



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

### Motion 15613

**Proposed No.** 2019-0370.1

**Sponsors** Balducci and Kohl-Welles

1           A MOTION acknowledging receipt of the King County-  
2           funded civil legal aid services report as required by the  
3           2019-2020 Biennial Budget Ordinance, Ordinance 18835,  
4           Section 62, Proviso P1.

5           WHEREAS, the 2019-2020 Biennial Budget Ordinance, Ordinance 18835,  
6           Section 62, Proviso P1, states that two hundred fifty thousand dollars shall not be  
7           expended or encumbered until the executive transmits a report on county-funded civil  
8           legal aid services and a motion that acknowledges receipt of the report and the motion is  
9           passed by the council, and

10          WHEREAS, the adult services division of the department of community and  
11          human services has produced the attached report on King County-funded civil legal aid  
12          services, and

13          WHEREAS, the executive has transmitted to the council the requested report and  
14          motion acknowledging the report;

15          NOW, THEREFORE, BE IT MOVED by the Council of King County:

16          The receipt of the King County-funded civil legal aid services report, submitted as

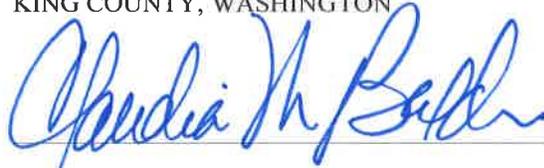
17 Attachment A to this motion in accordance with Ordinance 18835, Section 62, Proviso  
18 P1, is hereby acknowledged.  
19

Motion 15613 was introduced on 9/11/2019 and passed by the Metropolitan King  
County Council on 3/10/2020, by the following vote:

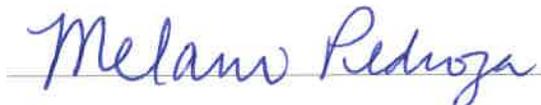
Yes: 9 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr.  
McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles, Ms.  
Balducci and Mr. Zahilay



KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
\_\_\_\_\_  
Claudia Balducci, Chair

ATTEST:

  
\_\_\_\_\_  
Melani Pedroza, Clerk of the Council

**Attachments:** A. King County-Funded Civil Legal Aid Services Report



**King County**

**King County-Funded Civil Legal Aid Services Report**

**Response to Ordinance 18835, Section 62, Proviso P1**

**Department of Community and Human Services  
August 30, 2019**

## **EXECUTIVE SUMMARY**

This report responds to Ordinance 18835, Section 62, Proviso P1.<sup>1</sup> Responding to three requests within the proviso, this report's three numbered sections include:

1. Detail General Fund expenditures on civil legal aid services in 2017 and 2018;
2. Identify programs and expenditures on civil legal aid services from King County's Veterans, Seniors and Human Services Levy (VSHSL) in 2018 and 2019; and
3. Identify potential VSHSL sources for civil legal aid services in instances where the civil legal issue arises because of a person's involvement in the criminal justice system, an issue that the proviso and this report call "collateral consequences."

### **What are Civil Legal Aid Services?**

Civil legal aid services, also called "civil legal aid" and "legal aid," are legal and law-related services that assist low-income persons and communities to avoid, resolve or mitigate the effects of non-criminal legal problems.<sup>2</sup> Civil legal aid services help low-income persons and communities in legal proceedings and situations where they may be at risk of losing access to important statuses, services or basic needs. These can include housing, health care, employment, government benefits or the right to remain in the United States.<sup>3</sup>

### **Summary Response to Ordinance 18835, Section 62, Proviso P1 (A)**

General Fund expenditures for civil legal aid services in 2017 and 2018 equaled the amount appropriated in the adopted 2017/18 budget. Section 1 of this report details the eight recipient organizations and purposes for the expenditures.

- 2017-2018 General Fund civil legal aid services in the adopted budget: \$1,136,643
- 2017 General Fund civil legal aid services expenditures: \$560,971
- 2018 General Fund civil legal aid services expenditures: \$575,672

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<sup>1</sup> The full text of the proviso follows later in this section. In summary, the proviso directs the Executive to provide a summary of civil legal aid services funded by the General Fund in 2017 and 2018, including amount expended in each year; a summary of civil legal aid services funded by the Veterans, Seniors and Human Services Levy (VSHSL) in 2018 and 2019, including dollar amount expended in 2018 and the adopted funding level for 2019; and identification of funding available for 2020 from applicable strategies and programs included in the VSHSL Implementation Plan adopted by Ordinance 18768 to support contracted civil legal aid services that address the collateral consequences of criminal charges.

