



Funding Matrix: American Rescue Plan Act of 2021 (ARPA) Programs that can Support Civil Access to Justice

Updated July 15, 2021

President Biden signed the [American Rescue Plan Act of 2021](#) (ARPA) into law on March 11, 2021. It provides multiple forms of pandemic-related relief to the people we all serve including cash assistance, homeowner and rental assistance, child care, food aid, tax relief, health care, help for veterans, and much more.

ARPA also created new – and supplemented existing – funding programs that can potentially be tapped by legal aid providers, courts, and other civil justice system partners. This chart is a high-level – not necessarily exhaustive – overview of funds that might be available from your state, county, local, and/or tribal governments to increase civil access to justice during the on-going pandemic response. Please email jgp@american.edu with improvements/updates.

These funds represent a historic opportunity to fuel momentum for the housing [right to counsel movement](#), launch new or expanded [navigator programs](#), build [networked statewide delivery systems](#), and adopt technology innovations needed as never before to ensure services [during a pandemic](#) and [beyond](#).

This Matrix includes:

General

- [State and Local Fiscal Recovery Fund \(FRF\)](#)
- [AmeriCorps](#)
- [AmeriCorps VISTA](#)

Health

- [Family Violence and Prevention Services Act \(FVPSA\)](#)
- [Public Health Workforce and Community Health Centers](#)
- [Substance Abuse Prevention and Treatment Block Grant \(SABG\) and the Community Mental Health Services Block Grant \(MHBG\)](#)

Housing

- [Emergency Rental Assistance Program \(ERAP\)](#)
- [Homeowner Assistance Fund \(HAF\)](#)
- [Homelessness Assistance and Supportive Services Program \(HASSP\)](#)
- [Native American and Native Hawaiian Housing Block Grants \(HBG and the Indian Community Development Block Grant \(I-CDBG\)\)](#)
- [Housing Counseling](#)

Other

- [Elementary and Secondary School Emergency Relief Fund \(ESSER\)](#)

See also:

Civil Legal Aid Funding in the Time of COVID-19 webinar

Civil Legal Aid Funding in the Time of COVID-19
Friday, June 25, 2020
1:00 – 2:00 pm EST

Radhika Singh, Chief of Justice Programs, American University
Karin A. Lash, Professor of Public Policy and Law, American University
David J. G. Reardon, Director of Development, The Justice in Government Project
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Grants Matrix: State-Administered Federal Funds that can Support Legal Aid

THE JUSTICE IN GOVERNMENT PROJECT
Grants Matrix: State-Administered Federal Funds that can Support Legal Aid

This matrix is intended to provide a high-level overview of federal funds that can support legal aid. It is not intended to be exhaustive. The matrix is intended to provide a high-level overview of federal funds that can support legal aid. It is not intended to be exhaustive. The matrix is intended to provide a high-level overview of federal funds that can support legal aid. It is not intended to be exhaustive.

Civil Legal Aid Funding in the Time of COVID-19 MIE article

FUNDRAISING
CIVIL LEGAL AID FUNDING IN THE TIME OF COVID-19
By Karlee M. Naylor, Anna C. deDufour, and Karen A. Lash

Have questions about round 2 of the **Paycheck Protection Program?**

Email Radhika Singh, NLADA's Chief, Civil Legal Services at r.singh@nlada.org

Funding Source	Additional Details	Important ARPA and Guidance Language	Helpful Tips
<p>State and Local Fiscal Recovery Fund (FRF)</p> <p><i>U.S. Department of the Treasury</i></p> <ul style="list-style-type: none"> • \$350 B 	<p>FRF is the largest and most flexible source of ARPA funds to help states, counties, cities and tribal governments cover increased expenditures, replenish lost revenue and mitigate economic harm from the COVID-19 pandemic.</p> <p>State and local government recipients can use funds to cover costs incurred by <u>December 31, 2024</u>. 50% will be delivered no later than 60 days from the date of enactment, and the remainder delivered no earlier than one year later. States will distribute funds to smaller towns within 30 days of receiving their payments from Treasury.</p> <p>Estimated breakdown:</p> <ul style="list-style-type: none"> • State FRF: \$219.8 B • Local FRF: \$130.2 B • Territories: \$4.5 B • Tribes: \$20 B • Metropolitan cities: \$45.57 B • Non-entitlement local governments (allocated by states): \$19.53 B 	<p>ARPA LANGUAGE:</p> <p>Sec. 602. CORONAVIRUS STATE FISCAL RECOVERY FUND.</p> <p>...</p> <p>(c) Requirements.—</p> <p>(1) USE OF FUNDS.—...a State, territory, or Tribal government shall only use the funds provided under a payment made under this section,..., to cover costs incurred by the State, territory, or Tribal government, by December 31, 2024—</p> <p>(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;</p> <p>(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;</p> <p>(C) for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or</p> <p>(D) to make necessary investments in water, sewer, or broadband infrastructure.</p> <p>SEC. 603. CORONAVIRUS LOCAL FISCAL RECOVERY FUND. [Use of funds language mirrors Sec. 602 for states.]</p> <p><u>GUIDANCE LANGUAGE:</u></p>	<p>Treasury's description of the program is here.</p> <p>Although FRF's criteria is somewhat different from the CARES Act's Coronavirus Relief Fund (CRF), like CRF it is the largest allocation of stimulus funds for state and local governments, use of FRF \$ is even <i>more</i> flexible, and states across the country used CRF for legal aid.</p> <p>State, and many county and city governments are allocated a share of FRF so there are multiple potential funders for civil justice partners.</p> <p>See the House Committee on Oversight and Reform's spreadsheet of estimated funding allocations for states, counties, metropolitan cities, and other non-counties. The Center for Community Progress has also created a live, interactive funding map using these allocation estimates, available here.</p> <p>See National Conference of State Legislatures overview of FRF here.</p> <p>The offices/decisionmakers administering CRF \$ will likely also oversee FRF. Start there.</p> <p>Many legal aid programs and courts received CARES Act-authorized Coronavirus Relief Funds (CRF) for a</p>

