

Quality Legal Representation (QLR) Program



LAKESHORE
LEGAL AID

Because Justice for Some is No Justice at All

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Mission Statement

Standing with our neighbors, Lakeshore Legal Aid fights poverty and injustice through advocacy and by providing meaningful and dignified access to the legal system.

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About Lakeshore Legal Aid

For over 56 years, Lakeshore has provided **free civil legal services** to Michigan older adults, people with low-income, survivors of domestic violence, sexual assault, and trafficking



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LEGAL MATTERS WE HANDLE

- ▶ Consumer (used car purchases & warranties, debt collection, garnishment, repossession, installment payment plans, consumer scams, credit report issues)
- ▶ Driver's License Restoration
- ▶ Education (individual education plans, expulsions, and suspensions)
- ▶ Estate Planning (probate, wills, medical & financial durable powers of attorney)
- ▶ Expungement
- ▶ Family Law (divorce, custody, child support, parenting time, paternity)
- ▶ Guardianship/Conservatorship
- ▶ Housing (eviction defense, leases, landlord/tenant issues, mobile homes, security deposits, subsidized housing, mortgage & tax foreclosures, land contracts, lead paint hazards)
- ▶ Income Tax (Earned Income Tax Credit, innocent spouse relief, tax refund, garnishment)
- ▶ Protection from Abuse (domestic violence, stalking, personal protection orders, senior exploitation-including financial and physical abuse)
- ▶ Public Benefits (cash assistance, food stamps, Medicaid, Social Security, Social Security Disability, Supplemental Security Disability (SSI))
- ▶ Unemployment Benefits

*No Criminal or
Traffic-Related*

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WHO WE HELP

- ▶ People with low-income.
- ▶ Seniors (age 60 and older).
- ▶ Survivors of sexual assault, domestic violence, trafficking, and elder abuse.
- ▶ U.S. citizens, legal permanent residents, and some other people who are not documented (including survivors of domestic violence and trafficking).



NOTE: Because Lakeshore is a non-profit organization funded by grants, services may be limited by the availability of attorneys & other resources.

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QLR: Introduction

The Third Circuit Court has established a pilot program to help children and families. The program is designed to provide legal and social support services to families to address certain issues that, if resolved, children would remain in the home OR be returned to the home more quickly.



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What We Provide Help With:

An Attorney Association may be assigned to a family to help address the following needs. They are not employees of the Court.

- ▶ Landlord Tenant
- ▶ District Court
- ▶ Misdemeanor/Ordinance Issues
- ▶ Legal Custody
- ▶ Guardianships
- ▶ Housing
- ▶ Immigration
- ▶ Social Security Disability
- ▶ Divorce
- ▶ Substance Abuse Assistance
- ▶ Multidisciplinary Support Services
- ▶ Assistance seeking Public Benefits
- ▶ Driver's License Restoration
- ▶ Social Security Disability
- ▶ Personal Protection Order (PPO)

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Social Services at LLA

- ▶ The attorney client privilege does not apply to our social workers.
- ▶ Some states do not have that carve out, Michigan does not.
- ▶ Screen our social workers out.

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Social Services at QLR

- ▶ By providing social workers to assist clients, they are able to provide these clients with being able to access basic life necessities and to address the emotional and psycho-social needs
- ▶ Social workers are able to assist in creating that human connection with a client that is necessary for building trust and a relationship
 - ▶ This is very important for the individuals we work with as many are coming from places of trauma and are seeking help for a very difficult thing

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Referral Process

- ▶ QLR has different referral processes depending on the person or family seeking help
- ▶ These referral processes help us to determine what types of services they may require
- ▶ We will go over these types of referral processes next . . .

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QLR Referral Process for Services for At-Risk Families - Prepetition

Step 1 - DHHS PS Worker - Identifies family at risk of children being removed from parents'/guardian's care and neglect petition being filed in Juvenile Section of 3rd Circuit Court (Court) AND determines that appropriate enumerated legal and/or social support assistance may obviate the need to file a NA petition and remove child(ren) AND offers QLR referral to family. Services include representation in Landlord Tenant, District Court Misdemeanor and Ordinance Violation Defense, Pre-adjudicative Legal Custody in Domestic Relations, Guardianship, Housing, Immigration, Driver's License Restoration, Social Security Disability, Divorce, Domestic Violence, Substance Abuse, Multidisciplinary Support, Supplemental Support Services and Public Benefits. If family accepts, PSW will assist in referring family for QLR services.

Step 2 - DHHS PS Worker - Fills out referral form _____ and emails form to Attorney Association requesting assistance for at risk family.

