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June 19-21
Iowa Events Center
Des Moines



Tuesday, June 20, 2017

Access to Justice Track

Rooms: 304-305

A Closer Look at Importance of Civil Legal Services on Domestic Abuse Victims

11:00 a.m. – 12:00 p.m.

Presented by

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A Closer Look at the Importance of Civil Legal Services for Domestic Abuse Victims

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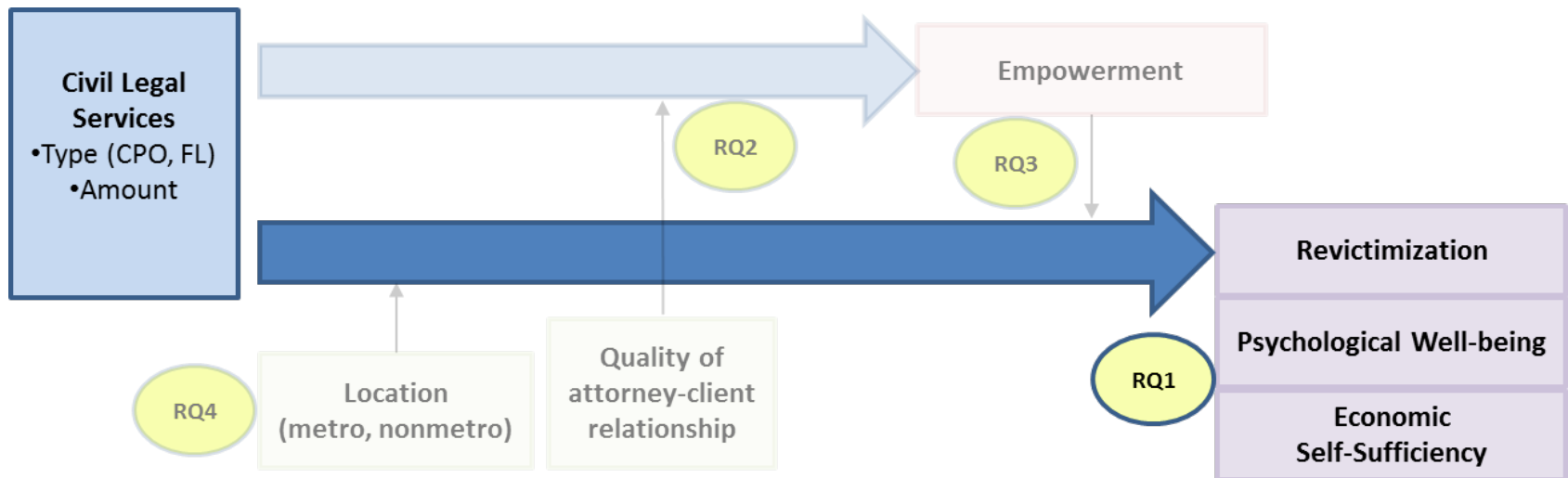
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Managing Attorney, Iowa Legal Aid

Research question

Do women who experience intimate partner violence (IPV) and receive civil legal services report:

- decreases in revictimization by a former partner,
- positive changes in psychological well-being, and
- improvements in economic self-sufficiency over time?



What motivated our study?

Farmer & Tiefenthaler (2003):

Women living in counties with where legal assistance programs were available were significantly less likely to report domestic abuse.

About Iowa Legal Aid

Iowa Legal Aid is the only statewide provider of free, civil legal assistance to low-income Iowans.

Iowa Legal Aid:

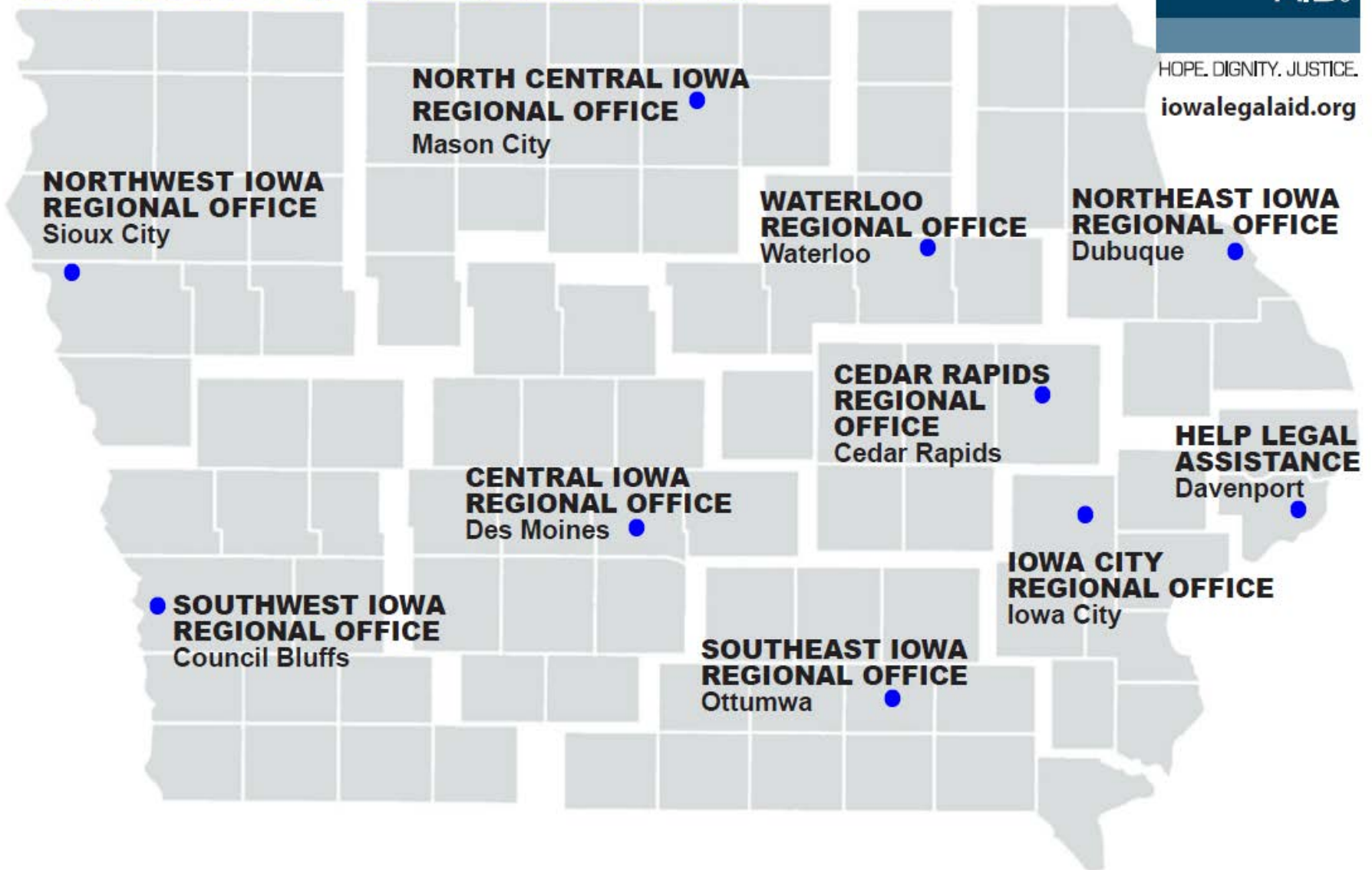
- Helps people with critical legal needs that affect safety, shelter, sustenance and health.
- Provides services in all 99 counties through 10 regional offices.
- Does not handle fee generating cases or criminal cases.

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Iowa Legal Aid client demographics

2016 client demographics:

- 72% are female
- 30% have a disability
- 24% are age 60 or older
- Over 16,100 children lived in the households served

Iowa Legal Aid case types

2016 closures by case type:

30% - Housing

29% - Family

12% - Consumer

9% - Income Maintenance

8% - Miscellaneous

6% - Health

3% - Employment

3% - Juvenile

Unmet legal needs in Iowa

Unmet need for legal assistance:

- Over 499,000 Iowans (16.7%) have incomes below 125% of the federal poverty guidelines and are income eligible for Iowa Legal Aid's services.
- Iowa Legal Aid closed approximately 16,350 cases in 2016, serving nearly 38,000 Iowans; this is almost 39% less than the number of cases closed in 2010. The decrease is the result of reduced staff (13 fewer attorneys and 6 fewer support staff), not reduced need.
- **10,000 families** are turned away or underserved annually due to lack of staff resources.

Iowa Legal Aid prioritizes IPV

Addressing IPV is a long-standing priority of Iowa Legal Aid

The Iowa Legal Aid Equal Justice Project

Two components:

- Research
- Strategic Advocacy

Funding for this study

Pilot funding from Iowa Legal Aid - \$34,505

\$823,000 grant from the National Institute of
Justice

Why was this study important?

What we know about the effects of IPV
on women and their legal needs

Rates of IPV for women

Lifetime prevalence

Physical violence	31.5%
Stalking	9.2%
Rape	8.8%

12-month incidence

Emotional abuse	15.6%
Coercive control	10.4%

Effects of IPV on women

IPV victimization negatively impacts women's

- Mental health/psychological well-being
- Employment
- Income
- Housing stability
- Overall economic self-sufficiency

Prior research on civil legal services and IPV

For women leaving shelters:

59% were dealing with legal issues unrelated to the prosecution of their abuser or obtaining a PO (Allen, Bybee, & Sullivan, 2004).

Legal services are the second most-requested need among women who experience IPV.

What do we not yet know?