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	<ul style="list-style-type: none"> Counties: \$65.1 B (some could be allocated by states) 	<p>On May 7, 2021, Treasury posted FAQs that complement the Interim Final Rule. Both saying clearly that eligible services can include legal aid: "Assistance to households includes, but is not limited to: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance; emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training."</p> <p>Although the legal aid example is linked to preventing eviction or homelessness, the list is introduced with "includes, but is not limited to" so should not be construed as allowing legal aid only for that purpose.</p>	<p>wide array of pandemic-related needs including technology tools to provide remote services (see New Hampshire and Kansas courts), eviction defense and diversion programs, foreclosure prevention, domestic violence, and other legal needs. For examples, see this article.</p>
<p>AmeriCorps</p> <p><i>Corporation for National and Community Service</i></p> <ul style="list-style-type: none"> \$620 M to AmeriCorps State and National \$20 M to state commissions to make adjustments to existing awards and new and additional awards 	<p>AmeriCorps is a national service program of CNCS, which engages tens of thousands of men and women in intensive community service each year. AmeriCorps provides grants to a broad range of local and national organizations and agencies committed to using service to address compelling community issues. Participating organizations, including nonprofits, courts, public agencies, institutions of higher education, Indian Tribes, and faith-based organizations, enroll AmeriCorps members in an</p>	<p>ARPA LANGUAGE: SEC. 2206. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND THE NATIONAL SERVICE TRUST. ... (b) Allocation Of Amounts.—Amounts provided by subsection (a) shall be allocated as follows: (1) AMERICORPS STATE AND NATIONAL.— \$620,000,000 shall be used— (A) to increase the living allowances of participants in national service programs; and (B) to make funding adjustments to existing (as of the date of enactment of this Act) awards and award new and additional awards to entities to support programs described in paragraphs (1)(B), (2)(B), (3)(B), (4)(B), and (5)(B) of subsection (a), and subsection (b)(2), of section 122 of the National and Community Service Act of 1990 (42 U.S.C. 12572), whether or not the entities are already grant recipients under such provisions on the date of enactment of this Act, and notwithstanding section</p>	<p>See more information about AmeriCorps in this Grants Matrix.</p> <p>For a webinar about navigator AmeriCorps programs in CA, IL, and MT, go here.</p> <p>Legal aid providers and courts with existing AmeriCorps members can inquire about funds to increase living allowances of existing members and potential to add new ones.</p>

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	<p>approved national service position and engage them in intensive service.</p> <p>Grantees can utilize AmeriCorps grants and members to expand their reach and provide more direct services to help greater segments of their communities. Some grantees have used AmeriCorps members to provide direct services in a variety of settings, including courthouses, legal aid offices, and law libraries.</p>	<p>122(a)(1)(B)(vi) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)(vi)), by—</p> <p>(i) prioritizing entities serving communities disproportionately impacted by COVID–19 and utilizing culturally competent and multilingual strategies in the provision of services; and</p> <p>(ii) taking into account the diversity of communities and participants served by such entities, including racial, ethnic, socioeconomic, linguistic, or geographic diversity.</p> <p>GUIDANCE LANGUAGE: Read the announcement from CNCS, which notes "AmeriCorps is working expeditiously to develop guidance on how these historic increases will be implemented."</p>	
<p>AmeriCorps VISTA</p> <p><i>Corporation for National and Community Service</i></p> <ul style="list-style-type: none"> • \$80 M 	<p>AmeriCorps VISTA is the national service program designed to fight poverty. Established as Volunteers in Service to America in 1965, VISTA was incorporated into the AmeriCorps network of programs in 1993. Any public, private, or faith-based nonprofit organization, educational institution, or public agency may sponsor a VISTA. The VISTA program is guided by four core principles: anti-poverty, community engagement, capacity building, and sustainable solutions.</p>	<p>ARPA LANGUAGE: (4) AMERICORPS VISTA.—\$80,000,000 shall be used for the purposes described in section 101 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951), including to increase the living allowances of volunteers, described in section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b)).</p>	<p>See more information about AmeriCorps VISTA in JGP’s Grants Matrix.</p> <p>Legal aid providers and courts with existing AmeriCorps VISTA members can inquire about funds to increase living allowances of existing members and potential to add new ones.</p>

