Although many child support issues do not require legal representation, a legal partner is important to a project site. The legal partner can not only provide representation in contested or complex matters but can also help develop trust between the veteran and the child support professional.

The nine HHS-VA-ABA pilot sites have various legal partners. Two of the sites have legal partners that focus on representation of homeless persons, and another site includes a legal partner located at a homeless shelter. Several of the legal partners are funded by Legal Services. The legal partner at several sites is a veterans service provider that includes a legal component. There are also individual sites that collaborate, respectively, with a law school veterans clinic, a pro bono law firm, and the State’s Attorney’s Office.

The sites also have various legal delivery models. There are individual attorneys within legal service programs tasked with assisting homeless veterans identified by VA and child support partners, pro bono attorneys working with veterans at assisted pro se legal clinics, and law students working within clinic legal education programs to resolve child support compliance issues for homeless veterans. While full representation services are available in some sites, other sites use a supported pro se model or hybrid model to respond to the need for legal services.

**Recommendations to the Child Support Agency**

- Think strategically about your legal partner.
  - Is there an existing legal provider who serves homeless individuals or veterans?
  - Do you intend to rely on volunteer attorneys? If so, a legal aid office or a veteran service provider with a legal component may better be able to leverage volunteer attorneys than a law school clinic.
Is there a legal partner that can provide consultation on access/parenting time issues when they arise?

Can your agency legal staff provide legal assistance to the veteran, understanding that child support program attorneys do not represent either parent in a child support case?

Ensure you have a sufficient number of legal partners to be effective.

Some potential legal partners have income eligibility requirements or geographical restrictions

- If your legal partner has income restrictions, make sure you are aware of them so that you do not make an inappropriate referral that could frustrate a veteran.

Ensure there is a legal provider that offers free services to the veteran.

Look for legal providers who already have a demonstrated desire to work with veterans.

- For example, all Legal Services Corporation organizations are required to track the veteran status of their clients.

- Another example is a veteran service provider with a legal component.

- More than 150 VA facilities currently allow non-VA legal providers to provide on-site services. A child support agency may wish to establish a partnership with such a legal provider to the extent the legal provider is willing to address child support issues.

Provide the legal partner an opportunity and a forum to meet with the veteran on an individual basis to better address the veteran’s child support legal issues. Preferably, this location will be a place the veteran frequents so that the clinic comes to the veteran.

Conduct a legal check-up of the veteran cases in your caseload. It is particularly important to look for cases where modification or even case closure may be appropriate. For example, during a case review in one pilot site, the agency discovered that a veteran who had been homeless for seven years still had a $700/month child support obligation.

Coordinate with the court.

- More alliances with, and education of, court officials will increase their understanding of the child support issues facing veterans.
If the legal partner is providing representation to veterans in court, it is best if child support cases involving veterans can be calendared on the same day so that the legal partner can assist as many veterans as possible.

Educate the legal partner(s) about the IV-D child support program.

Provide the legal partner(s) with information about state or local child support policy on arrears management and modification procedures.

Provide the legal partner(s) with child support release forms so that the partner can obtain the veteran’s signature early and begin discussing the case with the child support agency.

Provide information to a veteran about how the veteran can request limited representation from an attorney, such as review of a legal document.

**Recommendations to the Legal Partner**

Designate core personnel dedicated to making the collaboration work.

In addition to a project manager, if resources are available, include administrative support. Many of the legal services models used at the pilot sites needed administrative support for fielding incoming calls, completing case intake and eligibility paperwork, setting up case files, referring cases to *pro bono* attorneys, and conducting follow-up after referrals were made. The lack of funding for dedicated administrative support was a barrier at several sites.

Develop a positive working relationship with the child support agency.

Rather than adopting an adversarial mind set, learn how the child support agency can help veterans with their child support issues. Understand the services that an agency can, and cannot, provide. Recognize what limitations the agency has. For example, federal and state law prohibits a child support agency from releasing certain confidential information. Know the confidentiality policies of your local child support agency. Some child support agencies also require a signed release of information form before they will talk about a veteran’s case with the veteran’s legal provider.
Identify funding sources.