Few researchers examine the role of civil legal services in addressing IPV outcomes

Most studies are focused on women receiving Civil Protective Orders (CPOs) – no inquiry focused on family law cases

Little is known about changes in mental health and economic outcomes among women receiving civil legal services

Method

Design

- Two year longitudinal, panel study
- In-person interviews every six-months

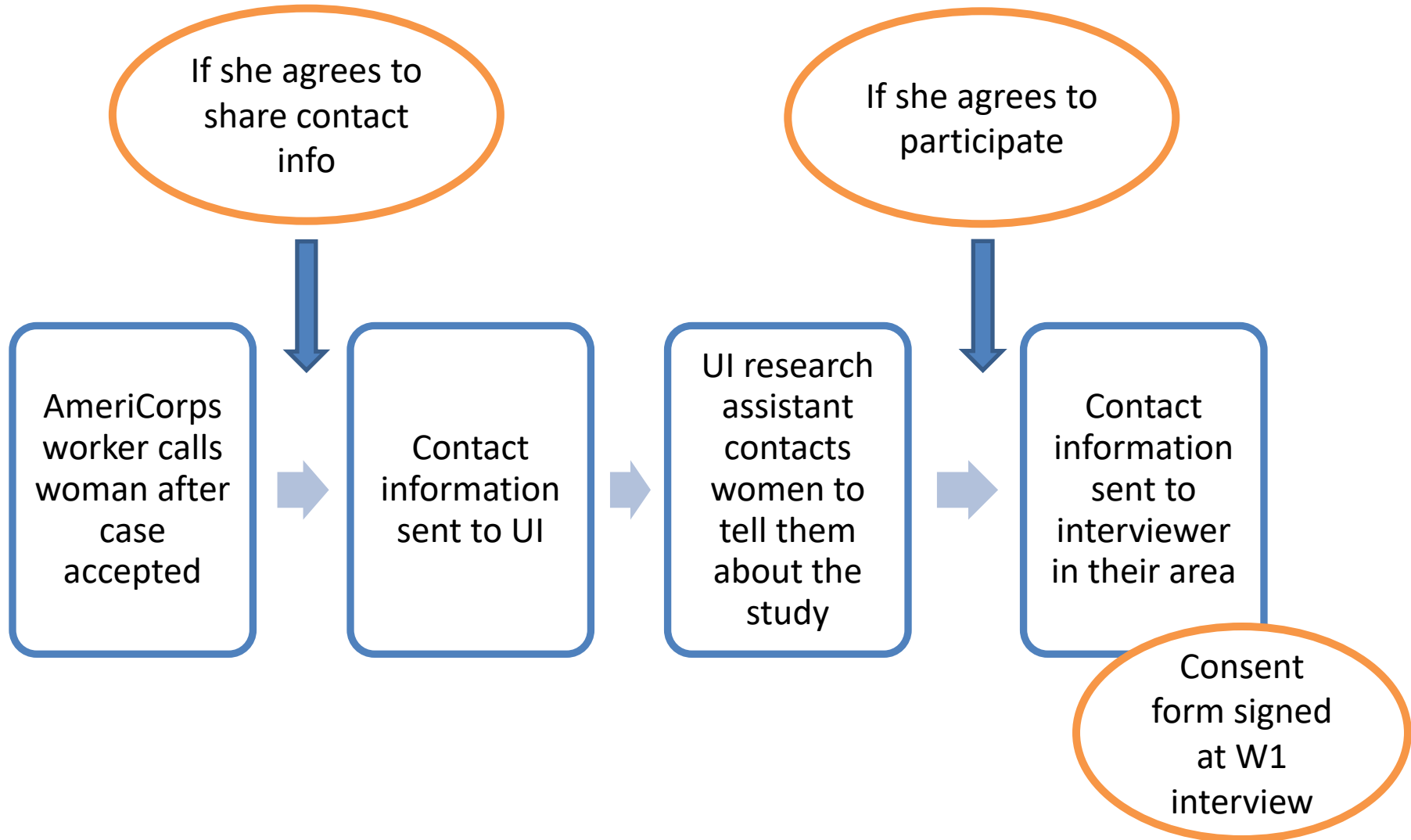
Target population

- Adult females with a recent history of IPV
- Receiving services from Iowa Legal Aid for a civil protective order (CPO) or family law case

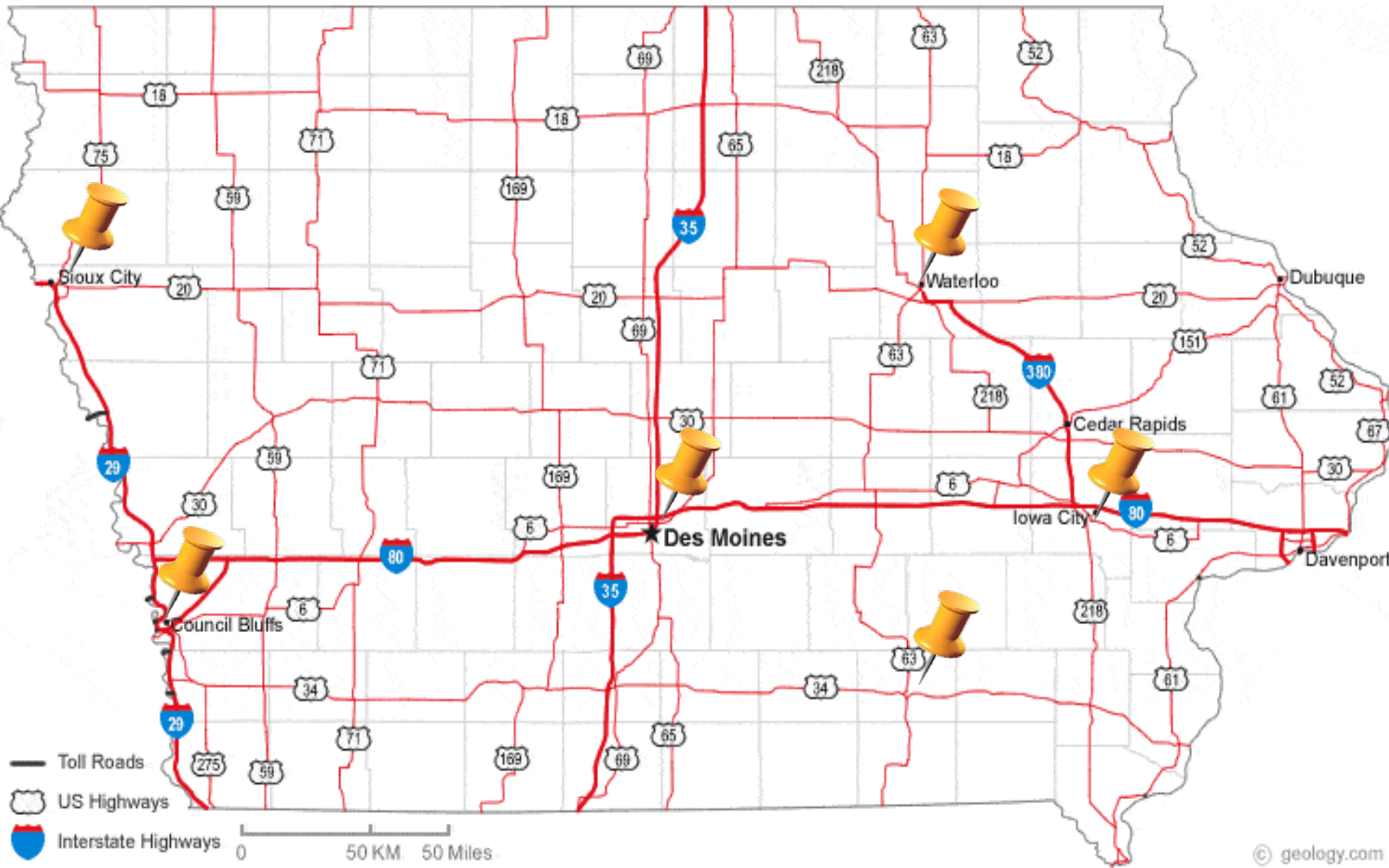
Eligibility criteria

1. 18 years of age or older;
2. Currently experiencing IPV, or had a recent history of IPV;
3. Case was taken by Iowa Legal Aid;
4. Service request was for a family law related issue or a CPO; and,
5. No evidence study participation would pose safety concerns.