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	<p>VISTAS can support the organization they serve through recruiting volunteers; developing resources, informational materials, or websites; conducting studies, surveys, or needs assessments; and networking and/or developing partnerships with other organizations.</p>		
<p>Family Violence Prevention and Services Act (FVPSA)</p> <p><i>U.S. Department of Health and Human Services (HHS), Administration for Children & Families, Family & Youth Services Bureau</i></p> <ul style="list-style-type: none"> • \$180 M (emergency shelter, housing, and other emergency supports) • \$18 M (tribes) • \$49.5 M (culturally-specific services for survivors) 	<p>FVPSA is “the primary federal funding stream dedicated to the support of emergency shelter and related assistance for victims of domestic violence and their children.” FVPSA formula grants can be used for shelters, safety planning, crisis counseling, information and referrals, legal advocacy, and additional support services. Court-based advocacy and court accompaniment services are also reported uses of funds.</p>	<p>ARPA LANGUAGE:</p> <p>SEC. 2204. PROGRAMS FOR SURVIVORS.</p> <p>(a) IN GENERAL.—Section 303 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended by adding at the end the following:</p> <p>“(d) ADDITIONAL FUNDING. —For the purposes of carrying out this title, in addition to amounts otherwise made available for such purposes, there are appropriated,...for fiscal year 2021,...the following:</p> <p>“(1) \$180,000,000 to carry out sections 301 through 312, to be allocated in the manner described in subsection (a)(2), except that—</p> <p>“(A) a reference in subsection (a)(2) to an amount appropriated under subsection (a)(1) shall be considered to be a reference to an amount appropriated under this paragraph;</p> <p>“(B) the matching requirement in section 306(c)(4) and condition in section 308(d)(3) shall not apply; and</p> <p>“(C) each reference in section 305(e) to ‘the end of the following fiscal year’ shall be considered to be a reference to ‘the end of fiscal year 2025’; and</p> <p>“(D) funds made available to a State in a grant under section 306(a) and obligated in a timely manner shall be available for expenditure, by the State or a recipient of funds from the grant, through the end of fiscal year 2025;</p> <p>“(2) \$18,000,000 to carry out section 309.</p>	<p>See press releases from the National Network to End Domestic Violence (NNEDV) and the National Domestic Violence Hotline.</p> <p>The usual 20% match for FVPSA funds does not apply to this appropriation.</p>

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		<p>“(3) \$2,000,000 to carry out section 313, of which \$1,000,000 shall be allocated to support Indian communities.”.</p> <p>...</p> <p>(c) GRANTS TO SUPPORT CULTURALLY SPECIFIC POPULATIONS.—</p> <p>(1) IN GENERAL.—In addition to amounts otherwise made available, there is appropriated..., to the Secretary of Health and Human Services (in this section referred to as the “Secretary”), \$49,500,000 for fiscal year 2021, to be available until expended, to carry out this subsection (excluding Federal administrative costs, for which funds are appropriated under subsection (e)).</p> <p>(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary acting through the Director of the Family Violence Prevention and Services Program, shall—</p> <p>(A) support culturally specific community-based organizations to provide culturally specific activities for survivors of sexual assault and domestic violence, to address emergent needs resulting from the COVID–19 public health emergency and other public health concerns; and</p> <p>(B) support culturally specific community-based organizations that provide culturally specific activities to promote strategic partnership development and collaboration in responding to the impact of COVID–19 and other public health concerns on survivors of sexual assault and domestic violence.</p>	
<p>Public Health Workforce</p> <p>Community Health Centers (CHCs) and Community Care</p>	<p>ARPA's significant funding for public health activities includes expanding the public health workforce with support for State, local, and territorial public health departments to hire a wide range of public health</p>	<p>ARPA LANGUAGE:</p> <p>SEC. 2501. FUNDING FOR PUBLIC HEALTH WORKFORCE.</p> <p>(a) In General.—... there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the “Secretary”) for fiscal year 2021, ... \$7,660,000,000, to remain available until expended, to carry out activities related to establishing, expanding, and sustaining a public</p>	<p>Programs with -- or considering -- a medical legal partnership (MLP) with a CHC should consult the National Center for Medical-Legal Partnership regarding this funding.</p> <p>Since 2014, HHS has allowed CHCs to use its federal “enabling services” funds</p>