<sup>2</sup> Definition of civil legal aid derived from the Washington Office for Civil Legal Aid's "What is Civil Legal Aid?" website, available online at <http://ocla.wa.gov/programs/civil-legal-aid/>.

<sup>3</sup> For purposes of this proviso response, key characteristics of civil legal services are that they are provided at no cost to low-income persons, they address legal and law-related problems in which a person is not legally entitled to representation, and they encompass a broad range of advice, alternative dispute resolution and legal representation services. Examples of civil legal services include an attorney guiding an asylum-seeker to remain safe and present in King County, a mediator helping a low-income housing tenant and landlord resolve a habitability issue to keep the tenant housed, an accredited advocate or attorney helping a veteran appeal a denial of U.S. Veterans Administration benefits, an attorney representing a domestic violence survivor seeking a protection order, and a legal clinic helping disabled older adults write wills and medical directives.

### Summary Response to Ordinance 18835, Section 62, Proviso P1 (B)

This report separately describes VSHSL-funded civil legal aid in 2018 and 2019 because a different plan controlled in each year. In 2018, the VSHSL Transition Plan<sup>4</sup> controlled VSHSL expenditures while the VSHSL Implementation Plan<sup>5</sup> controls 2019 VSHSL expenditures. Section 2 of this report provides additional detail about the expenditures summarized here:

- 2018 (Transition Plan) VSHSL-funded civil legal aid services awarded funds:
  - Total Seniors funding: \$551,000
  - Total Veterans funding: \$540,000
- 2018 (Transition Plan) VSHSL expenditures through March 31, 2019 for civil legal aid services; contracts will invoice through August 2019 and blend 2018 and 2019 funds:
  - Total Seniors expenditures through March 31, 2019: \$289,330
  - Total Veterans expenditures through March 31, 2019: \$316,744
- 2019 (Implementation Plan) VSHSL-adopted funding levels for civil legal aid services - Social Engagement (SE) Strategy 6: Support Legal Services for King County Residents who are Immigrants and Refugees
  - 2019 adopted funding level: \$795,000 (vulnerable populations)
  - Fund commitment status: Fully procured and committed
- 2019 (Implementation Plan) VSHSL-adopted funding levels for civil legal aid services - Housing Stability (HS) Strategy 5B: Alternative Dispute Resolution
  - 2019 adopted funding level: \$70,000 (veterans), \$100,000 (seniors), \$70,000 (vulnerable populations)
  - Fund commitment status: Strategy is in procurement; unable to project potentially “available” funds
- 2019 (Implementation Plan) VSHSL-adopted funding levels for civil legal aid services Housing Stability (HS) Strategy 5C: Legal Aid
  - 2019 adopted funding levels: \$400,000 (veterans), \$400,000 (seniors), \$450,000 (vulnerable populations)
  - Fund commitment status: Funds are partially committed under current contracts as \$71,666 (veterans) and \$79,999 (seniors); DCHS anticipates procurement in October 2019.
- 2019 (Implementation Plan) VSHSL-adopted funding levels for civil legal aid services - Financial Stability (FS) Strategy 1C: Leverage Government Benefits
  - 2019 adopted funding level: \$500,000 (veterans), \$200,000 (seniors), \$200,000 (vulnerable populations)
  - Fund commitment status: Funds are partially committed under current contracts as \$53,832 (veterans) and \$29,332 (seniors); this strategy is out for proposals at the time of the submittal of this report, with the RFP scheduled to close on September 10, 2019.

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<sup>4</sup> The VSHSL Transition Plan adopted by [Ordinance 18638](#), controls expenditures of 2018 VSHSL proceeds.

<sup>5</sup> The VSHSL Implementation Plan adopted by [Ordinance 18768](#), controls expenditure of 2019-2023 levy proceeds.

**Summary Response to Ordinance 18835, Section 62, Proviso P1(C)**

Section 3 of this report further develops this summary. DCHS identifies two strategies that may have “available” funds for expenditure in 2020 and for which civil legal aid services related to collateral consequences of criminal charges may be eligible expenditures, so long as the civil legal services provided fall within the scope of the two strategies described in the adopted VSHSL Implementation Plan.<sup>6</sup> The ordinance-adopted VSHSL Implementation Plan sets forth a procedure for reallocation of unexpended funds.<sup>7</sup>

Among the considerations when examining potential uses of VSHSL civil legal aid funding for collateral consequences is whether to procure such services with a requirement that an eligible person must be criminal justice system-involved before they are able to access VSHSL civil legal aid or whether to procure such services more inclusively to allow any eligible person, including a person who is criminal justice system-involved, to access VSHSL-funded civil legal aid services.

