

Primary Column

Organization Name: Tulane DV Clinic

Project Title: Tulane DV Law Clinic Civil Legal Services

LCLE Proposal Review Worksheet -

Project Summary and Strategy

Project purpose is clear and relevant to the funding opportunity.
There is a clear and concrete description of the program and its implementation plan.

The project summary includes expected, relevant results of the program.

Goals

Goals are aligned with Section 1 (Project Summary and Strategy).

Goals are clearly defined.
Goals are realistic and attainable within the project period.

Objectives

There are at least two objectives per goal.
Taken together, the objectives effectively measure the extent to which the program has achieved all of its intended results.

At least one objective per goal is outcome-based.

Organizational Capacity and Past Performance

Description includes information on overall organizational budget (broken down by private grants, federal grants, state funds, local funds).
Description includes the general purpose and mission of the organization. (Full points only if activities are relevant to the current project.)
Description includes the major activities and projects of the organization. (Full points only if activities are relevant to the current project.)
Description of any necessary partnerships.

Budget Appropriateness

The relationship between the budget and the project is clear.
The budgeted items are obviously necessary to the achievement of the goals and activities as presented in the application.

Cost-effectiveness

Expenditures are reasonable.
Expenditures are allowable.

SKNOCJC Supplemental Review Worksheet

Well-defined Problem Statement

There is a clear description of the problem the project is trying to solve.
The description includes relevant data (concrete and specific to New Orleans and the particular problem). The source of the data should be included where possible.

Bonus Points

Sustainability: The description includes specific funding or fundraising mechanisms. The full five points will only be awarded for a project with a dedicated source of funding in place for after the grant period.

Innovation: The project is new to New Orleans. (Limit to three years of operation. After that time, program should have demonstrated effectiveness.)

Coordination: There are different paths to these bonus points, depending on your organization.

Evidence-base: Description includes citation of the literature the project is drawing from for proposed grant activities. Literature should be appropriate and in line with the project's implementation plan.

Points Possible	Points Awarded	Comments
	86	
	30	
5	5	
20	20	Perfect program summary. Includes clear statement of the problem, describes in unambiguous terms how the project addresses the problem.
5	5	
	15	
5	5	Excellent goals.
5	5	
5	5	
	15	
3	3	
6	6	Objectives as stated provide excellent measures of the program's success.
6	6	
	15	
5	0	
5	5	
5	5	
5	5	
5	5	
	8	
5	5	
5	3	
	3	
7	3	
3	0	Uses "indirect" cost as match. Total indirect cost including match exceeds 10%.
	24	
	10	
5	5	
5	5	
	14	
5	4	
5	0	
5	5	
5	5	

Deductions.

Prior failures in compliance

Prior objectives not met.

FINAL SCORE

		0	
	-10	0	
	-15	0	
		110	



Louisiana Commission on Law Enforcement and
Administration of Criminal Justice
VOCA Notice of Intent (NOI) Worksheet
Fiscal Year 2020

Applicant Agency: The Administrators of the Tulane Educational Fund d/b/a Tulane University
Project Title: Tulane Domestic Violence Law Clinic Civil Legal Services for Domestic Violence Survivors
Contact Person: Becki T. Kondkar
Phone: 504-865-5153 **Email:** bkondkar@tulane.edu

Notice of Intent is:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied
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1 Agency Description Information: (Check the appropriate agency)

- Criminal Justice Agency - Law Enforcement
- Criminal Justice Agency - Prosecution
- Non-Profit or Non-Government Victim Services Provider
- Government Agency
- Unit of Local Government
- Public or Private Victim Services Provider
- Tribal Government
- Community-Based Organization

2 Federal Program Area: (Check appropriate area(s). Enter the amount of the federal amount to be dedicated to each program area; percentages will automatically populate when calculated.)

<input type="checkbox"/> Sexual Assault	0%	
<input checked="" type="checkbox"/> Domestic Violence/Spousal Abuse	100%	\$85,409
<input type="checkbox"/> Child Abuse	0%	
<input type="checkbox"/> Underserved Victims of Violent Crimes	0%	
Total must equal 100%:	100%	\$85,409

Total must equal the total federal amount allocated for to this project.

