

VOCA & WASHINGTON

In 2016, the Washington State Office of Civil Legal Aid (OCLA) established the Integrated Civil Legal Aid to Crime Victims Program (Crime Victims Legal Aid Program). This program funds seven legal aid service providers throughout the state that provide services to crime victims. The program arose out of the Washington State Office of Crime Victim Advocacy's (OCVA) 2016 [VOCA State Plan Update](#), which reported on the need for legal services for victims of crime. Pursuant to an interagency agreement with OCVA, OCLA was able to subgrant with seven legal aid organizations identified in the Crime Victims Legal Program Plan.

THE PLAN. Outside of a few small grants in the mid-2000s, Washington State did not previously prioritize or dedicate Victims of Crime Act Victim Assistance Formula Grants (VOCA) funding for civil legal aid to crime victims. That all changed in 2016. Part of the story of how Washington State committed to dedicating VOCA funding for civil legal aid arose from happenstance: In the fall of 2015, the Director of the Washington Office of Civil Legal Aid (OCLA) was having a casual conversation with the Director of OCVA (the agency that administers the state's allocation of VOCA funds). During this conversation, the OCLA Director learned that VOCA funding to Washington would nearly quadruple in the following year. The OCVA Director advised that it would be undertaking a public process to update its VOCA state plan and invited OCLA and the legal aid community to participate in this process.

WA's Victim Assistance Grant Amount

2014	\$9,835,000
2015	\$42,761,000
2016	\$48,821,000
2017	\$41,061,000
2018	\$74,703,000

Shortly thereafter, OCLA met with [leaders from the state's legal aid community](#) to explore opportunities for participating in the VOCA State Plan Update process. These leaders embraced the OCVA planning process as an opportunity to rethink legal aid from a crime victim's perspective and ways in which legal aid organizations can work with first responding organizations, such as law enforcement, and do direct outreach with client populations. These conversations led to consensus adoption of a set of core values, policy objectives, and client service objectives, now embodied in the [Integrated Civil Legal Aid to Crime Victims Plan](#). This plan describes the purpose of the program, its values, guidelines and expectations of the program.

Around the same time in 2015, a taskforce appointed by the Washington State Supreme Court released a comprehensive update of its 2003 Civil Legal Needs Study. The results of this [2015 Civil Legal Needs Study](#) and a related [technical report](#) were staggering: victims of domestic violence and sexual assault were found to present the greatest number of legal needs—an average of 19.7 legal needs per household as compared to 9.3 for average low-income Washingtonians; most of the needs were interrelated with or arose from their victimization; and the needs spanned the full spectrum of civil legal problems studies. Armed with this knowledge and the unified front of [Alliance for Equal Justice](#) legal aid community members, OCLA was ready to make the pitch.

THE COMMITMENT. OCVA's state plan process included surveys, focus groups, requests for comment and other means of soliciting public participation from victims, providers, and stakeholders. OCLA worked with community partners attending regional focus groups, to ensure that domestic violence programs and coalitions supported civil legal aid for victims of crime. A consistent theme at each of these focus groups was the lack of such assistance, leaving crime victims and crime victim first responders with no place to turn to get the legal help was needed to address the civil legal problems that arose from criminal victimization.

OCLA also worked with key OCVA staff and policy staff in the Office of the Governor to ensure that the lack of and need that crime victims had for civil legal aid was fully developed and understood as the agency worked through the planning process. All the work paid off. In the Department of Commerce's VOCA state plan for 2015-2019, civil legal aid was included as a high priority

to which a significant portion of additional VOCA funding would be committed.

In making the pitch, OCLA recognized the need for a coordinated statewide effort that incorporated both general and targeted legal aid delivery components. These are outlined in the [Integrated Civil Legal Aid to Crime Victims Plan](#). OCLA estimated that a baseline effort would require about \$5 million per year. OCLA advised that the plan represented the consensus approach developed by the statewide legal aid community. It suggested that OCVA subcontract funding to OCLA (a state legal aid funding and oversight agency) and that OCLA would in turn subcontract, support, and oversee the delivery of civil legal aid services to crime victims consistent with the commitments outlined in the Integrated Plan. In the end, OCVA agreed to subcontract about \$4.15 million per year to OCLA for the purpose of establishing a comprehensive statewide civil legal aid program to victims of crime. This was the first ever statewide VOCA commitment to legal aid services.