The two responsive VSHSL-funded programs follow:

**Financial Stability 1C – Leverage Government Benefits** is scheduled for procurement before the end of 2019. Because the program will only operate for a portion of 2019, some 2019 funding may remain uncommitted after the procurement process is complete. Until the procurement, contracting and invoicing processes are complete, DCHS is unable to project an anticipated amount of available funding. At the time of this report’s submittal, DCHS has not yet completed procurement of this strategy for 2019, so the pre-procurement amount of non-committed 2019 funding is \$816,836: \$446,168 (veterans), \$170,668 (seniors) and \$200,000 (vulnerable populations). Those non-committed amounts will decrease after the procurement for this program is complete.

**Housing Stability 5C – Legal Aid** is scheduled for procurement before the end of 2019. Because the program will only operate for a portion of 2019, some 2019 funding may remain uncommitted after the procurement process is complete. Until the procurement, contracting and invoicing processes are completed, DCHS is unable to project an anticipated amount of available funding. At the time of this report’s submission, DCHS has not yet completed procurement of this strategy for 2019, so the pre-procurement amount of non-committed 2019 adopted funding amounts totals \$1,098,335: \$328,334 (veterans), \$320,001 (seniors) and \$450,000 (vulnerable populations). DCHS will fully commit 2020 funds. Those non-committed amounts will decrease after the procurement for this program is complete.

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<sup>6</sup> A key consideration in determining whether civil legal services fall within the scope of the VSHSL Implementation Plan is the VSHSL’s specific population eligibility rules around recipients of funding being veterans or their families, seniors or their caregivers, or members of a vulnerable population as defined within the VSHSL Ballot Measure Ordinance.

<sup>7</sup> See VSHSL Implementation Plan, page 153.

**Full Text of the Proviso Requiring this Report**

This report fulfills the requirements of Ordinance 18835, Section 62, Proviso P1:

*Of this appropriation, \$250,000 shall not be expended or encumbered until the executive transmits a report on county-funded civil legal aid services and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion, and a motion acknowledging receipt of the report is passed by the council. The report shall include, but not be limited to:*

*A. A summary of civil legal aid services funded by the general fund in 2017 and 2018 including the dollar amount expended in each year;*

*B. A summary of civil legal aid services funded by veterans, seniors and human services levy proceeds in 2018 and in 2019, including the dollar amount expended in 2018 and the adopted funding level for 2019; and*

*C. Identification of funding available for 2020 from applicable strategies and programs included in the veterans, seniors and human services levy implementation plan, adopted in Ordinance 18768, to support contracted civil legal aid services that address the collateral consequences of criminal charges, such as housing and employment impacts, experienced by populations served by the levy. For each of the applicable strategies and programs identified with available funding, identify the amount of available funding from each of the strategy's or program's estimated allocated populations proceeds, as well as the total amount of available funding. For purposes of subsection C. of this proviso, "available funding" means additional or underspent levy proceeds allocated, or anticipated to be allocated, to a strategy or program included in the implementation plan. It should be noted that the council supports the funding level appropriated in this ordinance to contract with civil legal aid services to address the collateral consequences of criminal charges, such as housing and employment impacts, and this proviso is not an indication from the council that the funding level should be reduced.*

*The executive should file the report and a motion required by this proviso by August 30, 2019, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the budget and fiscal management committee, or its successor.*

**SECTION 1: CIVIL LEGAL AID SERVICES FUNDED BY THE GENERAL FUND IN 2017 AND 2018**

King County provides General Fund support for limited civil legal aid services. In 2017 and 2018, eight nonprofit contractors received General Fund support to provide civil legal aid services.