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<p><i>U.S. Department of Health and Human Services (HHS), Human Resources Services Administration (HRSA)</i></p> <ul style="list-style-type: none"> • \$7.66 B (PHW) • \$7.6 B (CHCCC) 	<p>professionals as well as communication and policy experts, and any other positions as may be required to prevent, prepare for, and respond to COVID-19 and to provide PPE.</p> <p>HHS HRSA will also administer flexible funding support for community health centers (CHCs) for activities including COVID-19 vaccine distribution and administration, testing, contact tracing, mitigation efforts, workforce enhancement, and community outreach and education. Existing HHS policy supports medical-legal partnerships (MLPs) in CHCs.</p>	<p>health workforce, including by making awards to State, local, and territorial public health departments.</p> <p>(b) Use Of Funds For Public Health Departments.— Amounts made available to an awardee pursuant to subsection (a) shall be used for the following:</p> <p>(1) Costs, including wages and benefits, related to the recruiting, hiring, and training of individuals—</p> <p>(A) to serve as case investigators, contact tracers, social support specialists, community health workers, public health nurses, disease intervention specialists, epidemiologists, program managers, laboratory personnel, informaticians, communication and policy experts, and any other positions as may be required to prevent, prepare for, and respond to COVID-19; and</p> <p>(B) who are employed by—</p> <p>(i) the State, territorial, or local public health department involved; or</p> <p>(ii) a nonprofit private or public organization with demonstrated expertise in implementing public health programs and established relationships with such State, territorial, or local public health departments, particularly in medically underserved areas.</p> <p>...</p> <p>SEC. 2601. FUNDING FOR COMMUNITY HEALTH CENTERS AND COMMUNITY CARE.</p> <p>(a) In General.—...there is appropriated to the Secretary of Health and Human Services ... for fiscal year 2021, ... \$7,600,000,000, to remain available until expended, for necessary expenses for awarding grants and cooperative agreements under section 330 of the Public Health Service Act (42 U.S.C. 254b) ..., and for necessary expenses for awarding grants to Federally qualified health centers, ... and for awarding grants or contracts to Papa Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11703, 11705)....</p>	<p>to pay for on-site civil legal aid to help meet the primary care needs of the population and communities they serve.</p> <p>As NCMLP explains, enabling services, outlined in Section 330 of the Public Health Service Act help facilitate access to care and can improve patients' health, e.g., transportation, interpretation, outreach, case management, and civil legal aid that combats health-harming social conditions that involve legal needs regarding housing, public benefits, insurance and domestic violence.</p>

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		<p>(b) Use Of Funds.—Amounts made available to an awardee pursuant to subsection (a) shall be used—</p> <p>...</p> <p>(4) to establish, expand, and sustain the health care workforce to prevent, prepare for, and respond to COVID–19, and to carry out other health workforce-related activities;</p> <p>(5) to modify, enhance, and expand health care services and infrastructure; and</p> <p>(6) to conduct community outreach and education activities related to COVID–19</p> <p>GUIDANCE LANGUAGE: HRSA issued guidance is here. Medical-legal partnerships and legal services are listed as examples under two purpose areas:</p> <p>"Maintaining and Increasing Capacity</p> <p>...</p> <ul style="list-style-type: none"> • Community Partnerships: Establish and strengthen community partnerships and referrals for housing, child care, food banks, employment, education counseling, legal services, and other related services." <p>"Recovery and Stabilization</p> <p>...</p> <ul style="list-style-type: none"> • Early Childhood Health Partnerships – Note this is an example you may include under “Other”: Establish and expand partnerships and referral networks with community services to address developmental delays and social risk factors, such as housing, child care, food security, violence prevention, and medical-legal partnerships." 	
Substance Abuse Prevention and Treatment Block Grant (SABG) and the Community Mental	SABG’s program’s objective is to help plan, implement, and evaluate activities that prevent and treat substance abuse. Among those	ARPA LANGUAGE: SEC. 2701. FUNDING FOR BLOCK GRANTS FOR COMMUNITY MENTAL HEALTH SERVICES.	Some states receiving SABG or MHBG funding have supported legal services programs. See more information about SABG and MHBG and read about examples in JGP’s Grant Matrix .

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<p>Health Services Block Grant (MHBG)</p> <p><i>U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA)</i></p> <ul style="list-style-type: none"> • \$1.5 B Community Mental Health Services • \$1.5 B Prevention and Treatment of Substance Abuse 	<p>populations the SABG seeks to serve are pregnant women with a substance use and/or mental disorder; parents with substance use and/or mental disorders who have dependent children, persons who inject drugs, individuals with tuberculosis and other communicable diseases and persons living with or at risk of HIV/AIDS. The SABG also supports prevention activities and persons who experience homelessness and involvement in the criminal justice system that support recovery, prevention, and treatment.</p> <p>MHBG's goal is to provide comprehensive mental health services to adults with serious mental illness (SMI) and children with serious emotional disturbance (SED). The MHBG seeks to support individuals who have an Early Serious Mental Illness; adults with SMI, individuals with SMI or SED in the rural and homeless populations; and children with SED and their families.</p>	<p>In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the "Secretary") for fiscal year 2021, ... \$1,500,000,000, to remain available until expended, for carrying out subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.), subpart III of part B of title XIX of such Act (42 U.S.C. 300x-51 et seq.), and section 505(c) of such Act (42 U.S.C. 290aa-4(c)) with respect to mental health. Notwithstanding section 1952 of the Public Health Service Act (42 U.S.C. 300x-62), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by September 30, 2025.</p> <p>SEC. 2702. FUNDING FOR BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE. In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$1,500,000,000, to remain available until expended, for carrying out subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.), subpart III of part B of title XIX of such Act (42 U.S.C. 300x-51 et seq.), section 505(d) of such Act (42 U.S.C. 290aa-4(d)) with respect to substance abuse, and section 515(d) of such Act (42 U.S.C. 290bb-21(d)). Notwithstanding section 1952 of the Public Health Service Act (42 U.S.C. 300x-62), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by September 30, 2025.</p>	<p>States are required to develop state plans, which can often be found online. Find the FY 2020-2021 Block Grant Application here, which includes required criteria states use to establish the spending plans, tailored goals, objectives, strategies and performance indicators detailed in their state plans.</p>
<p>Emergency Rental Assistance Program (ERAP)</p>	<p>The Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA</p>	<p>SEC. 3201. EMERGENCY RENTAL ASSISTANCE. (a) Funding.—</p>	<p>Both Rep. Maxine Waters (D-CA) (go here and search for "legal services") and Rep. Mary Gay Scanlon (D-PA) (go here</p>