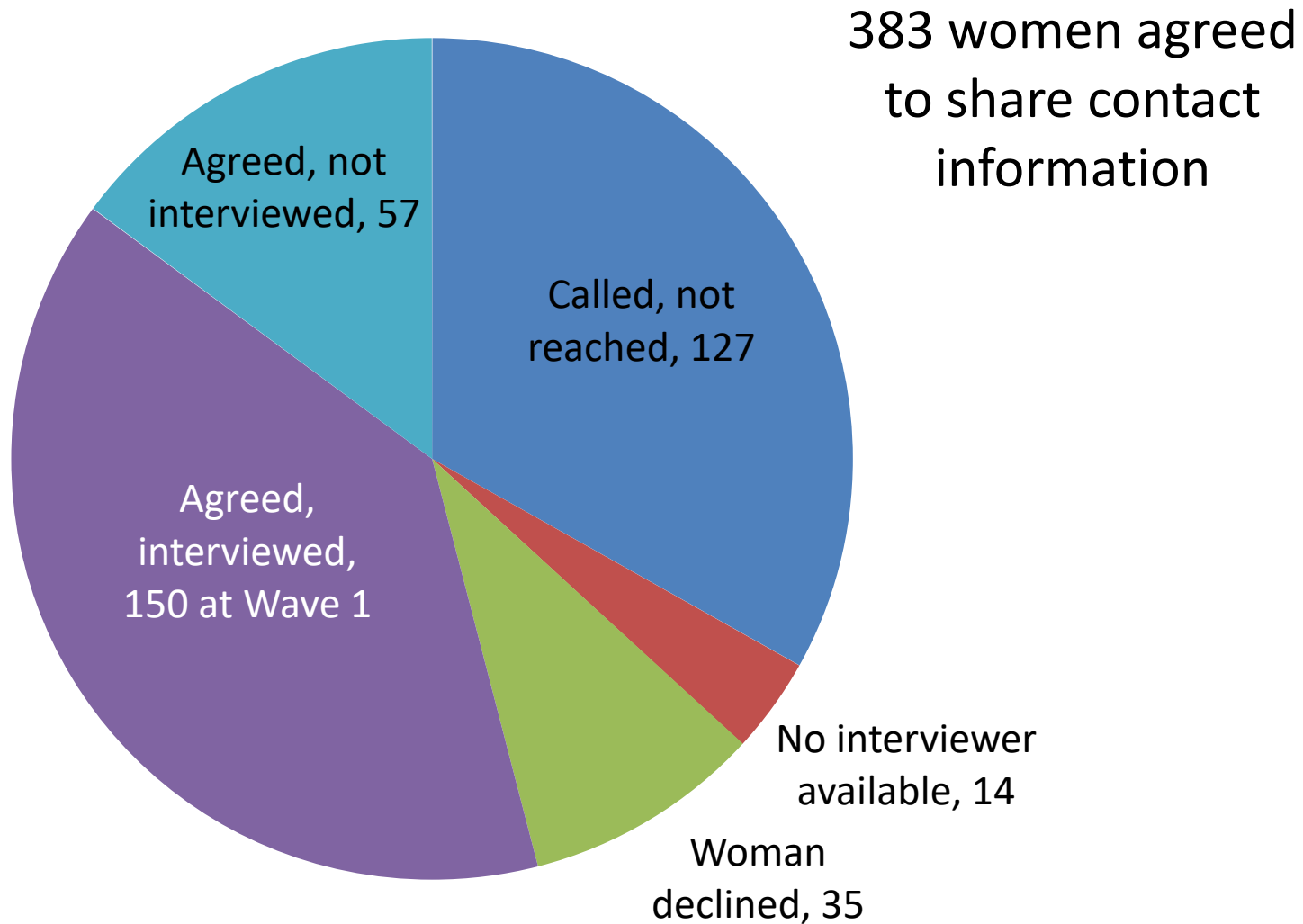
Recruitment & consent procedures



Interviewer locations



Sample recruitment – Wave 1



Women interviewed at each wave

Wave 1 – 150 women

Wave 2 (6 mos) – 112 women

Wave 3 (12 mos) – 85 women

Wave 4 (18 mos) – 62 women

Wave 5 (24 mos) – 32 women

Measures

Revictimization

- Physical assault
- Emotional/verbal abuse
- Stalking

Psychological well-being

- Depression
- PTSD
- Social support
- Resilience
- Goal directed thinking
- Empowerment

Economic

self-sufficiency

- Adequacy of resources
- Monthly income
- Program assistance use
- Difficulty living off current income

Participant demographics

Variable	Wave 1 (N = 150)
Mean age, in years	32.07
Mean # of children	2.59
Race, Ethnicity	
Non-Hispanic White	80.0%
Non-Hispanic Black	8.7%
Hispanic	4.7%
Asian	0.0%
Native American	0.7%
Other	2.0%

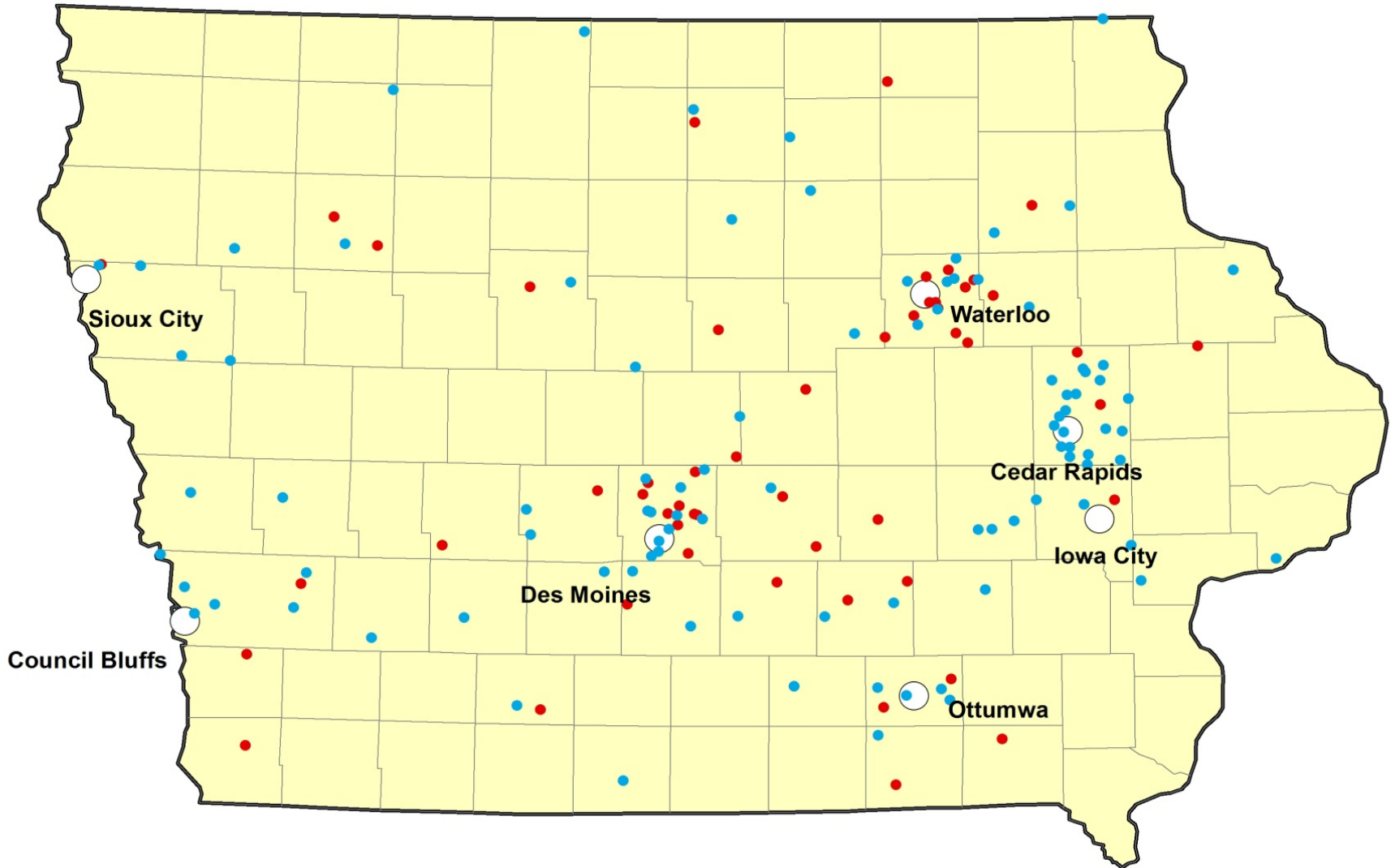
Demographics, continued

Variable	Wave 1 (N = 150)
Education	
Less than high school	11.4%
High school degree	17.4%
Some college/trade school	59.1%
Bachelor's degree or higher	12.1%
Currently working	57.3%
Length of relationship with perpetrator	7.36 years
Was ever married to perpetrator	54.7%

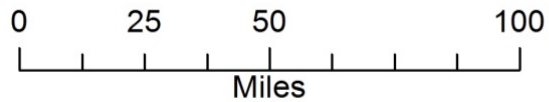
Demographics, continued

Variable	Wave 1 (N = 150)
Type of Legal Aid Service	
CPO	64%
Family law	36%
Geographic location	
Metro/urban	64%
Non-metro/rural	36%