THE DESIGN. The Integrated Civil Legal Aid to Crime Victims Program engages with seven legal aid service providers throughout the state that provide services to victims of crime. This program has several components. They include: 1) statewide crime victims legal aid hotlines targeted at individuals referred by crime victim service providers, Native Americans, and individuals who experienced sexual violence; 2) Integrated Rural Legal Assistance Project (IRLAP) to coordinate efforts for immigrant victims of domestic violence, sexual assault, and related crimes; 3) Civil legal aid for general crime victims; and 4) Project Safety, a pilot, courthouse-based collaboration between the King County Prosecuting Attorney's Office and three VOCA-funded civil legal aid organizations. VOCA-funded legal aid service providers attend one in-person joint training per year in addition to participating in the semi-annual statewide legal advocacy training where there is a pullout session for all the VOCA-funded lawyers. They also have a listserv and resources on trauma-informed client service delivery and self-care. This helps them build a community of practice among the VOCA-funded lawyers.

With the VOCA funds made available under the OCVA-OCLA interagency grant agreement, OCLA was able to subcontract with the seven legal aid providers which, in turn, have hired more than 40 civil legal aid attorneys and advocates, and two Project Safety navigators. In addition to ensuring statewide coverage, the approach promises

predictability, reduced administrative costs to OCVA and the legal aid programs, and high levels of accountability.

OCLA reports to OCVA on a quarterly basis, on a schedule that is consistent with OCVA's quarterly reporting to the DOJ OVC. OCLA worked with the state OCVA to identify relevant demographic information and client service outcomes that would be tracked. Six of the seven legal aid programs use the LegalServer case management system, which simplifies unified data collection. The legal aid programs report the outcome of legal help whenever that outcome is achieved; meaning, if a case continues for longer than a quarter, the organization reports that case in the quarter in which an outcome is achieved.

In state FY 2019 (July 1, 2018 – June 30, 2019), OCLA secured about \$5.2 million in VOCA funding. This funding allowed continuation of existing operations and modest increases needed to fill gaps in the crime victims legal aid delivery system, despite a substantial reduction in FFY 2017 VOCA funding available to the state.

VOCA requires at least 20 percent match from subgrantees. This means that for every \$100,000 of VOCA funding, a match of \$25,000 is required. A substantial portion of the match requirement is met using the market value of volunteer attorney services engaged by subgrantees. Additional match is provided by in-kind support and indirect expenses not directly charged to VOCA funding.

TOP TIPS

1. **Learn how VOCA funds are appropriated and create close ties with the administering office.** Make their job easy—explain that, as their statewide intermediary grantee, you know legal aid, they don't have to become legal aid experts, and that you have the resources and experience to manage the program.
2. **Reach out and collaborate on the front end with the crime victims community.** Funding is tight for all involved in working with victims of crime. Consequently, legal aid needs to be viewed as value-added to the conversation, not an interloper trying to take funding away from critically needed crime victim services. Work with law enforcement, prosecuting attorney offices, statewide coalitions, and others to make sure that they understand what legal aid can bring to the table; not what legal aid is trying to take from others.
3. **If faced with suspicion, hostility, or institutional defensiveness from potential partners/competitors for scarce resources, address it directly.** See above.
4. **Speak with a common voice.** The worst thing is to have the legal aid community, or components thereof, competing against each other—or being perceived to be doing so. Using a single voice with a common plan resulted in the commitment of substantially greater resources for civil legal aid to crime victims than would otherwise have been achieved.
5. **Commit to building a "community of practice" that is different from "traditional legal aid delivery."** Effectively serving victims of crime requires an understanding of the culture of victimization, trauma, the criminal justice system, and substantive areas of practice outside of the civil legal aid 'norm'. Work to integrate civil legal aid providers with front line crime victim first responders. Listen, learn, augment service delivery on the basis of experience and feedback. Support, advise, and hold providers accountable. Institutional credibility and continuity of resource commitment requires that partners, stakeholders, first responders, and others see value from the services provided.

THE IMPACT. In the first year, VOCA-funded civil legal aid attorneys [served 3347 victims of crime for more than 32 types of crime](#). The crimes ranged from arson, human trafficking, wage theft, to domestic and/or family violence. 73 percent of crime victims served were victims of domestic and/or family violence.

Because they could not provide extended legal assistance to every victim, VOCA-funded legal aid attorneys also provided victims with self-help information and advice regarding their legal rights as well as extensive access to legal hotlines. An initial report following the first 18 months of the Integrated Civil Legal Aid to Crime Victims Program can be found [here](#).

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To download the Washington VOCA narrative, go to: <https://www.american.edu/spa/jpo/toolkit/module-3.cfm> and contact Karen Lash, Director of the Justice in Government Project, klash@american.edu