- **Equal Justice Works AmeriCorps legal fellowship grant**
  In the pilot site of Seattle, the legal partner, Northwest Justice Project (NWJP), creatively funded the provision of legal services through a number of federal, state, and private sources. An Equal Justice Works AmeriCorps legal fellowship grant allowed NWJP to leverage these dollars to hire a recent law school graduate dedicated to work solely on veterans issues.

- **Supportive Services for Veteran Families Program**
  The Supportive Services for Veteran Families (SSVF) Program is part of the Veterans Health Administration Homeless Programs, which, in turn, is part of the Department of Veterans Affairs. Under the SSVF program, the Department of Veterans Affairs awards grants to private nonprofit organizations and consumer cooperatives that can provide supportive services to very low-income veteran families living in or transitioning to permanent housing. Grantees provide eligible veteran families with outreach, case management, and assistance in obtaining VA and other benefits, which may include legal services.

- **Legal Services Corporation Pro Bono Innovation Grants.**
  The Pro Bono Innovation Fund of the Legal Services Corporation offers grants for new *pro bono* initiatives, collaborations, and partnerships to:
  1. Engage more lawyers in *pro bono* service,
  2. Address gaps in legal services to low-income clients, and
  3. Address persistent challenges in *pro bono* delivery systems.

Eligible applicants are current LSC grantees. However, the Legal Services Corporation encourages LSC grantees to apply with partner organizations. As noted earlier, the CHALENG report has identified child support issues as among the top unmet legal needs of homeless veterans. Providing legal assistance to homeless and at-risk veterans, therefore, would appear to fall within the three core goals of the Pro Bono Innovation Fund.
State and county funding
A King County, Oregon Veterans and Human Services Levy provided funding toward the NWJP Veterans Project attorney. During the first year, NWJP also received a start-up grant from the state of Washington’s Department of Veteran Affairs.

State and local bar association funding
NWJP received financial support from the Washington State Bar Association’s Legal Assistance to Military Personnel (LAMP) section.

Interest on Lawyers Trust Accounts (IOLTA)
IOLTA is a unique way to increase access to justice for individuals and families living in poverty and to improve our justice system. Without taxing the public, and at no cost to lawyers or their clients, interest from lawyer trust accounts is pooled to provide civil legal aid to the poor and support improvements to the justice system.

A lawyer who receives funds that belong to a client must place those funds in a trust account separate from the lawyer’s own money. Client funds are deposited in an IOLTA account when the funds cannot otherwise earn enough income for the client to be more than the cost of securing that income. The client — and not the IOLTA program — receives the interest if the funds are large enough or will be held for a long enough period of time to generate net interest that is sufficient to allocate directly to the client.

Every state, along with the District of Columbia and the Virgin Islands, operates an IOLTA program. The hundreds of millions of dollars generated nationwide by IOLTA programs — together with state and federal appropriations, private grants, and donations — enable nonprofit legal aid providers to help low-income people with civil legal matters.

Private funding
NWJP developed a private funding stream with a small family foundation, which had members with military service.
Other sources

Consider alliances with other legal groups, especially if your legal entity has income eligibility restrictions or if you lack resources to provide full representation legal services.

For example, the Minnesota Assistance Council for Veterans (MACV) formed a partnership with Legal Services to provide homeless veterans with full representation legal services designed to end or prevent homelessness.

- The veteran must meet legal aid and MACV eligibility criteria.
- Both partners must approve the case.
- MACV makes a one-time payment of $1,000 per legal issue to Legal Aid to obtain full representation services.

Conduct consistent, on-site legal clinics that provide child support information.

- Have a pool of attorneys who can meet individually with the veterans.
- See if the VA can help. More than 150 VA facilities host non-VA legal service providers. Contact the VA Veterans Justice Outreach Specialist at the closest VA Medical Center to determine if that is a possibility in your jurisdiction.
- Include a child support agency representative who can review the veteran’s case file, if the representative has on-site access to the statewide child support system. If the representative does not have computer access, the representative can obtain as much information as possible to follow up with the veteran later.

For assistance with legal clinics, recruit and train attorney volunteers.