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QLR Referral Process for Services for At-Risk Families - Prepetition

Step 3 - Attorney Association - Offers services to identified family. If family agrees, family signs contract with Attorney Association. If family declines, Attorney Association maintains data of families that decline and shares information with DHHS

Step 4 - Attorney Association provides QLR services to identified family. Association addresses issues, allowing child(ren) to remain in the home and no petition is filed. Attorney Association maintains database of cases successfully resolved and shares information with DHHS.

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QLR Referral Process for Services for At-Risk Families - Prepetition

Step 5 - Provides aggregate data to the Office of the DCA of cases received, accepted, type of service rendered, and outcome. Provides aggregate data of all cases rejected and reason for rejection.

Step 6 - Office of DCA - Maintain aggregate data of all cases accepted and rejected by Attorney Association.

Step 7 - DHHS - Follows up at 1 year, and 2 year intervals. DHHS provides aggregate data to Office of DCA of cases referred to Attorney Association, cases accepted by Attorney Association, cases rejected by Attorney Association, cases where parent refused referral, petitions filed, children removed (yes or no), court established jurisdiction, outcome or current status.

Step 8 - Attorney Association - Collects and shares the following data with the Office of the DCA: Total number of cases referred, total number of cases accepted, total number of cases not accepted, type of service(s) provided, outcomes. Data is provided annually.

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QLR Referral Process for Services for Families Under Jurisdiction of the Court

Step 1 - Juvenile Jurist - Identifies family on their docket, under jurisdiction of the Court, that may benefit from receiving specific enumerated legal and/or social support services and if provided, may allow children either stay with their parent or guardian or be returned home to the parent or custodian (QLR Services) more quickly than they otherwise would

Step 2 - Juvenile Jurist - Instructs DHHS to offer family QLR services. The specific services that family may receive include: Legal Custody, Landlord Tenant, District Court Misdemeanor and Ordinance Violation Defense, Guardianship, Housing, Immigration, Driver's License Restoration, Social Security Disability, Divorce, Domestic Violence, Substance Abuse, Multidisciplinary Support, Supplemental Support Services and Public Benefits

Step 3 - DHHS/Foster Care Worker - Provides referral to parent to Attorney Association to receive QLR service.

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QLR Referral Process for Services for Families Under Jurisdiction of the Court

Step 4 - Juvenile Jurist Courtroom - Sends Attorney Referral and Appointment form to CPLRInbox@3rdcc.org to notify Court Administration as to the need for services of an Attorney Association to assist a parent with one of the enumerated services.

Step 5 - CPLR Intake - Sends referral to Attorney Association with contact information and service request. Copy of the referral, and all data, is kept and captured for purposes of analysis

Step 6 - Attorney Association - Schedules meeting with parent, offers services to parent. If parent agrees, parent signs contract with Attorney Association. Attorney Association maintains data of parent that declines services.

Step 7 - Attorney Association - If parent agrees and signs contract with Attorney Association, Attorney Association provides QLR Services to parent. Attorney Association addresses issue(s) allowing children to be returned or stay at home with parent, custodian, or guardian.

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QLR Referral Process for Services for Families Under Jurisdiction of the Court

Step 8 - Attorney Association - Provides information to parent and foster care worker or department case worker establishing that issue has been resolved, allowing children to stay home or be returned to home of parent/guardian. Attorney Association provides information to CPLR Intake

Step 9 - Juvenile Jurist - Receives information at subsequent DRH and makes determination as to whether children should be returned to the home of the parent, custodian, or guardian or that, because issue has been resolved, the Court may terminate jurisdiction. Copy of the order returning child home and/or termination of Court ward ship is sent to CPLRInbox@3rdcc.org

Step 10 - DHHS/Foster Care Worker - Communicates result of DRH to Attorney Association of whether children are returned to the home.

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QLR Referral Process for Services for Families Under Jurisdiction of the Court

Step 11 - Attorney Association - Receives information from Foster Care Worker and maintains database of referrals received, referring jurist, issues(s) addressed, services provided, and outcome.

Step 12 - DHHS - Maintains database of families that receive QLR Services and provides status of family at 1 year, 2 year intervals.

