avoidance

Estimated impacts from cases closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. Housing Cases Closed by Advice and Counsel Only

1. Cases closed ¹	623
2. Estimated percentage of cases in which clients avoided or delayed being forced to move ²	9.4%
3. Estimated number of cases in which clients avoided or delayed being forced to move ³	59

B. Housing Cases Closed by Extended Representation

1. Cases closed ¹	640
2. Estimated percentage of cases in which clients avoided or delayed being forced to move ⁴	39%
3. Estimated number of cases in which clients avoided or delayed being forced to move ⁵	246

C. Cost Savings Achieved

1. Total cases in which clients avoided or delayed being forced to move ⁶	305
2. Assumed emergency shelter avoidance rate ⁷	31%
3. Number of families saved from needing emergency shelter ⁸	94
4. Estimated cost per stay for emergency shelter for one family ⁹	\$7,286
5. Total estimated cost savings from emergency shelter avoidance (\$M)¹⁰	\$0.7

Notes

*Impacts for emergency shelter avoidance were estimated only for cases classified as housing cases. Because of data limitations, the emergency shelter cost savings listed above do not include impacts that might result from domestic violence-related issues, such as protection proceedings for victims of domestic violence. Medical cost savings from domestic violence-related cases are included in Table 10.

1. Source: Case management system records provided by the programs.
2. This estimate is based on data from The Resource for Great Programs' survey of legal services clients receiving advice and counsel in Pennsylvania in 2011. Participants in this survey were randomly sampled from a population of legal services clients and then interviewed by phone to determine the outcomes of their cases, making it possible to calculate the percentage of individual case types resulting in particular outcomes in the sample. This information was then used to estimate the outcomes of advice and counsel cases in Vermont. Because consistent outcome information for advice cases in Vermont was not available at the time of this study, the group of legal services clients in Pennsylvania represents the best available sample to which we had access.
3. This number is the result of multiplying line A.1 by line A.2.
4. The estimate on this line is based on two types of information: tracked outcomes and estimated outcomes. When tracked outcomes data were available, actual outcomes recorded by the program were used; otherwise, outcome numbers were estimated. These estimates were made by multiplying actual closed-case totals for the relevant case types by the median outcome-to-case benchmarks obtained from similar programs that provided us with relevant outcome information from their data systems.
5. This number is the result of multiplying line B.1 by line B.2.
6. This number is the result of adding lines A.3 and B.3.

7. The "Emergency Shelter Avoidance Rate" is the percentage of evicted or foreclosed households that would have utilized emergency shelter if not kept in their homes as an outcome of legal assistance. The assumed value of 31 percent is based on a detailed study of eviction prevention, the results of which are described in "The Homelessness Prevention Program: Outcomes and Effectiveness," New York State Dept. of Social Services, 1990 (see in particular, Table 3.2).

8. This number is the result of multiplying line C.1 by line C.2.

9. This estimate is based on the costs and duration of emergency shelter (excluding supportive services) reported in the U.S. Dept. of Housing and Urban Development, "Family Options Study: Short-Term Impacts of Housing and Services Interventions for Homeless Families," 2015, p. 138-139, combined with information about the lowest hotel prices available in Vermont on Travelocity.com.

10. This number is the result of multiplying line C.3 by line C.4.

Table 11: Economic Multiplier Impact on Local Economies

258 New Jobs and \$31.1 Million in Increased Income for Local Businesses

Estimated impacts from Cases Closed in 2017 by the following providers: Vermont Legal Aid, Legal Services of Vermont, the Vermont Volunteer Lawyers Program, and the South Royalton Legal Clinic

A. External Funds Brought Into Vermont (\$M)

1. Federal SSI, SSDI, and Social Security benefits ¹	\$10.2
2. Federal share of Medicare and Medicaid benefits ²	\$11.0
3. Veterans Benefits and EITC ³	\$0.4
4. Legal Services Corporation ⁴	\$0.6
5. Other federal grants ⁴	\$2.0
6. Total external funds brought into Vermont ⁵	\$24.2

B. Economic Multiplier Effect⁶

1. Increased income for local businesses (\$M) ⁷	\$31.1
2. New jobs created as a result of increased demand for goods and services ⁷	258

Notes

1. See Table 2: Social Security, lines C.3 and C.7.
2. See Table 3: Medicare, line A.8 and Table 4: Medicaid, line B.2, .
3. See Table 6: Veterans' Benefits and Other Awards for Clients, line 1.
4. Source: Financial records provided by the programs.
5. This number is the sum of lines A.1 through A.5.
6. The economic effect of benefits originating outside of the service area is greater than the face value of the benefits. Benefit recipients spend most of their increased income within the state, resulting in increased demand for local goods and services, thereby creating a multiplier effect that increases income for businesses in the region.
7. The amount of increased income for local businesses and the number of new jobs created are both estimated by using RIMS II multipliers from the U.S. Bureau of Economic Analysis.