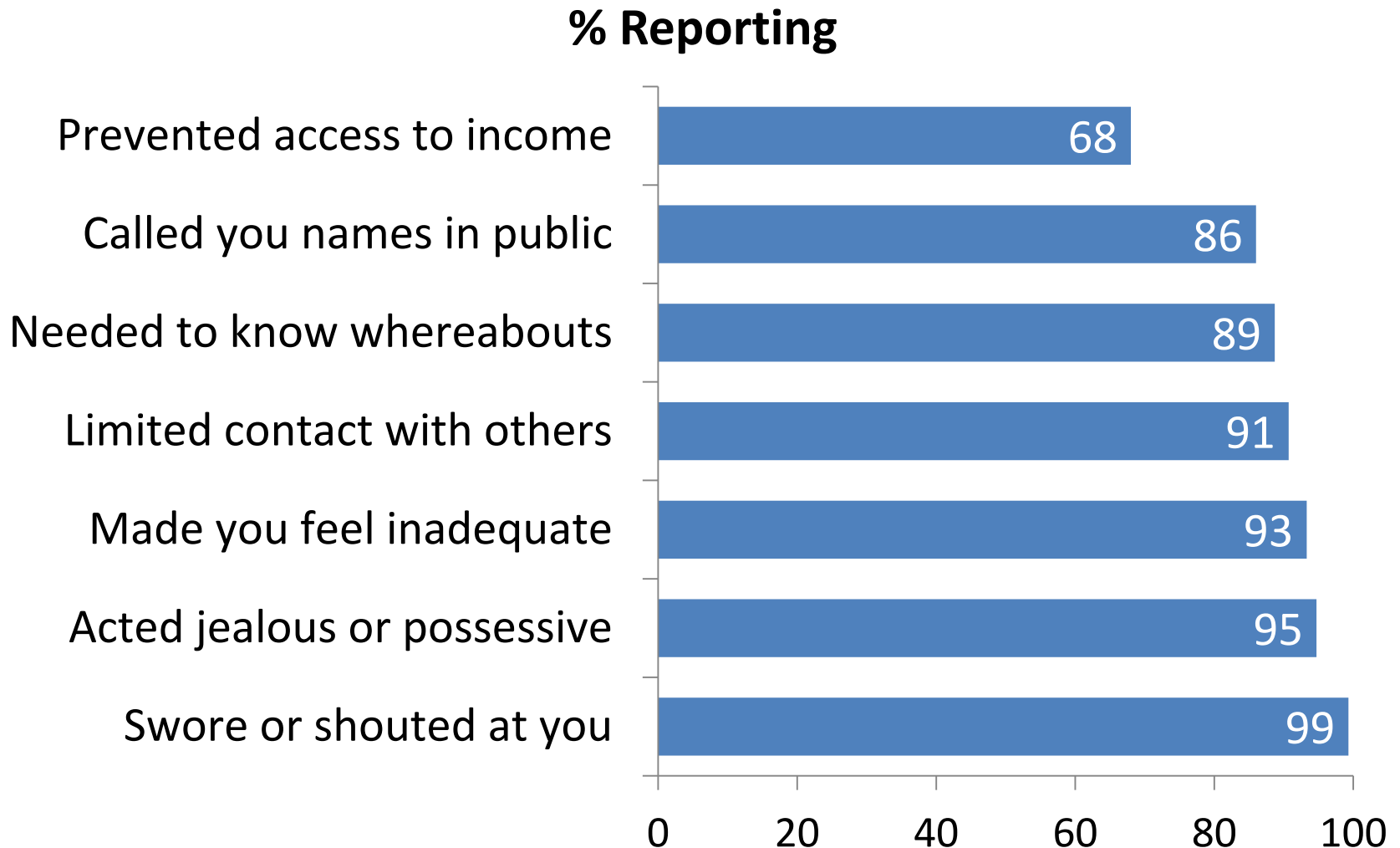
Legal Aid Intake Records



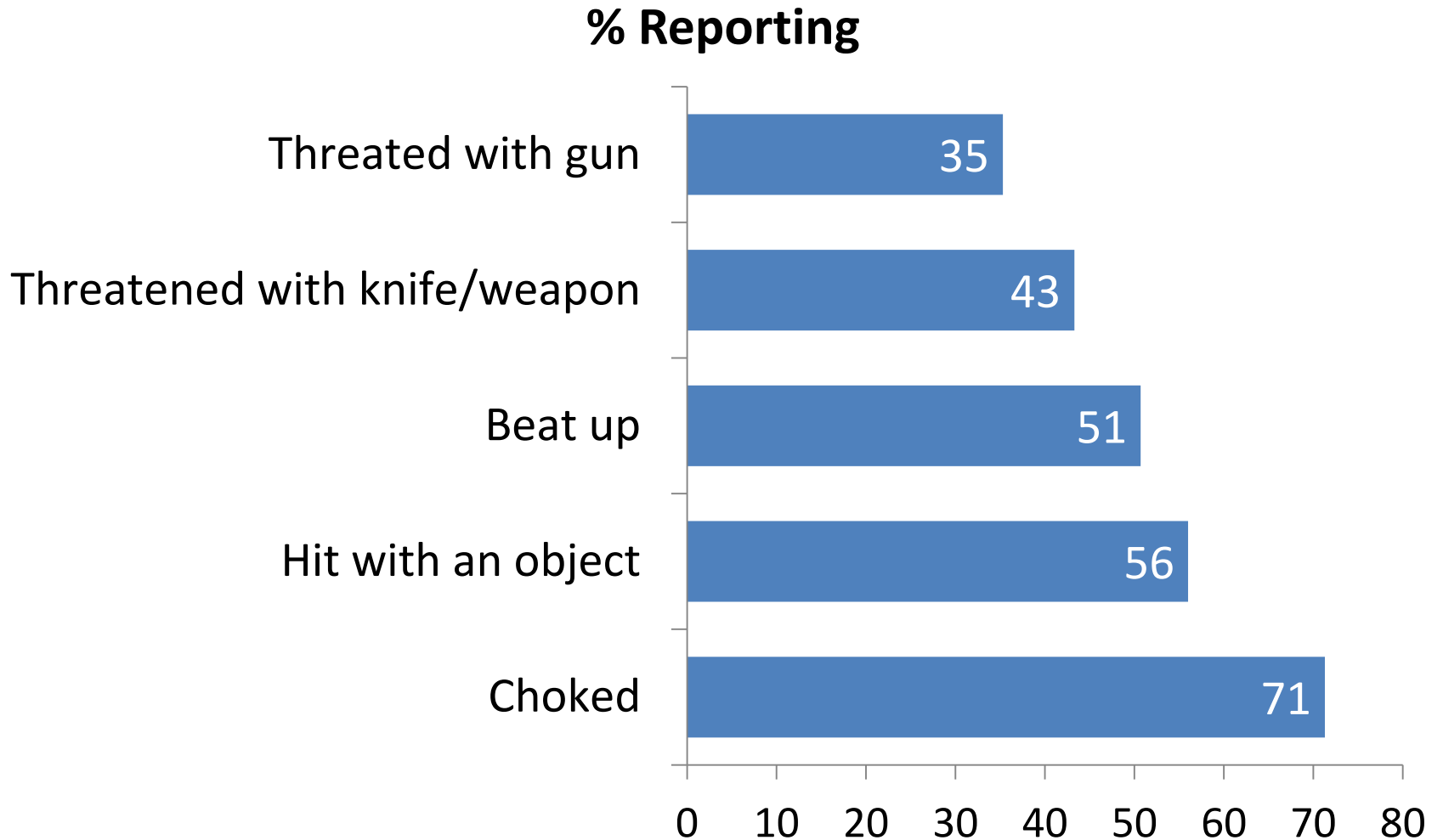
- Cities
- Family Law
- Civil Protective Order