Funding Source	Additional Details	Important Language	Helpful Tips
<p><i>U.S. Department of the Treasury</i></p> <ul style="list-style-type: none"> • \$21,550 B 	<p>Act), signed December 27, 2020, created the ERAP with \$25 B (now referred to as ERAP 1). The ARP builds upon this critical relief to reduce evictions by providing an <i>additional</i> \$21.6 B in emergency rental assistance for low-income renters who have lost income or are experiencing other hardship and risk losing their housing (now referred to as ERAP 2).</p> <p>Guidance published by the former administration’s Treasury Department regarding ERAP 1 and 2, was updated on June 24, 2021 clarifying that both allow for up to 10% of any state or local grant to be used for “housing stability services” including “legal services or attorney’s fees related to eviction proceedings and maintaining housing stability.”</p>	<p>(1) APPROPRIATION. In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for fiscal year 2021, ... \$21,550,000,000, to remain available until September 30, 2027 [but see Helpful tips column], for making payments to eligible grantees under this section—</p> <p>...</p> <p>(d) Use of funds.—</p> <p>(1) IN GENERAL.—An eligible grantee shall only use the funds provided from payments made under this section as follows:</p> <p>(A) FINANCIAL ASSISTANCE.—</p> <p>(i) IN GENERAL.—Subject to clause (ii) of this subparagraph, funds received by an eligible grantee from payments made under this section shall be used to provide financial assistance to eligible households, not to exceed 18 months, including the payment of—</p> <p>(I) rent;</p> <p>(II) rental arrears;</p> <p>(III) utilities and home energy costs;</p> <p>(IV) utilities and home energy costs arrears; and</p> <p>(V) other expenses related to housing, as defined by the Secretary.</p> <p>...</p> <p>(B) HOUSING STABILITY SERVICES.—Not more than 10 percent of funds received by an eligible grantee from payments made under this section may be used to provide case management and other services intended to help keep households stably housed.</p> <p>(C) ADMINISTRATIVE COSTS.—Not more than 15 percent of the total amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance, housing stability services, and other affordable rental housing and eviction prevention activities, including for data collection and reporting requirements related to such funds.</p> <p>(D) OTHER AFFORDABLE RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use</p>	<p>at timestamp 8:45) made clear their intention to include legal aid services as allowable under ERAP.</p> <p>The National Low Income Housing Coalition (NLIHC) published a table comparing Treasury’s March and May ERAP 1 and 2 guidance side-by-side.</p> <p>National Association of Counties’ (NACo) webinar, “Emergency Rental Assistance Programs: Understanding ERAP I and ERAP II”, explains the differences and similarities between the two ERAPs, including spend deadlines, use of funds, and best practices and avoiding pitfalls in administration.</p> <p>National Coalition for a Civil Right to Counsel (NCCRC) held a webinar highlighting ERAP legal aid work underway in Michigan, Rhode Island, Cleveland, and Long Beach and Santa Ana California - a recording can be found here.</p> <p>The National Council of State Housing Agencies (NCSHA) prepared Administration of the Federal Emergency Rental Assistance Program: Considerations for State Agencies, that mentions “potential expenses states may want to consider counting toward significant costs, and that may contribute to financial hardship” including “...legal costs associated with rental or utility arrears”, and examples</p>

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		<p>any funds from payments made under this section that are unobligated on October 1, 2022, for purposes in addition to those specified in this paragraph, provided that—</p> <p>(i) such other purposes are affordable rental housing and eviction prevention purposes, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937...)</p> <p>GUIDANCE LANGUAGE:</p> <p>FAQ 23 expressly allows legal services: "23. ERA1 and ERA2 both allow for up to 10 percent of the funds received by a grantee to be used for certain housing stability services. What are some examples of these services?"</p> <p>ERA1 and ERA2 have different requirements for housing stability services.</p> <p>Under ERA1, these funds may be used to provide eligible households with case management and other services related to the COVID-19 outbreak, as defined by the Secretary, intended to help keep households stably housed.</p> <p><i>Under ERA2, these services do not have to be related to the COVID-19 outbreak.</i></p> <p><i>For purposes of ERA1 and ERA2, housing stability services include those that enable eligible households to maintain or obtain housing. Such services may include, among other things, eviction prevention and eviction diversion programs; mediation between landlords and tenants; housing counseling; fair housing counseling; housing navigators or promotoras that help households access ERA programs or find housing; case management related to housing stability; housing-related services for survivors</i></p>	<p>of partners for outreach as local court systems and legal aid.</p> <p>NCSHA frequently updates its map of state agency ERAP administrators.</p> <p>For examples of legal aid programs tapping CARES Act funds to help tenants facing eviction see this article and the NCCRC's page.</p> <p>Section 3201(a)(1) of the Act states that funds are available to the Treasury through September 30, 2027. However, § 3201(g) of the Act provides that funds shall remain available through September 30, 2025. According to the Congressional Research Service, "Funding provided through P.L.117-2 is available until September 30, 2025."</p> <p>To help make the evidence-based case for why pandemic relief funds should include legal aid to keep people housed, see this curated collection of key research findings and this February 2021 issue of the JGP-NLADA newsletter Just Research.</p>