Table 1 details civil legal aid services funded by the General Fund in 2017 and 2018 and the dollar amount expended in each year. The table excludes a ninth provider of civil legal services, Tenants Union of Washington, which received funding for technical assistance.<sup>8</sup>

**Table 1: 2017-2018 DCHS Administered and General Fund-Funded Civil Legal Aid**

Provider Name	Summary of Services	2017-2018 General Fund Allocation	2017 General Fund Expended	2018 General Fund Expended
DAWN Legal Advocacy	Provision of legal advocacy to victims of domestic violence	\$30,432	\$15,019	\$15,413
Eastside Legal Assistance Program	Provision of civil legal advocacy to survivors of domestic violence	\$142,046	\$70,105	\$71,941
	Partnership with DAWN-South King County Attorney Services: provision of civil legal advocacy, systemic advocacy, direct survivor services, and mobile advocacy to survivors of domestic violence	\$118,371	\$58,420	\$59,951
Northwest Immigrant Rights Project	Provision of supportive services to immigrant survivors of domestic violence and/or sexual assault and their children	\$53,806	\$26,555	\$27,251
Seattle Community Law Center	Provision of legal counseling, assistance and representation to individuals with disabilities living on low incomes who need legal assistance to gain, maintain or regain Social Security or Supplemental Security Income	\$43,044	\$21,243	\$21,801
Solid Ground Washington	Provision of civil legal services	\$107,590	\$53,099	\$54,491
TeamChild	Provision of civil legal services to low-income juveniles	\$581,093	\$286,789	\$294,304

<sup>8</sup> The Tenants Union of Washington was awarded \$100,000 in General Fund funding in the 2017/2017 biennium for technical assistance and expended \$50,000 in each, 2017 and 2018.

Unemployment Law Project	Provision of legal counseling, assistance and representation to unemployed individuals who have been denied unemployment compensation benefits or who have had their claims challenged	\$60,261	\$29,741	\$30,520
<b>TOTAL</b>	General Fund-funded civil legal aid services	\$1,136,643	\$560,971	\$575,672

**SECTION 2: CIVIL LEGAL AID SERVICES FUNDED BY THE VETERANS, SENIORS AND HUMAN SERVICES LEVY (VSHSL) IN 2018 AND 2019**

The VSHSL, approved by voters in 2017, is a six-year property tax levy. DCHS administers the VSHSL to plan, provide, administer and evaluate a wide range of regional health and human services and capital facilities for veterans and military servicemembers and their respective families, seniors and their caregivers, and vulnerable populations.

Two plans control VSHSL expenditures: 1) the VSHSL Transition Plan, adopted by Ordinance 18638 in December 2017, controls expenditures of 2018 VSHSL proceeds; and 2) the VSHSL Implementation Plan, adopted by Ordinance 18768 in July 2018, controls expenditure of 2019-2023 levy proceeds.

**A. VSHSL Transition Plan: Civil Legal Aid Services Funded with 2018 VSHSL Proceeds**

Under the adopted VSHSL Transition Plan, civil legal aid services are funded under Housing Stability Strategy 5 (“HS5”), Preventing Inappropriate Housing Loss. HS5 includes funding for services for two of the levy’s focus population groups: veterans, military servicemembers and their respective families, and seniors and their caregivers, detailed in Table 2 of this report.

Veterans Housing Stability Strategy 5: Preventing Inappropriate Housing Loss

This strategy funds housing counseling services, legal aid or alternative dispute resolution services that promote housing stability for veterans and their families by preventing housing loss because of improper evictions, improper foreclosures, unlawfully discriminatory or illegal landlord practices, or other actions or conditions that can precipitate housing loss. This strategy also promotes housing stability by allowing, as an eligible use, legal aid or Veteran Service Officer (VSO) assistance to apply for federal, state or local benefits, including applications for, and appeals of U.S. Department of Veterans Affairs (VA) benefits that can increase a veteran’s ability to pay for stable housing or receive in-home supports.

Seniors Housing Stability Strategy 5: Preventing Inappropriate Housing Loss

This strategy funds housing counseling services, legal aid or alternative dispute resolution services that promote housing stability for seniors by preventing housing loss because of improper evictions, improper foreclosures, unlawfully discriminatory or illegal landlord practices, or other actions or conditions that can precipitate inappropriate housing loss. This strategy also promotes housing stability by allowing, as an eligible use, legal or advocacy assistance to apply for federal, state or local benefits like Social Security.

Funding Summary of Housing Stability Strategy 5

Table 2 summarizes civil legal aid services funded with 2018 VSHSL proceeds under HS 5. Table 2 also summarizes proceeds expended and invoiced through March 31, 2019 in connection with this strategy. Contracts supported by 2018 proceeds under this strategy run through August 31, 2019, thus additional expenditures will be reported after the submittal of this report. Upon completion of the contract period, DCHS anticipates full or near full expenditure of the funding awards described in Table 2.