Types of IPV experienced by participants



Potentially lethal IPV experienced



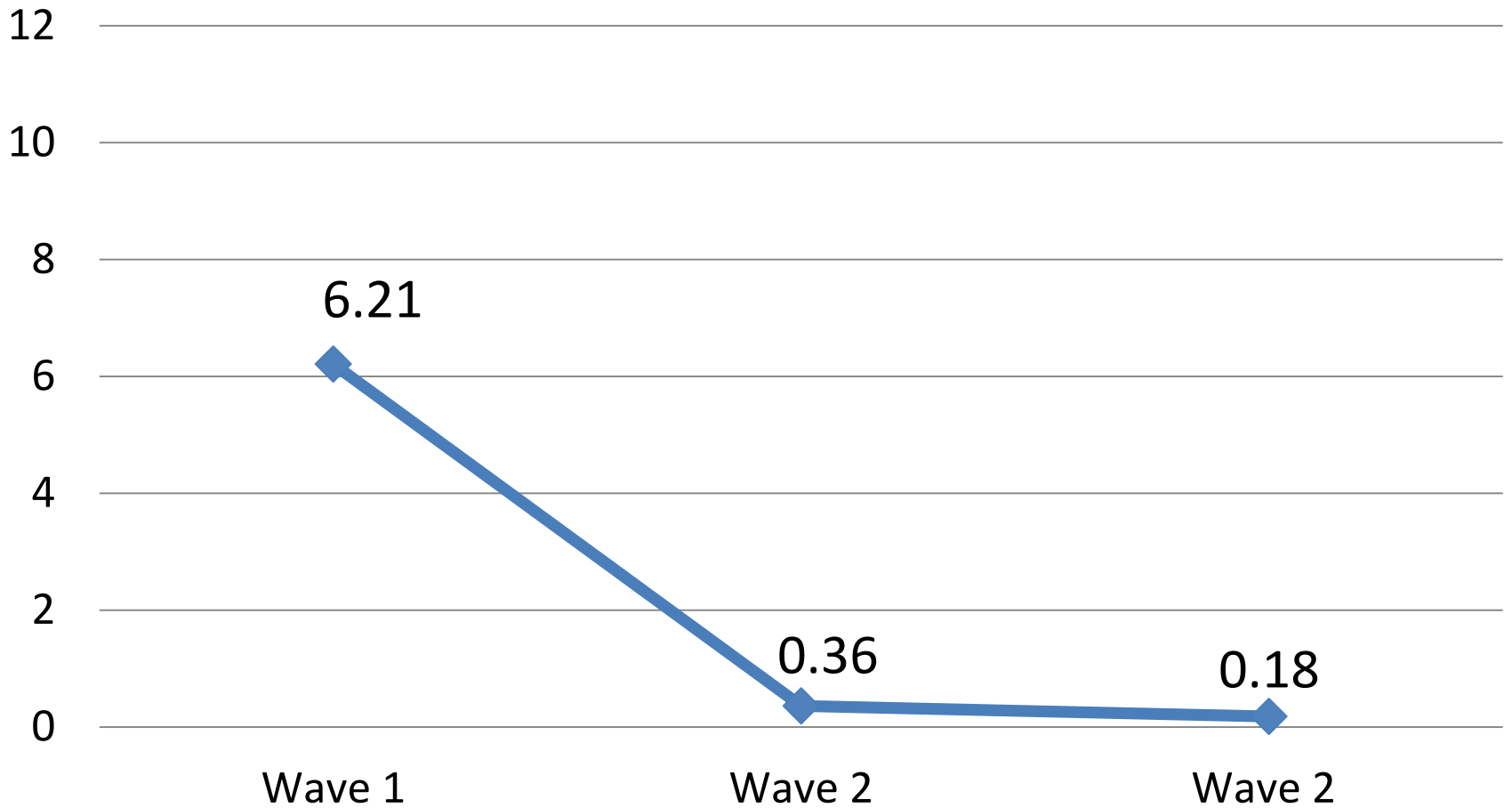
Results

Revictimization

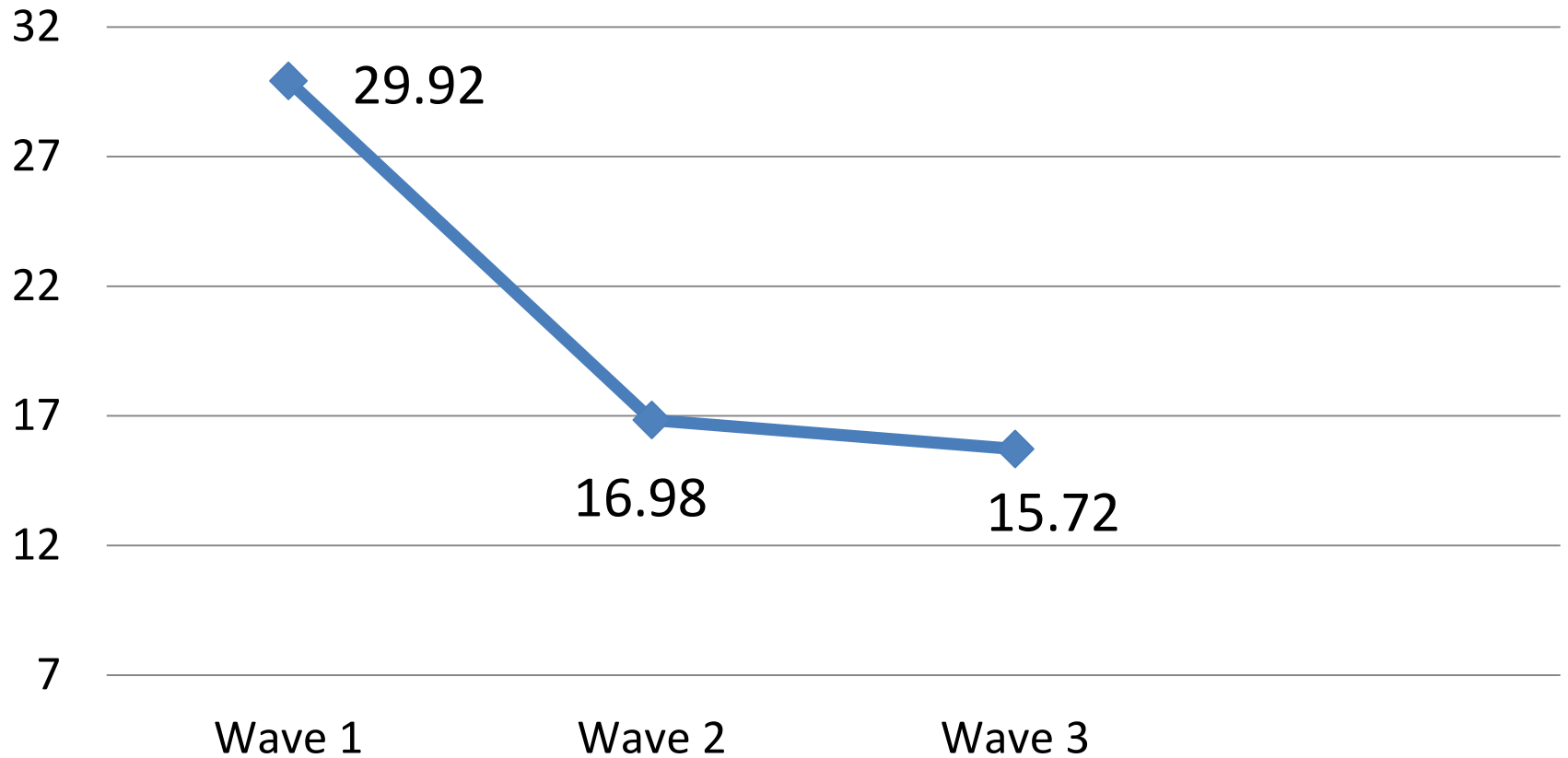
Psychological Well-Being

Economic Self-Sufficiency

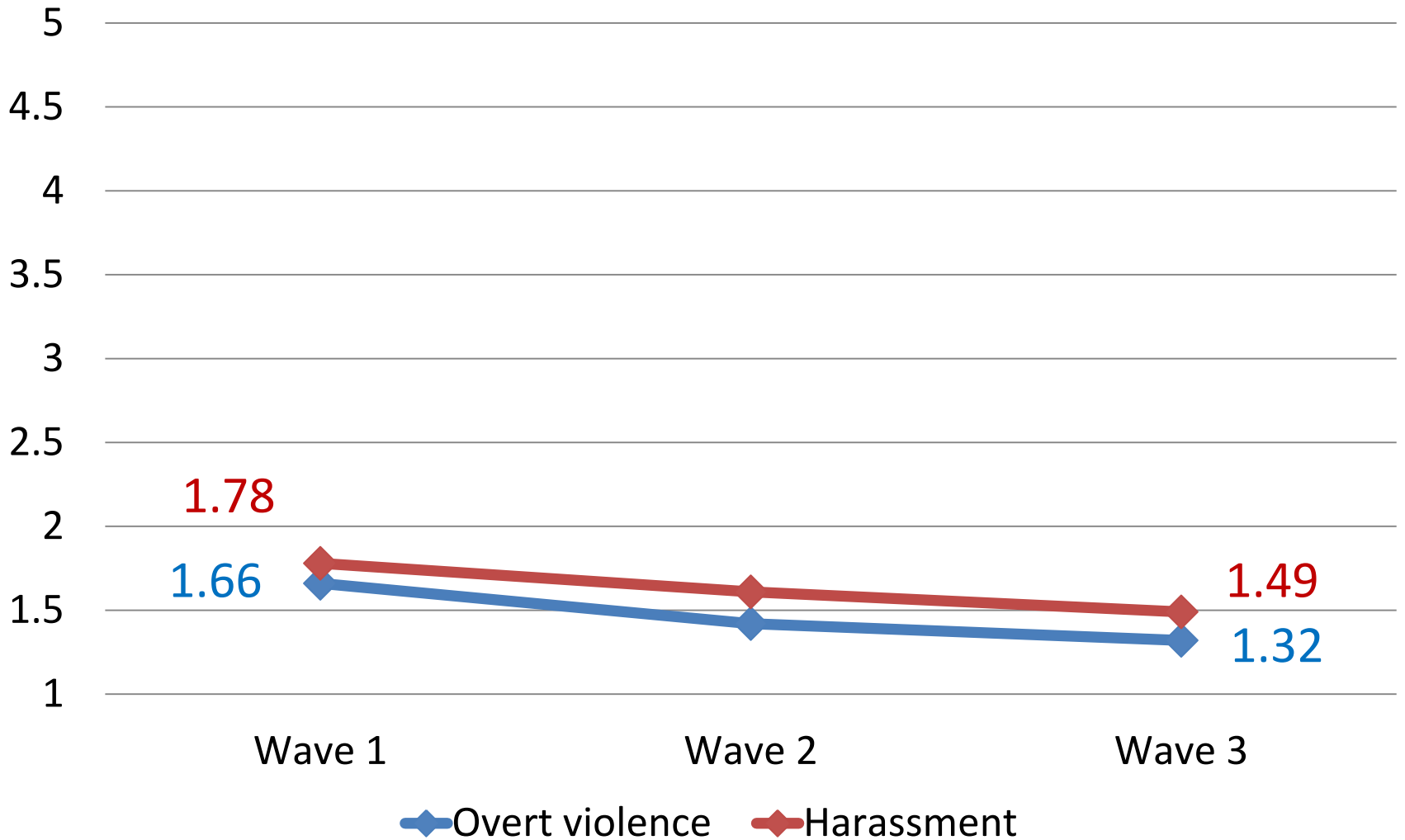
Physical assault



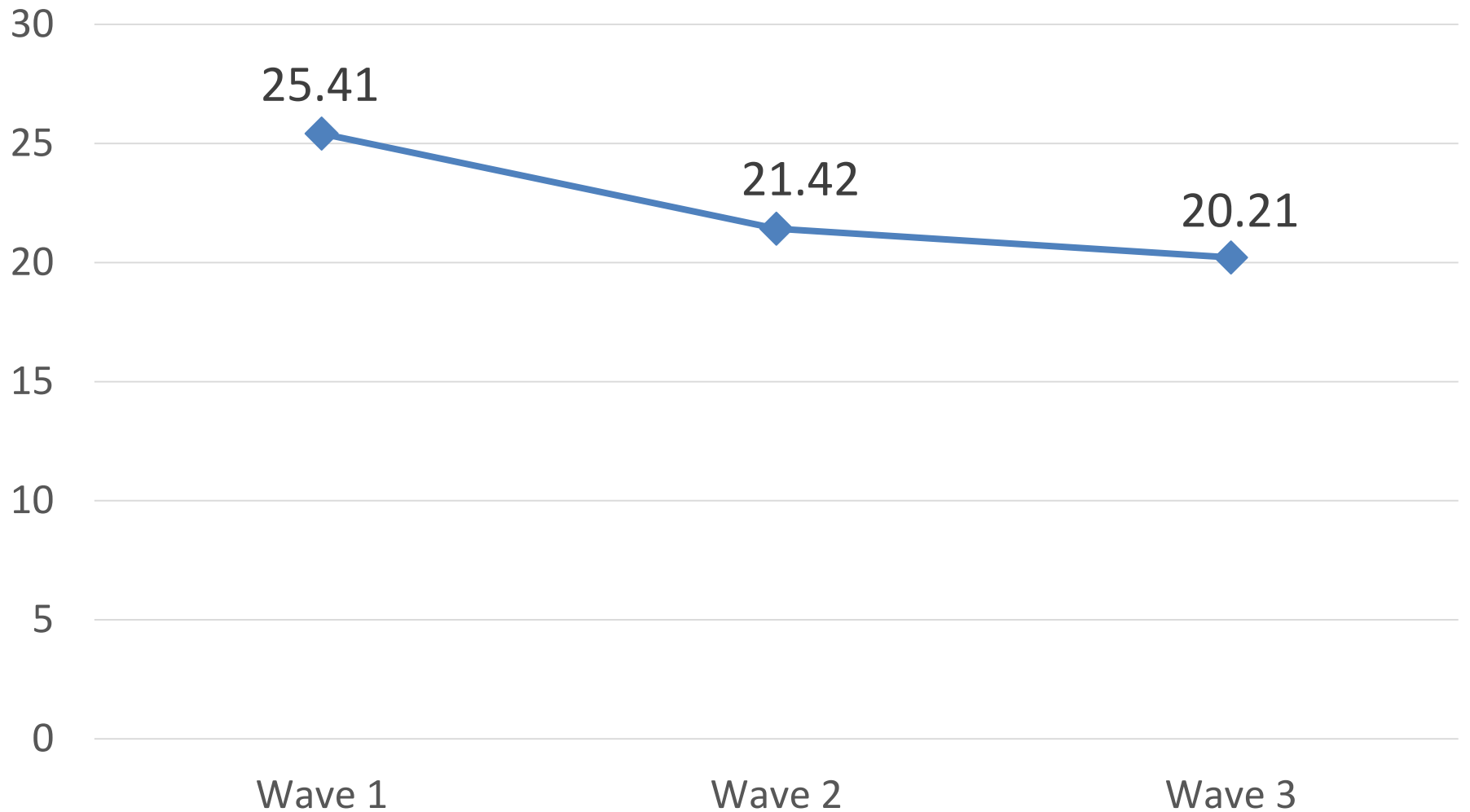
Emotional/verbal abuse



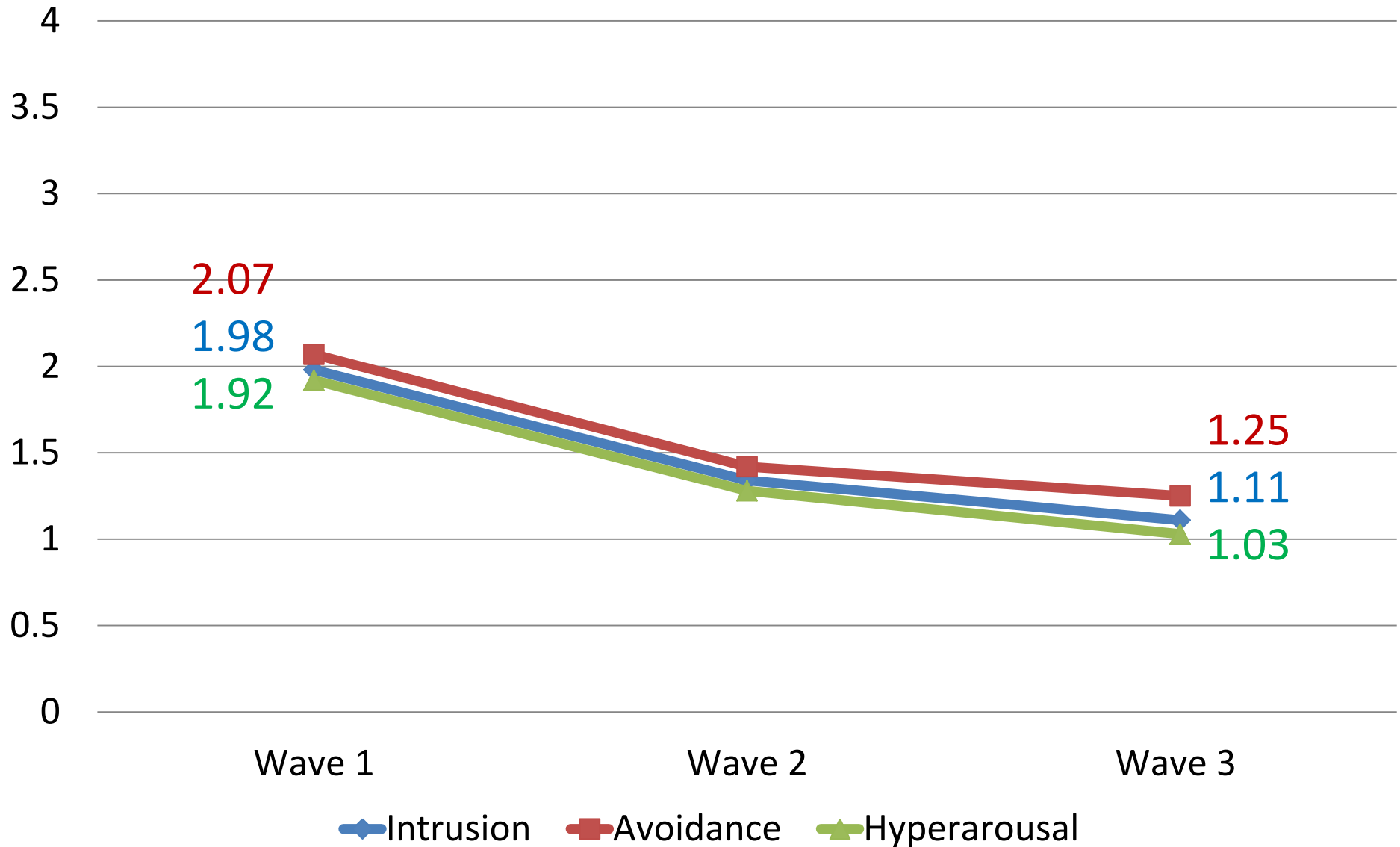
Stalking



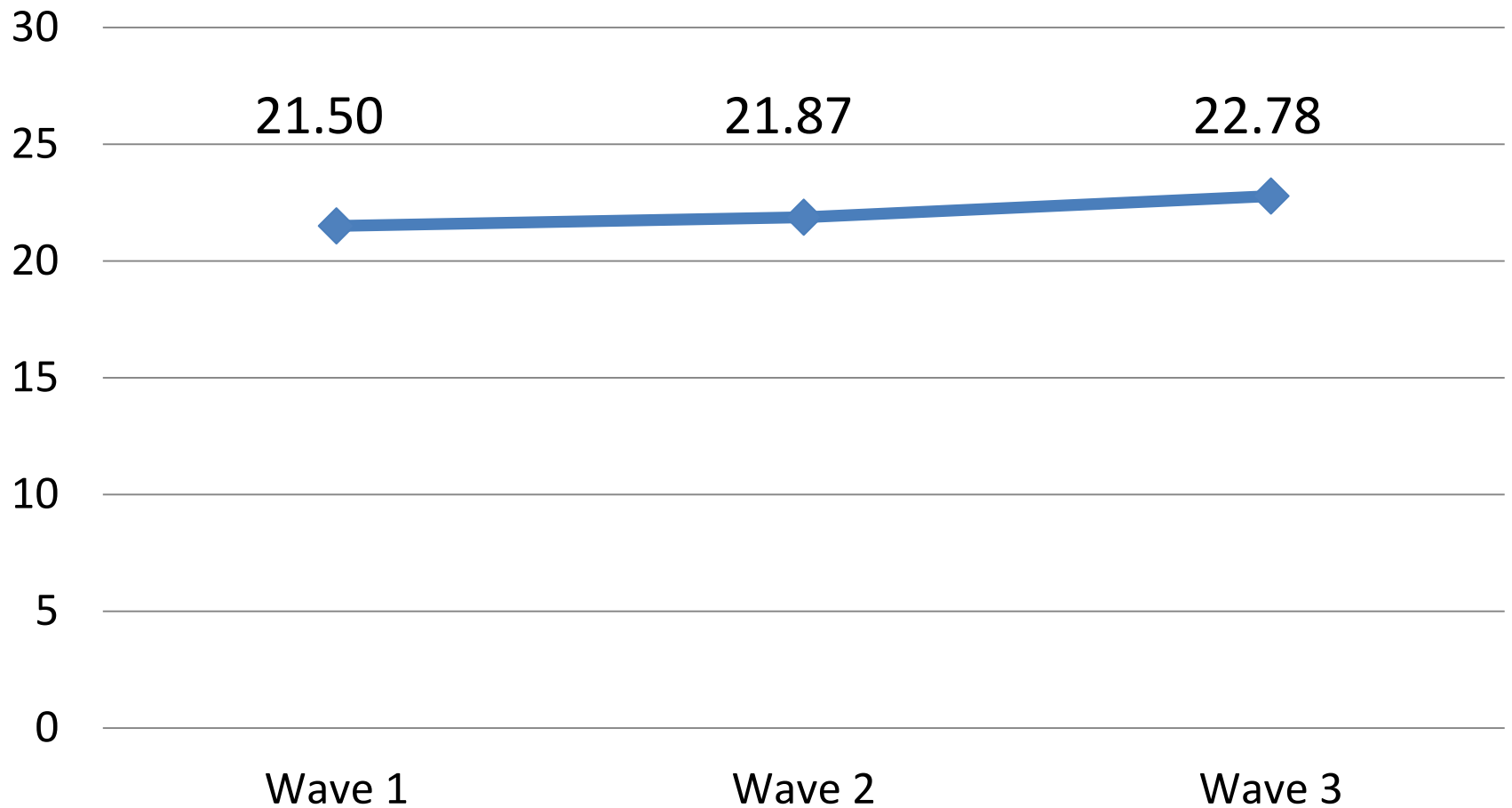
Depressive symptoms



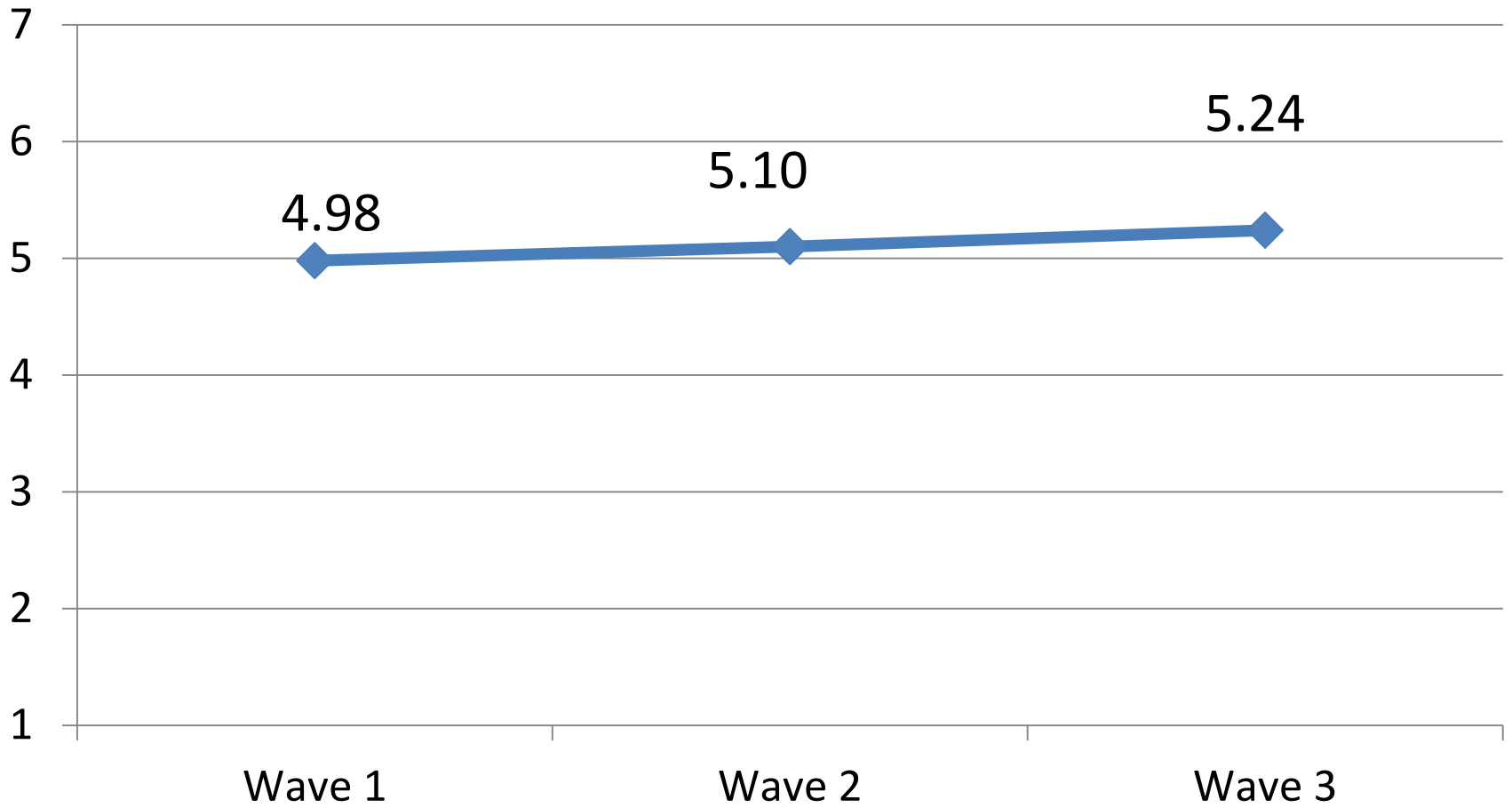
PTSD symptoms



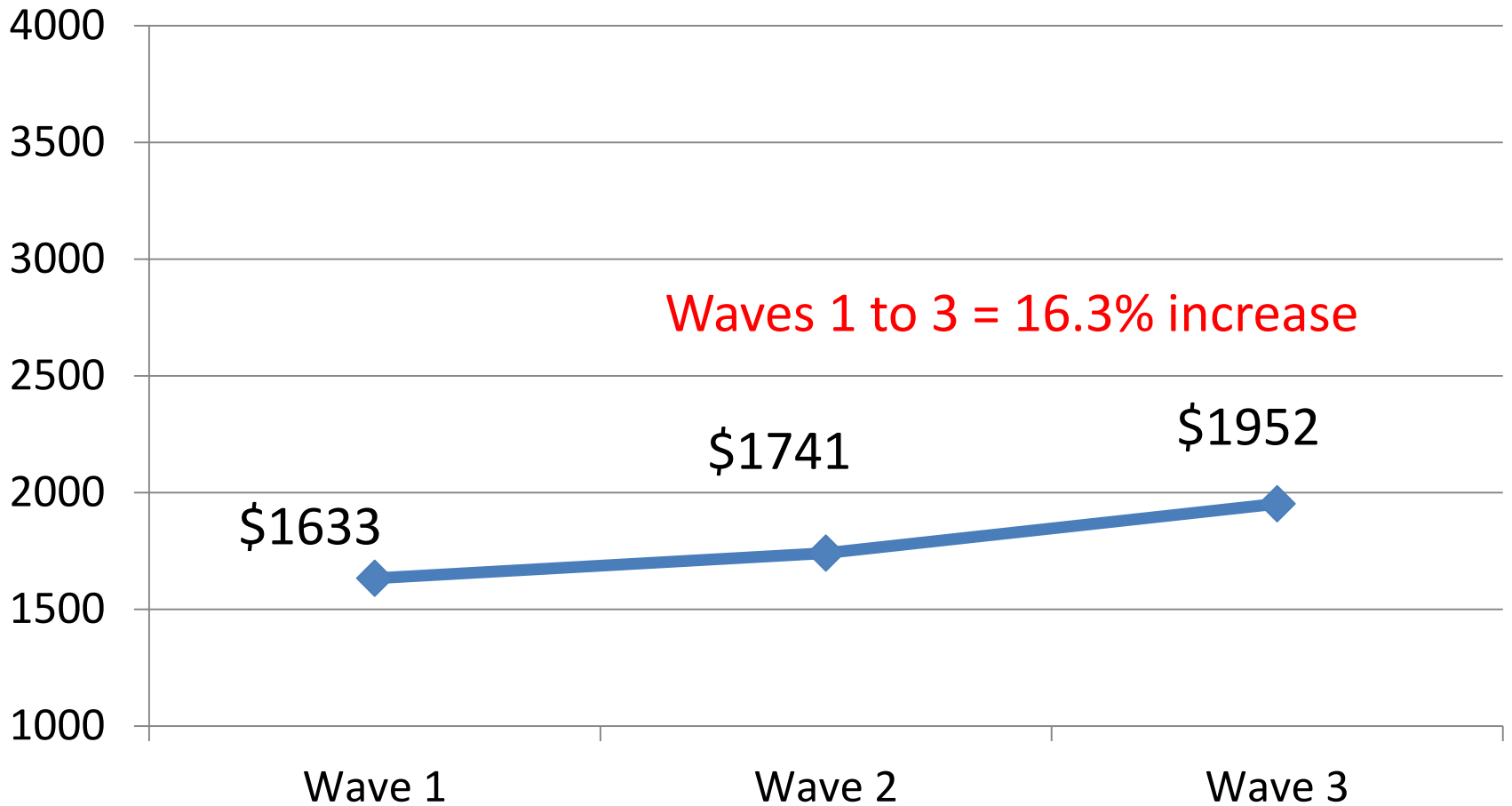
Social support – appraisal



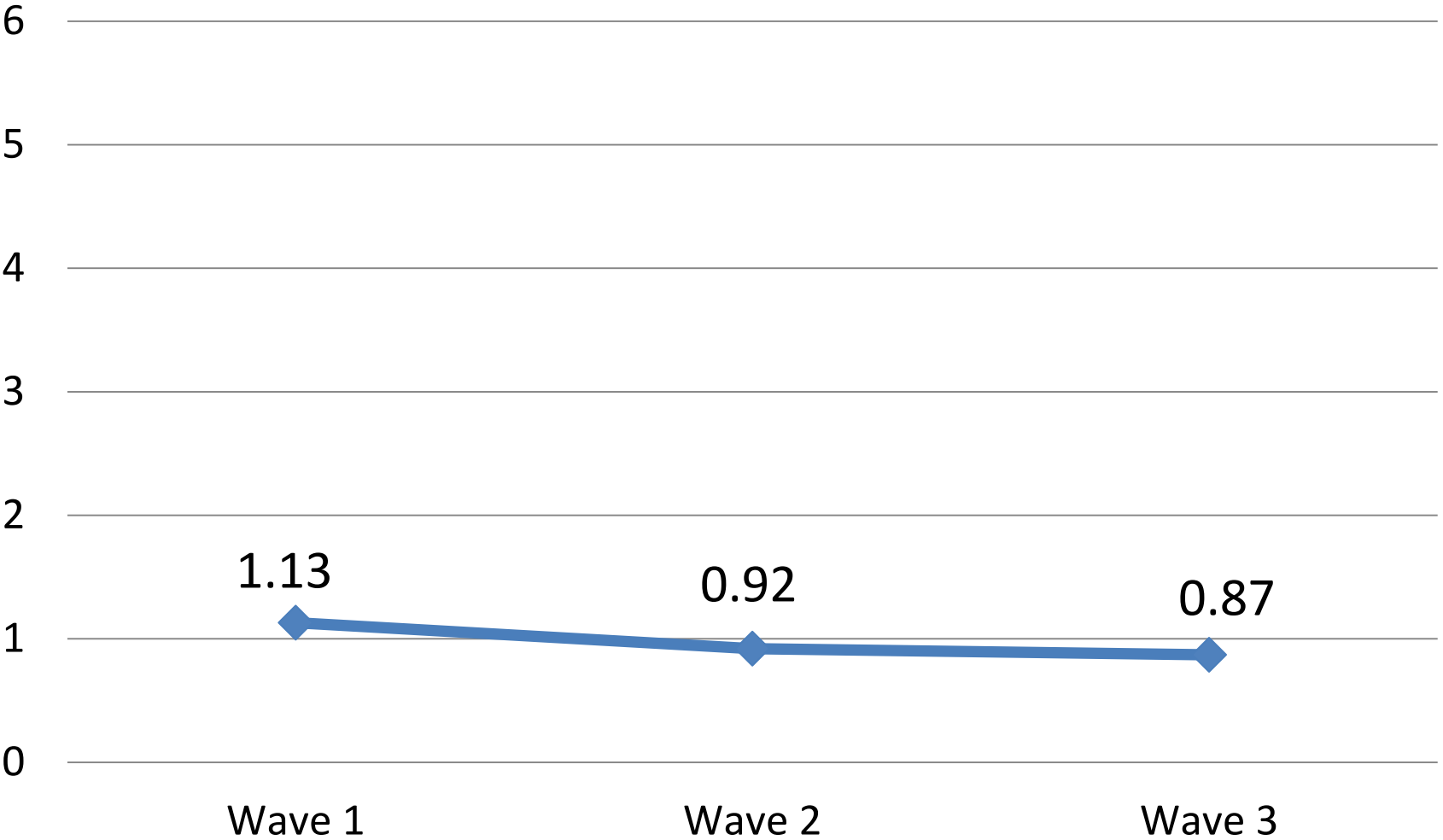
Empowerment



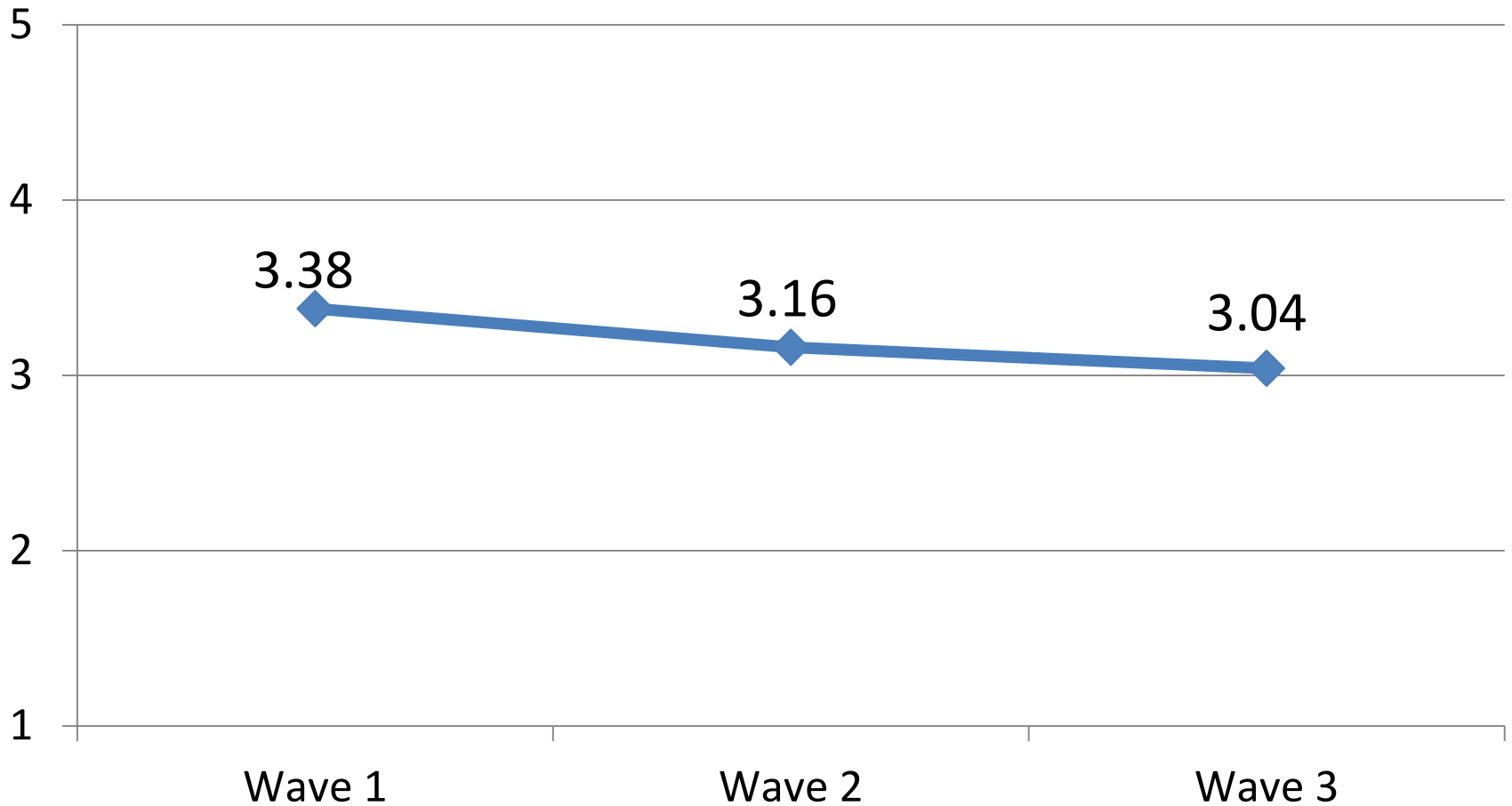
Monthly income



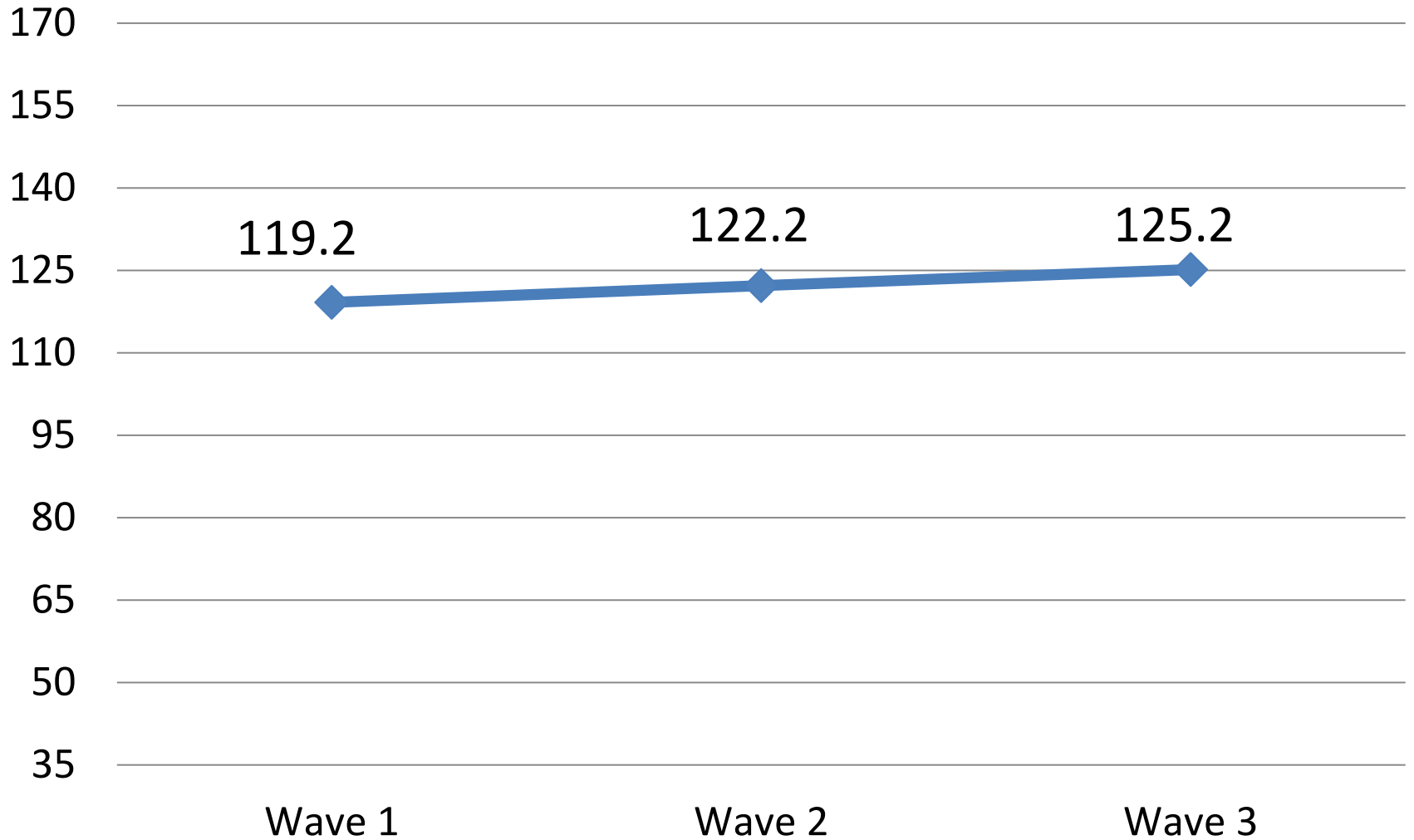
Use of assistance programs



Difficulty living off current income



Adequacy of family resources



Strengths and limitations

Strengths

- Women provided data over time
- Wide array of information captured
- Focused on more civil legal services than CPOs
- Diversity in location

Limitations

- Retention, sample size
- Self-report measures
- Did not track other services received
- Not all types of civil legal services included