Funding Source	Additional Details	Important Language	Helpful Tips
		<p>of domestic abuse or human trafficking; <i>legal services or attorney's fees related to eviction proceedings and maintaining housing stability</i>; and specialized services for individuals with disabilities or seniors that support their ability to access or maintain housing. Grantees using ERA funds for housing stability services must maintain records regarding such services and the amount of funds provided to them."</p> <p>FAQ 36 speaks directly to courts: "36. What steps can ERA grantees take to prevent evictions for nonpayment of rent? Treasury strongly encourages grantees to develop <i>partnerships with courts</i> in their jurisdiction that adjudicate evictions for nonpayment of rent to help prevent evictions and develop eviction diversion programs. For example, grantees should consider: (1) providing information to judges, magistrates, court clerks, and other relevant court officials about the availability of assistance under ERA programs and housing stability services; (2) working with eviction courts to provide information about assistance under ERA programs to tenants and landlords as early in the adjudication process as possible; and (3) engaging providers of legal services and other housing stability services to assist households against which an eviction action for nonpayment of rent has been filed."</p>	
<p>Homeowner Assistance Fund (HAF)</p> <p><i>U.S. Department of the Treasury</i></p> <ul style="list-style-type: none"> • \$9.961 B 	<p>The HAF is for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financing hardship due to the pandemic, and assistance that promotes housing</p>	<p>ARPA LANGUAGE: SEC. 3206. HOMEOWNER ASSISTANCE FUND. ... (c) Establishment Of Fund.— (1) ESTABLISHMENT; QUALIFIED EXPENSES.—There is established in the Department of the Treasury a Homeowner Assistance Fund to mitigate financial hardships associated with the coronavirus pandemic by providing such funds as are appropriated by subsection (a) to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults,</p>	<p>For the National Council of State Housing Agencies (NCSHA) HAF analysis go here.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Washington State Office of Civil Legal Aid received \$2.5 M for foreclosure legal aid services in FY 2022, some of which could carry forward into FY 2023.

Funding Source	Additional Details	Important Language	Helpful Tips
	<p>security. Funds are available until September 30, 2025.</p> <p>Funds will be distributed based on a formula that considers: the average number of individuals who are unemployed over a time period between 3 to 12 months; the total number of mortgagors with mortgage payments that are more than 30 days past due or mortgages in foreclosure. Each state, DC, and Puerto Rico will receive a minimum of \$50 M of the \$9.39 B; \$30 M for territories; \$498 M for tribes.</p>	<p>foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing, which include—</p> <ul style="list-style-type: none"> (A) mortgage payment assistance; (B) financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing related costs related to a period of forbearance, delinquency, or default; (C) principal reduction; (D) facilitating interest rate reductions; (E) payment assistance for— <ul style="list-style-type: none"> (i) utilities, including electric, gas, home energy, and water; (ii) internet service, including broadband internet access service, as defined in section 8.1(b) of title 47, Code of Federal Regulations (or any successor regulation); (iii) homeowner’s insurance, flood insurance, and mortgage insurance; and (iv) homeowner’s association, condominium association fees, or common charges; (F) reimbursement of funds expended by a State, local government, or designated entity under subsection (f) during the period beginning on January 21, 2020, and ending on the date that the first funds are disbursed by the eligible entity under the Homeowner Assistance Fund, for the purpose of providing housing or utility payment assistance to homeowners or otherwise providing funds to prevent foreclosure or post-foreclosure eviction of a homeowner or prevent mortgage delinquency or loss of housing or utilities as a response to the coronavirus disease (COVID) pandemic; and (G) any other assistance to promote housing stability for homeowners, including preventing mortgage delinquency, default, foreclosure, post-foreclosure eviction of a homeowner, or the loss of utility or home energy services, as determined by the Secretary. 	