3 Proposed Budget

(Do not fill in this summary table. Enter totals into yellow fields in each Budget Category in Section 4. Your entries will populate in this section.)

Budget Category	Federal Amount	Cash Match	In-Kind Match	Total Requested
Personnel & Volunteers	\$64,849	\$0	\$0	\$64,849
Employee Benefits	\$12,796	\$0	\$0	\$12,796
Travel	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0
Supplies & Operating Expenses	\$7,765	\$21,353	\$0	\$29,118
Consultants	\$0	\$0	\$0	\$0
Totals	\$85,410	\$21,353	\$0	\$106,763

VOCA requires a 20% match. To calculate the match amount use the formula below:
 Federal Amount divided by 80% = Total Award Amount minus Federal Amount = Match Amount
 Example: \$20,000 ÷ 80% = \$25,000 - \$20,000 = \$5,000

4 Proposed Budget

Federal Amount

Cash Amount

In-Kind Amount

Total Requested

Personnel & Volunteers	\$64,849			\$64,849
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Provide a brief description of the personnel budgeted and justify the need for each position requested; include the in-kind total for volunteers. *(Number of volunteer(s), if known, and number of hours worked times value of the rate of compensation consistent with rate of compensation in fair labor market.)*

Project Attorney: FT; 80% \$5,918.21 x 12pp x 80% = \$56,814.77; Project Advocate: FT; 15% \$4,463.33 x 12pp x 15% = \$8,034. This personnel budget includes a full-time attorney who will dedicate 80% effort to direct client services under this VOCA Project, and a victims advocate who will dedicate 15% effort to direct client services (10%) and grant administration (5%) under this VOCA Project.

Federal Amount

Cash Amount

In-Kind Amount

Total Requested

Employee Benefits	\$12,796			\$12,796
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Describe and identify the Employee Benefits requested. *(Please remember the total for Employee Benefits cannot exceed 30% of total personnel wages budgeted for this project; do not include In-Kind total for Volunteers.)*

\$56,814.77 x 19.1% (MC, WC, GI, RT, FICA, FUTA). This amount reflects a fringe rate of 19.1% (for faculty), pro-rated based upon the percentage effort of Project funded attorney. \$8,034 x 24.2% (MC, WC, GI, RT, FICA, FUTA). This amount reflects a fringe rate of 24.2% (for staff), pro-rated based upon the percentage effort of Project funded advocate. Project Attorney is faculty and Project Advocate is staff, reflecting the different fringe rates applied.

	Federal Amount	Cash Amount	In-Kind Amount	Total Requested
Travel				\$0
Describe local and non-local travel requested and why necessary for project.				

	Federal Amount	Cash Amount	In-Kind Amount	Total Requested
Equipment				\$0
Describe the need for and use of the equipment item(s) requested for this project.				

	Federal Amount	Cash Amount	In-Kind Amount	Total Requested
Supplies & Operating Expenses	\$7,765	\$21,353		\$29,118

Describe the supplies and/or the operating expenses requested.

The federal amount of supplies and operating expenses total \$7,764.46 in indirect costs, at a rate of 10%. Tulane has authorized a reduction of its federally negotiated indirect cost rate of 33.4% to 10% for this VOCA Project and will apply the 23.4% of unrecovered indirect costs as a match. Tulane's cash match of supplies and operating expenses includes the following: (1) \$18,966.10 in unrecovered indirect costs (23.4% of unrecovered indirect costs resulting from deviation from Tulane's federally negotiated rate). (2) Civil District Court Online Access annual fee: \$700 annually for a 12-month subscription; (3) Law books and training materials for project attorney: 10 books x \$125.20 each x 1 attorney = \$1,252 (estimated); and (4) Louisiana bar dues and assessment for Project Attorney: \$435 X 1 year = \$435 (mandatory for practice of law).

	Federal Amount	Cash Amount	In-Kind Amount	Total Requested
Consultants				\$0

Describe the need for and use of the Consultants budgeted for this project.

c. Objectives. (Briefly provide two measurable objectives per goal stated in prior section, of which one must be outcome-based, for this project. Please use numbers rather than percentages.)