**Table 2: 2018 Adopted VSHSL Transition Plan Housing Stability Strategy 5 Summary**

Provider Name	Summary of Services	2018 VSHSL Award Amount	2018 VSHSL Proceeds Expended through March 2019
Catholic Community Services of Western Washington, Tenant Law Center	Civil legal representation to seniors at risk of losing rental housing	\$145,000 (seniors)	\$84,583 (seniors)
Dispute Resolution Center of King County, KCDRC Mobile Conflict Resolution	Dispute resolution services to veterans and seniors facing housing-related disputes	\$100,000 (seniors) \$100,000 (veterans)	\$74,997 (seniors) \$74,997 (veterans)
King County Bar Association Pro Bono Services, Veteran and Senior Tenancy Preservation Project	Day-of representation for veterans and seniors at unlawful detainer (eviction) hearings with follow-up referrals to social services to address the cause of the housing crisis	\$141,000 (seniors) \$93,000 (veterans)	\$47,000 (seniors) \$31,000 (veterans)
Northshore Senior Center, Northshore Benefits Access	Support to assist seniors file for property tax exemption and other financial benefits	\$31,000 (seniors)	\$18,083 (seniors)
Northwest Consumer Law Center, Civil Legal Aid for Older Veterans and Seniors	Civil legal representation to seniors with predatory Reverse Equity Mortgage or other mortgage fraud	\$24,000 (seniors)	\$8,000 (seniors)
Northwest Justice Project, Veterans Project	Civil legal representation for veterans facing eviction or loss of housing and benefits advocacy to assist veterans with securing their	\$225,000 (veterans)	\$139,581 (veterans)

King County-Funded Civil Legal Aid Services Report

	VA and other federal, state and local benefits <sup>9</sup>		
Plateau Outreach Ministries	Client assistance to veterans and seniors facing imminent loss of housing including	\$15,000 (seniors) \$7,000 (veterans)	\$8,750 (seniors) \$4,083 (veterans)
Seattle Community Law Center	Benefits advocacy for federal benefits for seniors	\$45,000 (seniors)	\$26,250 (seniors)
Solid Ground	Connecting seniors with and benefits advocacy for state benefits, including Aged Blind and Disabled Cash Assistance	\$20,000 (seniors)	\$11,667 (seniors)
Washington Department of Veterans Affairs, Veterans Service Officers for Public Benefits Advocacy	Benefits advocacy for VA benefits, using accredited VSOs	\$85,000 (veterans)	\$49,583 (veterans)
Washington State Housing Finance Commission, Housing Counseling for Veterans and Seniors	Housing counseling to veterans and seniors facing housing crises other than non-payment of rent.  Partnerships with five provider agencies: Urban League of Metropolitan Seattle, Parkview Services, American Financial Solutions, Northwest Consumer Law Center, and Washington Homeownerships Resource Center	\$30,000 (seniors) \$30,000 (veterans)	\$10,000 (seniors) \$17,500 (veterans)
<b>TOTAL</b>	<b>All VSHSL-Funded Civil Legal Aid Services in 2018 – Adopted VSHSL Transition Plan Strategy HS 5</b>	<b>\$551,000 (seniors total) \$540,000 (veterans total)</b>	<b>\$289,330 (seniors total) \$316,744 (veterans total)</b>

**B. VSHSL Implementation Plan Civil Legal Aid Services: Adopted 2019 Funding Levels**

The adopted VSHSL Implementation Plan provides for the following legal aid strategies and programs:

<sup>9</sup> Northwest Justice Project received \$20,000 in continuation Veterans Funding for 2018 (VHSL Activity 1.5B)

VSHSL Implementation Plan Social Engagement (SE) Strategy 6: Support Legal Services for King County Residents who are Immigrants and Refugees

This strategy, procured and administered in partnership with King County's Office of Equity and Social Justice and the City of Seattle Office of Immigrant and Refugee Affairs, awarded funding to seven agencies. Those agencies shall 1) provide not-for-profit or pro bono legal services or 2) provide mental health assessments in support of legal services for low-income immigrants and refugees in King County who are in detention, facing removal or in danger of losing their immigration status. VSHSL 2019 proceeds support \$795,000 of vulnerable populations funding in 2019-awarded funds, which is the entire 2019 funding level in the adopted VSHSL Implementation Plan.