Attorneys may be more likely to volunteer if they know they will receive training on the issues the veteran will likely raise and if they have the option of providing brief advice, as opposed to full representation. Possible sources of volunteers include:

- **Pro bono** volunteer attorneys and paralegals
  - Depending on the location of the clinics and availability of local volunteer attorneys, consider whether remote participation is an option through communication methods such as Skype or the iPhone FaceTime tool.
- Law firms and in-house counsels
  - Many law firms are national so they can recruit attorneys in other jurisdictions who can help with interstate child support cases.

- Legal Services offices
- Bar associations
  - Legal Assistance to Military Personnel (LAMP) program
  - Military committee

- Judge Advocate General (JAG) offices
- Lawyers with the National Guard and Reserves
- Retired attorneys
- Retired judges

In some states, an attorney receives CLE credit for pro bono work hours. In other states, an attorney can pay a lower bar association fee if the attorney wants to maintain an active license solely to do pro bono work.

Keep in mind that small is still good. You may begin a veteran initiative with a small pool of attorneys. Over time, that initial group is likely to expand. In fact, don’t be surprised if your initial volunteer attorneys begin recruiting other volunteers because the work is so rewarding.

- Collaborate with law schools.
  - Law students can serve as interns.
  - The law school may operate, or be willing to establish, a legal clinic focusing on military and veteran issues.

- If there are sufficient staffing resources, consider establishing a dedicated phone line and voice mail box specifically for veterans who need help with child support issues.

- Obtain copies of relevant child support forms in your jurisdiction, such as release of information forms, petitions for modification, and requests for review of license suspension.
Develop a guide to state and local veteran resources.

There can be problems if the legal partner expects the homeless or at-risk veteran to collect all the case paperwork, such as prior copies of orders and payment records. For most of these veterans, it’s not easy to travel to and from courts to get the paperwork. Veterans suffering from PTSD may not be able to manage complicated or long lists of needed legal documents. The legal partner may need to provide more hands-on assistance than might be provided to other clients.

Even if the homeless veteran does not need legal representation in court, the legal partner may be able to provide a case manager/navigator to accompany the veteran to court as support. It is often traumatic for a homeless veteran to be in the presence of court officials and his or her former spouse and children, whom the veteran has not seen in years. The case manager/navigator can prepare the veteran for how to act in the presence of others from his or her past, as well as how to act in court. The case manager/navigator and the veteran can then debrief after the appearance. This interaction could foster a relationship that may help ensure the veteran continues to address his or her child support issues.

Recommendations Regarding Interstate Cases

Attorneys and child support agencies at all of the pilot sites agreed the greatest legal challenge was resolution of interstate child support issues. Because of numerous military assignments when they were active duty, many veterans have child support orders issued in states where neither parent now lives. Even if the custodial parent lives in the issuing state, the veteran — especially homeless or at-risk veterans — may no longer live in the state.

Interstate cases are usually more complicated to resolve than domestic cases. The legal partner must deal with a child support agency and court in a different state. Child support laws, policies, and procedures vary among states. For example, some states have arrears compromise programs; others do not. Some states have online pro se forms for modification; others do not. There are jurisdictional issues under the Uniform Interstate Family Support Act (UIFSA) that govern the appropriate forum for seeking a modification of
a support order. The legal provider must also adhere to rules governing admission to a state or tribal bar. If an attorney is not licensed to practice in another jurisdiction, the attorney must find another attorney in that state who can help the veteran or file a motion to be admitted pro hac vice.17

- Contact a child support member of the Veteran/Military Liaison Network.

The federal Office of Child Support Enforcement helps coordinate a Veteran/Military Liaison Network that is open to any child support professional within the Title IV-D program. One goal of the network is to help expedite case processing of interstate cases involving service members or veterans. Members of the network can assist a legal provider in locating the appropriate child support office to contact regarding a veteran’s case. They can also help explain their jurisdiction’s laws and policies. They will not talk about the specifics of a particular case unless the veteran has provided them written authorization to do so.

- Establish a network of legal providers who can provide an advocate perspective or legal assistance with child support issues in their state or jurisdiction.

See the directories of potential legal providers within the Additional Information subsection.

- Obtain a signed release form from the veteran.

A child support agency is governed by federal and state laws on confidentiality. It will not discuss specifics about a veteran’s child support case without a signed form authorizing release of information. If the veteran signs such a form, the legal provider can scan it and email a copy of it to the appropriate child support agency.