Goal 1: To enhance the safety and independence of domestic violence survivors and their children by providing high quality, comprehensive civil legal advocacy.

Objective 1: To provide comprehensive direct legal services to at least 25 domestic violence survivors on issues that help them stabilize in the aftermath of abuse, resulting in at least 45 successful legal outcomes.

Although each of the Clinic's clients will define success differently, "successful outcomes" would include protective orders, child custody orders, divorce orders, support orders, enforcement orders, structured visitation restrictions on a dangerous parent, and housing retention. Protective orders and child custody orders in particular can radically improve family well-being after abuse.

Objective 2: To provide representation or advocacy on multiple legal issues in 95% (at least 23) of Project cases.

The Clinic will prioritize serving victims with multiple or complex needs beyond protective orders and custody, and will provide unified services to address those needs whenever possible. Because housing stability and financial independence are essential to escaping abuse, the Clinic will also prioritize legal issues that enhance both.

Goal 2: To improve the long term safety and stability of domestic violence survivors by providing highly coordinated advocacy, support, and access to community resources.

Objective 1: To develop an individualized community resource plan for every Project client (at least 25), and to successfully connect at least 20 clients/families to essential community services.

The Clinic will work with partners to deliver client services as seamlessly as possible. Partners like the FJC will provide direct services to the Clinic's clients to address non-legal needs like counseling for clients and their children, emergency

d. Organizational Capacity and Capabilities. (Briefly describe organization, partnerships, and ability to perform the project.)

General Purpose, Mission, and Effectiveness. This Project falls squarely within the Domestic Violence Clinic's core purpose and mission: 1) to provide holistic legal services to underserved survivors of domestic violence, sexual assault, and stalking; 2) to teach a new generation of lawyers the skills necessary to become excellent lawyers and trauma-informed advocates, and 3) to improve the local systems responding to victims of abuse, through partnerships, collaboration, training, support, and technical assistance. Our program has a long history of demonstrated effectiveness with respect to this mission and to providing direct client services in our community as described below.

Major Activities and Projects of the Organization. The Tulane Law School Domestic Violence Clinic brings substantial expertise and a history of deep community engagement to this Project. Since its founding in 2002, the Clinic has provided holistic legal representation to hundreds of victims of domestic violence, addressing a wide array of legal needs, and utilizing best practice in victim advocacy. The Clinic faculty's expertise, combined with the manpower of dedicated student-attorneys, result in our clients receiving excellent legal advocacy and transformative outcomes. While providing these direct services, the Clinic has trained hundreds of law students on best practices in domestic violence litigation, resulting in an influx of well-informed advocates to our community. The Clinic's graduates have led the City's Blueprint for Safety Project; they have become domestic violence lawyers for Southeast Louisiana Legal Services, VOCA-funded attorneys in Orleans Parish and multiple other parishes, prosecutors, public defenders, and pro bono volunteers in both large and small private firms. Additionally, The Clinic has a long history of providing critical local leadership on domestic violence issues, training local professionals on issues affecting survivors, and supporting efforts for a coordinated community response. The Clinic participates in citywide coordination efforts, including the Mayor's Working Group on Domestic Violence and Sexual Assault and the new Domestic Violence Fatality Review Team. It was integrally involved in the Family Justice Center's creation. Since 2006, the Clinic has provided hundreds of hours of training to local professionals and organizations that serve survivors of abuse in Orleans Parish, including lawyers, social workers, mental health professionals, and law enforcement.

The Domestic Violence Clinic's major activities and projects include: 1) Direct civil legal services for low-income survivors of domestic violence, child abuse, stalking, and sexual assault in Orleans Parish. These civil legal services make up the bulk

6 Signatures

<u>Applicant Agency:</u>		
Print Name / Title	Date	Signature (Blue Ink)

<u>District Program Manager:</u>		
Print Name / Title	Date	Signature (Blue Ink)

<u>LCLE VOCA Administrator:</u>		
Print Name / Title	Date	Signature (Blue Ink)

5 Program Description

a. **Project Summary and Strategy.** *(Briefly describe the project by explaining how the project addresses the objectives of the Notice Of Funding Opportunity (NOFO) and how the project will be implemented.)*

Brief summary. This request is for continuation funding for a VOCA Project Attorney at Tulane Law School's Domestic Violence Clinic. The VOCA Project Attorney provides direct client services to survivors of domestic violence, child abuse, and sexual assault. Those legal services are enhanced through partial funding for a VOCA Project Advocate, who also provides direct client services. The VOCA Project Advocate helps coordinate the non-legal services our clients and their children need in order to stabilize their families in the aftermath of abuse, such as mental health care, housing assistance, benefits enrollment, and more.