Step 13 - Office of the DCA - Once the total number of eligible referrals (i.e. cap) to the Attorney Association is reached, informs Court and all stakeholders that there will not be any more referrals to Attorney Association for remainder of the FY

Request for Ancillary Legal Services

- ▶ The form to the right shows what a request for ancillary legal services looks like.
- ▶ This is a simple form that a person may fill out when looks to help prevent removal from the home or attain permanency for the children.

| | | | | |
|---|---|---|---|---|
|  | <h2 style="margin: 0;">REQUEST FOR ANCLARY LEGAL SERVICES</h2> | <div style="border: 1px solid black; padding: 2px; display: inline-block;"> DATE / / </div> | | |
| Agency/Division: | | | | |
| Agency: | | | | |
| Name of agency or applicable: | | | | |
| Reasoning for: <input type="checkbox"/> Military <input type="checkbox"/> Father <input type="checkbox"/> Custodial <input type="checkbox"/> Non-custodial | | | | |
| Reasoning: <input type="checkbox"/> American (non-Indian) Native Born <input type="checkbox"/> Asian or African American <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Indian American or Pacific Islander <input type="checkbox"/> Other | | | | |
| Role of applicant: <input type="checkbox"/> Federal Law Agency specialist <input type="checkbox"/> Federal Law Agency attorney <input type="checkbox"/> Civil Patent Attorney Specialist <input type="checkbox"/> Patent for Law <input type="checkbox"/> Judge of Appeals <input type="checkbox"/> Other: | | | | |
| I am requesting the following agency legal services: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Resumption of paternity identification <input type="checkbox"/> Cross-border marriage <input type="checkbox"/> Custodial arrangement/paternity issue <input type="checkbox"/> Non-custodial arrangement/paternity issue <input type="checkbox"/> Resumption of citizenship <input type="checkbox"/> Resumption of nationality </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Paternity action <input type="checkbox"/> Child support (DFA/PPD) <input type="checkbox"/> Enforcement <input type="checkbox"/> Domestic violence <input type="checkbox"/> Child support <input type="checkbox"/> Child support (DFA/PPD) <input type="checkbox"/> Child support (DFA/PPD) </td> </tr> </table> | | | <input type="checkbox"/> Resumption of paternity identification <input type="checkbox"/> Cross-border marriage <input type="checkbox"/> Custodial arrangement/paternity issue <input type="checkbox"/> Non-custodial arrangement/paternity issue <input type="checkbox"/> Resumption of citizenship <input type="checkbox"/> Resumption of nationality | <input type="checkbox"/> Paternity action <input type="checkbox"/> Child support (DFA/PPD) <input type="checkbox"/> Enforcement <input type="checkbox"/> Domestic violence <input type="checkbox"/> Child support <input type="checkbox"/> Child support (DFA/PPD) <input type="checkbox"/> Child support (DFA/PPD) |
| <input type="checkbox"/> Resumption of paternity identification <input type="checkbox"/> Cross-border marriage <input type="checkbox"/> Custodial arrangement/paternity issue <input type="checkbox"/> Non-custodial arrangement/paternity issue <input type="checkbox"/> Resumption of citizenship <input type="checkbox"/> Resumption of nationality | <input type="checkbox"/> Paternity action <input type="checkbox"/> Child support (DFA/PPD) <input type="checkbox"/> Enforcement <input type="checkbox"/> Domestic violence <input type="checkbox"/> Child support <input type="checkbox"/> Child support (DFA/PPD) <input type="checkbox"/> Child support (DFA/PPD) | | | |
| Decide: Use an ancillary legal service will prevent lawsuit to the future or other permanency for the children? <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | |
| Does parent whose attorney assistance: <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | |
| Date: Signature: | | | | |

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Contact Us

- ▶ The best way: call our Counsel & Advocacy Law Line (CALL) (888) 783-8190. CALL is staffed by attorneys and provides complete confidentiality.
- ▶ Apply online @Michiganlegalhelp.org, then click on the "Guide to Legal Help."
- ▶ For family law matters only, in Oakland County, the Family Law Assistance Project (FLAP), call 248-530-9330.
- ▶ Lakeshore attorneys will give virtual or in-person "Know Your Rights" presentations about any of the legal issues listed earlier to community groups, the staff or clients of other community-based agencies, churches, or other groups.

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COUNSEL & ADVOCACY LAW LINE (CALL) TOLL FREE: (888) 783-8190

- ▶ After income & asset screening, a CALL attorney provides advice and brief legal services over the phone.
- ▶ Cases requiring more than brief services are referred to a specific Lakeshore office to determine whether we can provide further services, including litigation.
- ▶ CALL Office hours:

| | |
|---------------------------|--------------|
| Monday, Tuesday, Thursday | 9 AM to 5 PM |
| Wednesday | 9 AM to 6 PM |
| Friday | 9 AM to 1 PM |
- ▶ Phone service only. Not open to the public for walk-ins or appointments.

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Funding for Lakeshore Legal Aid is provided in part by:

- ▶ Legal Services Corporation
- ▶ Michigan State Bar Foundation
- ▶ Area Agency on Aging 1-B
- ▶ United Way of Southeastern Michigan
- ▶ Oakland County Bar Foundation
- ▶ Office on Violence Against Women, (OVW) Department of Justice
- ▶ Saint Clair County Senior Citizen Millage

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