**Recommendations to the VA Partner**

A VA partner cannot refer a veteran to a specific attorney. However, the VA partner can give a veteran a resource list of legal providers, whom the veteran can contact if desired. The VA partner can also provide the name of a clearinghouse that offers legal clinics, so long as the clearinghouse does not provide direct representation or charge a fee.
From its website, the U.S. Department of Veterans Affairs allows a veteran to search for accredited attorneys, claims agents, or veterans service organizations representatives: 
Office of General Counsel (OGC) Search for Accredited Attorneys, Claims Agents, or Veterans Service Organizations (VSO) Representatives.

Pursuant to a 2011 VA directive, more than 150 VA facilities now host non-VA legal service providers. Consider allowing a legal partner, paired with a child support agency representative, to host legal clinics on-site at your facility.

A veteran may not need a lawyer for representation in court, but may benefit from someone accompanying him or her to speak on the veteran’s behalf if the veteran has a physical or mental disability. A VA staff member may accompany a veteran to court to provide support but is not allowed to speak on behalf of a veteran in court. The court may approve a family member or someone else to speak on the veteran’s behalf if the veteran makes a request under the Americans with Disabilities Act.

Additional Information

General Information

ABA Commission on Homelessness and Poverty
The Commission is committed to educating the bar and the public about homelessness and poverty and the ways in which the legal community and advocates can assist those in need.

Source: American Bar Association

ABA Coordinating Committee on Veterans Benefits and Services
This website contains resources designed to provide attorneys and veterans with assistance in obtaining legal counsel, as well as assistance related to reemployment rights, consumer issues, housing issues, criminal and family law matters, and challenges in obtaining medical care and disability benefits.

Source: American Bar Association
ABA Standing Committee on Legal Aid and Indigent Defendants

The SC LAID works on matters relating to legal aid and defender services and is particularly focused on the administration of justice as it affects low-income populations, remedial measures intended to help protect the legal rights of low-income populations, and the establishment and efficient maintenance of legal aid and defender organizations and cooperation with other interested agencies, whether public or private.

Source: American Bar Association

Directories of Potential Legal Providers to Veterans

Pro Bono Resources for Veterans

This site lists resources by state for lawyers and veterans to assist with medical care challenges, disability benefits, reemployment rights, consumer, housing, criminal and family law matters, and obtaining legal counsel.

Source: American Bar Association

Legal Programs Available to Military Families

This site provides an interactive map with state-by-state information about legal programs available to military families. Programs listed include military legal assistance offices, legal aid and pro bono organizations, lawyer referral and information services, and military-specific programs.

Source: American Bar Association

American Bar Association Veterans Legal Services Initiative

Given the substantial volume of unmet legal needs among veterans and those who support them, and the ABA’s mission of public service, access to justice, and support for the military, the ABA in 2016 launched a Veterans Legal Services Initiative.

Statesidelegal

Using an interactive map, this website identifies available legal help for military members, veterans, and their families in each state.

Legal Services Corporation

LSC is an independent nonprofit established by Congress in 1974 to provide financial support for civil legal aid to low-income Americans. The Corporation provides funding to nonprofit legal aid organizations in every state, the District of Columbia, and U.S. territories. This link allows someone to identify an LSC-funded legal aid organization in a particular
location. LSC-funded organizations will have income eligibility requirements. They may also limit the type of civil legal aid they provide.

**LawHelp**

LawHelp helps people of low and moderate incomes find free legal aid programs in their communities, answers questions about their legal rights, and provides forms to help them with their legal problems.

**Funding Sources for Legal Assistance**


For a directory of IOLTA programs, see [http://www.americanbar.org/groups/interest_lawyers_trust_accounts/resources/directory_of_iolta_programs.html](http://www.americanbar.org/groups/interest_lawyers_trust_accounts/resources/directory_of_iolta_programs.html).

For a listing of free legal clinics at VA facilities, see [https://www.va.gov/ogc/docs/LegalServices.pdf](https://www.va.gov/ogc/docs/LegalServices.pdf) (updated June 2017).

**Tools and Training Resources**