- No comparison group of women who did not receive services

Implications

To Iowa Legal Aid
To the IPV field

Iowa Legal Aid is making a difference!

Iowa Legal Aid is serving women experiencing high risk IPV.

Their services are having a **significant impact** on women's lives.

- For both types of legal services (family law or CPO) received
- In all geographic locations (urban and rural)

Access to civil legal services generally

Half of eligible low-income clients who contact an LSC funded legal-aid agency are turned down for services because of insufficient funding.

- Funding for civil legal aid is unequal across and within states (Houseman, 2015).
- Persons in rural areas have much lower levels of access to legal services (Brennan Center for Justice, 2003).

Access to civil legal services IPV cases

Only NY guarantees the right to counsel in civil domestic violence proceedings.

Ten other states (CA, WA, AK, ID, WY, NE, TX, IL, NJ, DC) allow for discretionary appointment or qualified appointment of counsel for victims of domestic violence.

Lack of representation means less success

Women are less successful getting CPOs when they do not have the benefit of legal counsel, especially if the perpetrator has an attorney.

Less than 20% of petitioners have legal representation when filing a CPO and victims who file *pro se* petitions often experience longer delays and encounter greater biases by judges.

Addressing women's access to civil legal services

Help centers for *pro se* litigants - 500 centers nationwide

- Main reason for turning away cases – legal issue was too complicated for *pro se*.

Women experiencing IPV often have legal issues that are too complicated for *pro se* litigation **but may not require** full legal representation.

- Could benefit from limited scope representation or 'unbundled legal services'
 - 41 states allow (American Bar Association [ABA], 2011)

Addressing women's access to civil legal services

Obvious answer – we need more funding for legal services for low-income lowans.

Also need to address the gap for those who aren't eligible for legal aid but can't afford a private attorney.

- Expanding pro bono assistance
- Increasing university legal clinics
- Allowing states to use victim compensation funds to pay for legal services for crime victims

The full study report

To access the entire study report:

Hartley, C. C., & Renner, L. M. (2016). *The longer-term influence of civil legal services on battered women*. Available at:

<https://www.ncjrs.gov/pdffiles1/nij/grants/249879.pdf>

Acknowledgments

- This project would not have been possible without the **incredible support of Iowa Legal Aid**, particularly Shellie Mackel, former Managing Attorney of the Equal Justice Project, and Dennis Groenenboom, Executive Director.
- Recruitment could not have been possible without the efforts of **Iowa Legal Aid AmeriCorps workers**, Aubrey Corbin, Alex Hofer, Nadia Igram, and Megan Balek.
- The data could never have been collected or entered without the dedication of multiple **interviewers** throughout the state and our **UI research assistants**.
- Finally, this project could never have been completed without **the women who agreed to participate and share their experiences**. We hope the information honors their voices.

Disclaimer

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The opinions, findings, and conclusions or recommendations expressed in this presentation are those of the authors and do not necessarily reflect those of the Department of Justice.

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