Funding Source	Additional Details	Important Language	Helpful Tips
		<p>GUIDANCE LANGUAGE: Treasury has made available an electronic portal for states, territories, and tribes to submit requests for funds and related documents. Related documents and initial guidance issued April 14 can be found here under the heading Program Resources.</p> <p>The April 14, 2021 HAF guidance expressly includes legal services under "Qualified Expenses" (see pg. 4, #8):</p> <ul style="list-style-type: none"> • “8. counseling or educational efforts by housing counseling agencies approved by HUD, or legal services, targeted to households eligible to be served with funding from the HAF related to foreclosure prevention or displacement, in an aggregate amount up to 5% of the funding from the HAF received by the HAF participant;” 	
<p>Homelessness Assistance and Supportive Services Program (HASSP)</p> <p><i>U.S. Department of Housing and Urban Development</i></p> <ul style="list-style-type: none"> • \$5 B 	<p>HASSP funds will help create housing and services for people who are experiencing or at risk of homelessness. Funding to be distributed using the HOME Investment Partnerships Act Program formula:</p> <ul style="list-style-type: none"> - 60% to metropolitan cities, urban counties, and consortia that receive more than the minimum funding (minimum allocation \$500,0000) - 40% to states, including D.C. and Puerto Rico (minimum allocation (\$750,000) 	<p>ARPA LANGUAGE: “SEC. 3205. HOMELESSNESS ASSISTANCE AND SUPPORTIVE SERVICES PROGRAM.</p> <p>(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2021, ... \$5,000,000,000, to remain available until September 30, 2025, except that amounts authorized under subsection (d)(3) shall remain available until September 30, 2029, for assistance under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) for the following activities to primarily benefit qualifying individuals or families:</p> <ol style="list-style-type: none"> (1) Tenant-based rental assistance. (2) The development and support of affordable housing pursuant to section 212(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12742(a)) (“the Act” herein). 	<p>HUD's press release about the program is here.</p> <p>These supplemental funds are allocated through the HOME Investment Partnerships Program to 651 grantees, including states, insular areas, and local governments. The full list of allocations is here.</p> <p>For the National Council of State Housing Agencies (NCSHA) analysis of HASSP go here.</p> <p>For National Low-Income Housing Coalition's (NLHC) state/territory breakdown on allocations go here.</p>

Funding Source	Additional Details	Important Language	Helpful Tips
		<p>(3) Supportive services to qualifying individuals or families not already receiving such supportive services, including—</p> <p>(A) activities listed in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29));</p> <p>(B) housing counseling; and</p> <p>(C) homeless prevention services.”</p> <p>Legal services are explicitly mentioned as supportive services in the McKinney Vento Homelessness Assistance Act, and legal services for eviction prevention and defense are clearly methods of homelessness prevention.</p>	
<p>Native American and Native Hawaiian Housing Block Grants (HBG); Indian Community Development Block Grant (I-CDBG)</p> <p><i>U.S. Department of Housing and Urban Development</i></p> <ul style="list-style-type: none"> • \$455 M (HBG) • \$280 M (I-CDBG) 	<p>For an overview of HBG, see the Congressional Research Service’s Report, The Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA): Background and Funding, and for I-CDBG see HUD’s program information page.</p>	<p>ARPA LANGUAGE:</p> <p>SEC. 11003. HOUSING ASSISTANCE AND SUPPORTIVE SERVICES PROGRAMS FOR NATIVE AMERICANS.</p> <p>...</p> <p>(1) HOUSING BLOCK GRANTS.—\$455,000,000 shall be available for the Native American Housing Block Grants and Native Hawaiian Housing Block Grant programs, as authorized under titles I and VIII of NAHASDA, subject to the following terms and conditions:</p> <p>(A) FORMULA.—Of the amounts made available under this paragraph, \$450,000,000 shall be for grants under title I of NAHASDA and shall be distributed according to the same funding formula used in fiscal year 2021.</p> <p>(B) NATIVE HAWAIIANS.—Of the amounts made available under this paragraph, \$5,000,000 shall be for grants under title VIII of NAHASDA.</p> <p>(C) USE.—Amounts made available under this paragraph shall be used by recipients to prevent, prepare for, and respond to coronavirus, including to maintain normal operations and fund eligible affordable housing activities under NAHASDA during the period that the program is impacted by coronavirus. In addition, amounts made available under subparagraph (B) may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands.</p> <p>...</p>	<p>For the Senate Committee on Indian Affairs breakdown of the more than \$31 B in the ARPA for Native Communities, the "largest investment in Native Programs in history," including these block grants, go here.</p> <p>Generally with CDBG, legal services are eligible under the usually capped "public services" category. However, the ARPA removes the public services limitation to allow up to 100% of funds for services.</p> <p>See more information about CDBG in this Grants Matrix.</p>

Funding Source	Additional Details	Important Language	Helpful Tips
		<p>(2) INDIAN COMMUNITY DEVELOPMENT BLOCK GRANTS.—\$280,000,000 shall be available for grants under title I of the Housing and Community Development Act of 1974, subject to the following terms and conditions:</p> <p>(A) USE.—Amounts made available under this paragraph shall be used for emergencies that constitute imminent threats to health and safety and are designed to prevent, prepare for, and respond to coronavirus.</p> <p>(B) PLANNING.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be expended for planning and management development and administration.</p> <p>(C) TIMING OF OBLIGATIONS.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs to prevent, prepare for, and respond to coronavirus incurred by a recipient, including for costs incurred after January 21, 2020.</p> <p>(D) INAPPLICABILITY OF PUBLIC SERVICES CAP.—Indian tribes may use up to 100 percent of any grant from amounts made available under this paragraph for public services activities to prevent, prepare for, and respond to coronavirus.</p>	
<p>Housing Counseling</p> <p><i>U.S. Department of Housing and Urban Development (HUD)</i></p> <p>\$100 M</p>	<p>For an overview of HUD's housing counseling program go here.</p>	<p>ARPA LANGUAGE:</p> <p>SEC. 3204. HOUSING COUNSELING.</p> <p>(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Neighborhood Reinvestment Corporation (in this section referred to as the “Corporation”) for fiscal year 2021, ... \$100,000,000, to remain available until September 30, 2025, for grants to housing counseling intermediaries approved by the Department of Housing and Urban Development, State housing finance agencies, and NeighborWorks organizations for providing housing counseling services, as authorized under the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107) and consistent with the discretion set forth in section 606(a)(5) of such</p>	<p>Courts can collaborate with housing counseling programs. Some legal aid organizations also provide housing counseling services.</p>