VSHSL Implementation Plan Housing Stability (HS) Strategy 5A: Housing Counseling and Foreclosure Prevention

This program provides funds for counseling, financial planning and financial assistance to help low-income homeowners in King County avoid housing loss due to foreclosure resulting from tax delinquency or other causes of foreclosure. While included here because legal aid is among the potentially eligible uses of this program's funds, services that this program funds may also be non-legal aid services, such as housing counseling. The program may also fund services that help low-income home owners avoid housing loss for other reasons such as failure to pay property taxes or sudden loss of income, which may require working with a lender proactively and may or may not be legal aid, depending on which organizations perform work under this program. This program is scheduled for procurement in the fourth quarter of 2019 and services will begin in 2020. The VSHSL Implementation Plan does not fund this program in 2019; Implementation Plan-directed funding commences in 2020. This program contains allocation for all three levy populations: veterans, seniors and vulnerable populations.

VSHSL Implementation Plan Housing Stability (HS) Strategy 5B: Alternative Dispute Resolution

Although alternative dispute resolution (ADR) services may be performed by civil legal aid providers, the purpose of this program is to resolve disputes before they enter or require resolution in a legal forum. This program's inclusion within this analysis acknowledges that alternative dispute resolution services may, in some cases, fall within the definition of civil legal aid and in some cases not fall within the definition.

This program's funds will provide ADR services intended to resolve disputes that may lead to a tenant losing access to housing. The program shall prioritize ADR services that support affordable housing tenants and affordable housing providers in King County, and the program shall prioritize ADR services that are accessible through other VSHSL-funded services, such as the King County Veterans Program, VSHSL-funded senior centers, or VSHSL-funded virtual villages. This strategy is in procurement. The 2019 funding levels in the adopted VSHSL Implementation Plan are \$70,000 (veterans), \$100,000 (seniors) and \$70,000 (vulnerable populations).

VSHSL Implementation Plan Housing Stability (HS) Strategy 5C: Legal Aid

This strategy’s funds will provide not-for-profit or pro bono legal services to advise and represent veterans, seniors and vulnerable populations in civil legal matters that may result in loss of housing and related legal matters with a housing nexus. The priority for services funded through this program shall be on providing legal advice or assistance related to evictions, avoiding evictions and on related legal matters with a housing nexus. Examples of related legal matters include but are not limited to matters involving residential landlord-tenant law and matters involving prohibited discrimination. This program shall aim to provide equitable access to funded services in convenient locations to residents living throughout King County. This strategy is scheduled for procurement before the end of 2019. Funding levels in the adopted VSHSL Implementation Plan are \$400,000 (veterans), \$400,000 (seniors) and \$450,000 (vulnerable populations).

To ensure service continuity until procurement and contract execution under this strategy, the following adopted VSHSL Transition Plan Housing Stability Strategy 5 providers whose scope of work fall within the parameters of this strategy area, have continued funding through the end of 2019 with HS 5C Legal Aid funding. See Table 3.

**Table 3: VSHSL Housing Stability 5C Committed Funds**

Provider	Funding Amount – 2019 Proceeds
Catholic Community Services, Tenant Law Center (TLC)	\$48,333 (seniors)
King County Bar Association Pro Bono Services, Housing Justice Project	\$31,666 (seniors)  \$23,333 (veterans)
Northwest Justice Project, Veterans Project	\$48,333 (veterans)
<b>Total Committed HS 5C Funding for Current Providers</b>	<b>\$79,999 (seniors)  \$71,666 (veterans)</b>

VSHSL Implementation Plan Strategy Financial Stability (FS) Strategy 1C: Leverage Government Benefits

This program will fund an entity or entities to provide advocacy or not-for-profit or pro bono legal services that assist low-income and disabled veterans and their families, seniors and vulnerable populations in making initial applications and appeals for federal and state income-generating benefits. Examples of such benefits include disability compensation or pension benefits administered by the federal VA or Social Security. A portion of the veteran’s proceeds for this program, in every year from 2019 through 2023, will fund on-site advocacy services, on-site not-for-profit or pro bono legal services. Those services shall include applications for veterans benefit claims and entitlements,

consistent with this program, to assist low-income and disabled veterans and their families in areas of King County where veterans do not have convenient access to King County Veterans Program offices. Additionally, this program shall aim to provide equitable access to funded services in convenient locations to residents living throughout King County. This strategy will be procured in 2019. The 2019 funding levels in the adopted VSHSL Implementation Plan are \$500,000 (veterans), \$200,000 (seniors) and \$200,000 (vulnerable populations).

To ensure service continuity until procurement and contract execution under this strategy, the following adopted VSHSL Transition Plan Housing Stability Strategy 5 providers, whose scope of work falls within the parameters of this strategy area, have continued funding through the end of 2019 with FS 1C Leverage Government Benefits funding.

**Table 4: VSHSL Financial Stability 1C Committed Funds**

Provider	Funding Amount – 2019 Proceeds
Washington Department of Veterans Affairs, Veterans Service Officers for Public Benefits Advocacy	\$28,333 (veterans)
Solid Ground	\$6,666 (seniors)
Seattle Community Law Center	\$15,000 (seniors)
Northwest Justice Project, Veterans Project	\$21,666 (veterans)
King County Bar Association Pro Bono Services, Housing Justice Project	\$7,666 (seniors)
	\$3,833 (veterans)
<b>Total Committed FS 1C 2019 Funding for Current Providers</b>	<b>\$29,332 (seniors)</b>
	<b>\$53,832 (veterans)</b>

**SECTION 3: FUNDING AVAILABLE FOR 2020 TO SUPPORT CONTRACTED CIVIL LEGAL AID SERVICES THAT ADDRESS THE COLLATERAL CONSEQUENCES OF CRIMINAL CHARGES**

The final section of the proviso directs the Executive to identify funding available in 2020 from applicable strategies and programs included in the adopted VSHSL Implementation Plan that could support contracted civil legal aid services to address the collateral consequences of criminal charges. The proviso specifies housing and employment impacts as examples of collateral consequences.

The proviso directs the Executive to identify, for each of the applicable strategies and programs with available funding, the amount of available funding from each allocated levy population, as well as the total amount of available funding. Under the proviso, “available funding” is defined as additional or underspent levy proceeds allocated or anticipated to be allocated to a strategy or program included in the implementation plan.

### **What is a Collateral Consequence?**

Collateral consequences of criminal charges occur when a person’s involvement in the criminal legal system triggers civil legal or social services consequences for that person. They can attach to a person even if that person is not ultimately convicted of a charged crime. If a person is convicted, collateral consequences may remain attached long after an individual has served their sentence and even after they have completely exited criminal supervision.

The National Institute of Justice identified more than 44,000 collateral consequences nationwide.<sup>10</sup> In Washington State, collateral consequences range from ineligibility for or the loss of certain types of professional certifications to loss of housing to loss of the ability to remain in the United States. Civil legal services help low-income persons and communities in legal proceedings and situations where they may be at risk of losing access to important statuses, services or basic needs because of the relationship between the individual and the criminal legal system. This intersects with the VSHSL result areas of housing stability<sup>11</sup> and financial stability.<sup>12</sup>

### **2020 “Available” Funding to Support Contracted Civil Legal Aid Services Related to Collateral Consequences of Criminal Charges**

DCHS identifies two strategies for which civil legal services related to collateral consequences of criminal charges are potentially eligible uses as long as the civil legal services potentially provided fall within the scope of these strategies as they are described in the adopted VSHSL Implementation Plan. These strategies are Financial Stability (FS) 1C – Leverage Government Benefits and Housing Stability (HS) 5C – Legal Aid. An additional VSHSL program, SE6, is not included in this analysis because its proceeds have already been committed through an RFP through 2023.

DCHS anticipates that some 2019 funds allocated to HS-5C and FS-1C may be “available” at the conclusion of 2019 for use in 2020. Such “available” funds may arise because the

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<sup>10</sup> Council of State Governments, “The National Inventory of the Collateral Consequences of Conviction,” <https://niccc.csgjusticecenter.org/about/>

<sup>11</sup> Defined by Page 30 of the VSHSL Implementation Plan as: Housing should be appropriate for household size; Housing should be accessible to the necessary aspects of life (employment, schools, groceries, etc.) for sustained engagement in the community; Stability requires at least some predictability in the cost (no sharp rent increases); Stable housing should have the capacity to comfortably age-in-place; Neighborhoods experience a diverse range of races and/or ethnicities, ages and incomes.

<sup>12</sup> Defined by Page 29 of the VSHSL Implementation Plan as: Having the ability to afford the expenses necessary for personal well-being; Balancing ongoing costs through current resources without risking long-term goals; Maintaining predictability in household income and expenses (especially housing); Having the ability to access financial resources to meet their cost of living.