Funding Source	Additional Details	Important Language	Helpful Tips
		<p>Act (42 U.S.C. 8105(a)(5)) to design and administer grant programs. Of the grant funds made available under this subsection, not less than 40 percent shall be provided to counseling organizations that—</p> <ul style="list-style-type: none"> (1) target housing counseling services to minority and low-income populations facing housing instability; or (2) provide housing counseling services in neighborhoods having high concentrations of minority and low-income populations. <p>(b) Limitation.—The aggregate amount provided to NeighborWorks organizations under this section shall not exceed 15 percent of the total of grant funds made available by subsection (a).</p> <p>(c) Administration And Oversight.—The Corporation may retain a portion of the amounts provided under this section, in a proportion consistent with its standard rate for program administration in order to cover its expenses related to program administration and oversight.</p> <p>(d) Housing Counseling Services Defined.— For the purposes of this section, the term “housing counseling services” means—</p> <ul style="list-style-type: none"> (1) housing counseling provided directly to households facing housing instability, such as eviction, default, foreclosure, loss of income, or homelessness; (2) education, outreach, training, technology upgrades, and other program related support; and (3) operational oversight funding for grantees and subgrantees that receive funds under this section. 	
<p>Elementary and Secondary School Emergency Relief Fund (ESSER Fund)</p> <p><i>U.S. Department of Education</i></p>	<p>These grants to State educational agencies (SEAs) for the purpose of providing local educational agencies (LEAs), including charter schools that are LEAs, with emergency relief funds to address the impact that COVID-19 has had and continues to have, on</p>	<p>ARPA LANGUAGE: SEC. 2001. ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND. (a) In General.—In addition to amounts otherwise available through the Education Stabilization Fund, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$122,774,800,000, to remain available through September 30, 2023, to carry out this section.</p>	<p>Although we have not previously identified any Local Education Agencies using their funds for legal aid, there are a growing number of legal aid organizations partnering with schools. That's why it may be worth exploring opportunities to fund legal help to families with school-age children. See e.g., Legal Aid of West Virginia's Lawyer in the School project.</p>

Funding Source	Additional Details	Important Language	Helpful Tips
<ul style="list-style-type: none"> • \$122 B 	<p>elementary and secondary schools across the Nation.</p>	<p>(b) Grants.—From funds provided under subsection (a), the Secretary shall—</p> <p>(1) use \$800,000,000 for the purposes of identifying homeless children and youth and providing homeless children and youth with—</p> <p>(A) wrap-around services in light of the challenges of COVID–19; and</p> <p>(B) assistance needed to enable homeless children and youth to attend school and participate fully in school activities; and</p> <p>...</p> <p>(d) Subgrants to Local Educational Agencies.—</p> <p>(1) IN GENERAL.—Each State shall allocate not less than 90 percent of the grant funds awarded to the State under this section as subgrants to local educational agencies (including charter schools that are local educational agencies) in the State in proportion to the amount of funds such local educational agencies and charter schools that are local educational agencies received under part A of title I of the Elementary and Secondary Education Act of 1965 in the most recent fiscal year.</p> <p>(2) AVAILABILITY OF FUNDS.—Each State shall make allocations under paragraph (1) to local educational agencies in an expedited and timely manner and, to the extent practicable, not later than 60 days after the receipt of such funds.</p> <p>(e) Uses of Funds.—A local educational agency that receives funds under this section—</p> <p>(1) shall reserve not less than 20 percent of such funds to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student subgroups described in section 1111(b)(2)(B)(xi)</p>	<p>Typical legal issues addressed by legal aid/school collaborations include public benefits, eviction, foreclosure, kinship caregiver needs, and domestic violence.</p> <p>For an overview of the ESSER Fund and state allocations from ED Office of Elementary and Secondary Education go here and from the National Conference of State Legislatures here.</p>

Funding Source	Additional Details	Important Language	Helpful Tips
		<p>of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care; and</p> <p>(2) shall use the remaining funds for any of the following:</p> <p>(A) Any activity authorized by the Elementary and Secondary Education Act of 1965.</p> <p>(B) Any activity authorized by the Individuals with Disabilities Education Act.</p> <p>(C) Any activity authorized by the Adult Education and Family Literacy Act.</p> <p>(D) Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006.</p> <p>(E) Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.</p> <p>(F) Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.</p>	