Implementation Plan contemplates a full year of funding in 2019, but the procurement and contracting period will only be complete after the first quarter of 2019 or later. Such funds would be unlikely to recur in 2020 and beyond because the programs would be fully contracted and operating for all of 2020. The 2018 procurements of equivalent legal aid strategies funded by the VSHSL Transition Plan were heavily subscribed, with applicants requesting substantially more funding than was allocated. The ordinance-adopted VSHSL Implementation Plan sets forth a procedure for reallocation of unexpended funds.<sup>13</sup>

Financial Stability 1C – Leverage Government Benefits<sup>14</sup> is scheduled for procurement before the end of 2019. Because the program will only operate for a portion of 2019, some 2019 funding may remain uncommitted after the procurement process is complete. Through the 2019 procurement, DCHS anticipates fully committing proceeds allocated to FS 1C for full expenditure in 2020 through 2023. Until the procurement, contracting and invoicing processes are complete, DCHS is unable to project an anticipated amount of available funding.

At the time of this report's submittal, DCHS has not yet completed procurement of this strategy for 2019, so the pre-procurement amount of non-committed 2019 funding totals \$816,836: \$446,168 (veterans), \$170,668 (seniors) and \$200,000 (vulnerable populations).<sup>15</sup> Those non-committed amounts will decrease after the procurement for this program is complete.

Housing Stability 5C – Legal Aid<sup>16</sup> is scheduled for procurement before the end of 2019. Because the program will only operate for a portion of 2019, some 2019 funding may

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<sup>13</sup> See VSHSL Implementation Plan at page 153.

<sup>14</sup> The ordinance-adopted concept that defines the scope of FS-1C:

This program will fund an entity or entities to provide advocacy or not-for-profit or pro bono legal services that assist low-income and disabled veterans and their families, seniors and vulnerable populations in making initial applications and appeals for federal and state income-generating benefits. Examples of such benefits include disability compensation or pension benefits administered by the federal VA or Social Security Benefits. A portion of the veterans proceeds allocated for this program shall in every year from 2019 through 2023 be used to provide on-site advocacy services or on-site not-for-profit or pro bono legal services, which services shall include applications for veterans benefit claims and entitlements, consistent with this program to assist low-income and disabled veterans and their families in areas of King County where veterans do not have convenient access to King County Veterans Program offices. Additionally, this program shall aim to provide equitable access to funded services in convenient locations to residents living throughout King County.

<sup>15</sup> The non-committed amounts for veterans and seniors are the difference between the VSHSL Implementation Plan's 2019 allocation and the portion of 2019 veterans and seniors 2019 funds used to fund Transition Plan contracts that were awarded in 2018 and which extend into 2019 to ensure service continuity. See Table 4 in this section.

<sup>16</sup> The ordinance-adopted concept that defines the scope of HS-5C:

This program will fund an entity or entities to provide not-for-profit or pro bono legal services to advise and represent veterans, seniors and vulnerable populations in civil legal matters which may result in loss of housing and related legal matters with a housing nexus. The priority for services funded through this program shall be on providing legal advice or assistance related to evictions, avoiding evictions and on related legal matters with a housing nexus. Examples of related legal

remain uncommitted after the procurement process is complete. Through the 2019 procurement, DCHS anticipates fully committing proceeds allocated to HS 5C for full expenditure in 2020 through 2023. Until the procurement, contracting and invoicing processes are complete, DCHS is unable to project an anticipated amount of available funding.

At the time of this report's submission, DCHS has not yet completed procurement of this strategy for 2019, so the pre-procurement amount of non-committed 2019 adopted funding amounts totals \$1,098,335: \$328,334 (veterans), \$320,001 (seniors) and \$450,000 (vulnerable populations). DCHS will fully commit 2020 funds.<sup>17</sup> Those non-committed amounts will decrease after the procurement for this program is complete.

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matters include but are not limited to matters involving residential landlord-tenant law and matters involving prohibited discrimination. This program shall aim to provide equitable access to funded services in convenient locations to residents living throughout King County.

<sup>17</sup> The non-committed amounts for veterans and seniors are the difference between the VSHSL Implementation Plan's 2019 allocation and the portion of 2019 veterans and seniors 2019 funds used to fund Transition Plan contracts that were awarded in 2018 and which extend into 2019 to ensure service continuity. See Table 3 in this section.