Our Project's target population is income-constrained (indigent) domestic violence and sexual assault survivors in New Orleans. They are predominantly Black, historically underserved, and disproportionately at risk. Due in part to the combined effects of poverty and abuse, our target population has complex legal needs, an array of non-legal needs, and face systemic challenges to escaping abuse, especially in the context of a year-long global pandemic. The Domestic Violence Clinic utilizes an innovative model of providing comprehensive, holistic services to address the complex needs of the families we serve.

Project Purpose and Description. The purpose of this VOCA Project is to address both the urgent and long-term needs of abuse survivors and their children, by providing them with expert civil attorneys who can help them navigate the complex problems they face. With continuation funding, the VOCA Project Attorney and Advocate will: 1) deliver comprehensive legal services, advice, advocacy, and support to survivors, and 2) coordinate a seamless delivery of legal and non-legal services for clients through direct advocacy and collaborative partnerships. The Clinic will handle legal issues essential to client safety and self-sufficiency, including protective orders, protective order enforcement, custody, child and spousal support, divorce, housing and financial issues, and advocacy through criminal justice processes. The Clinic avoids a stratification of services for its clients, addressing as many needs as possible instead of sending clients to different lawyers or agencies to address different kinds of legal issues.

To ensure that the Clinic's clients derive the full benefit of these expansive legal services, the Clinic also identifies and coordinates a safety net of additional resources and support for each family it serves. To this end, the Clinic has a long

b. **Goals.** *(Briefly describe the proposed goals for this project.)*

Goal 1: To enhance the safety and independence of domestic violence survivors and their children by providing high quality, comprehensive civil legal advocacy.

Goal 2: To improve the long term family stability of domestic violence survivors and their children, by providing highly coordinated advocacy, support, and access to community resources.

Tulane Domestic Violence Law Clinic Overflow Text

Program Summary

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To ensure that the Clinic's clients derive the full benefit of these expansive legal services, the Clinic also identifies and coordinates a safety net of additional resources and support for each family it serves. To this end, the Clinic has a long-standing partnership with the New Orleans Family Justice Center, which provides non-legal assistance such as case management, crisis counseling, and emergency shelter. The Advocate will continue to foster partnerships and consultation with other community-based organizations that can provide much-needed resources and support to our clients. The partnerships will include coordinated and reciprocal referral and on-site services for adults and children exposed to abuse, striving for seamless services to families in crisis.

Implementation Plan and Main Activities. Because this request is for continuation funding, the Clinic expects seamless implementation of this Project. The VOCA Project Attorney is an experienced litigator with expertise in trauma and abuse who will dedicate 80% of her effort to this Project. This Project also includes a VOCA Project Advocate who is a licensed attorney, trained sexual assault and domestic violence medical advocate, and expert in K-12 education and partnerships who will dedicate 15% of her effort to this Project. The Clinic's implementation plan includes all of the following:

(1) The Clinic will prioritize clients from underserved populations, those with complex needs, cases referred by partner agencies, and cases involving high risk to victims and their children.

(2) The Project Attorney will represent survivors for protective orders, divorce, custody, support, enforcement of protective orders, and more, providing unified representation on these intertwined issues.

(3) Every Project client will also be assigned a team of law students who will provide additional supportive direct services to the family.

(4) The Clinic will maintain a continuity of service for legal needs beyond family law, including criminal justice system advocacy, housing problems, and school/educational issues related to the abuse.

(5) The Clinic will conduct safety planning with every client.

(6) The Clinic will utilize best practices in trauma-informed client interviewing and advocacy.

(7) The VOCA Project Advocate will create an individualized community resource plan for each of the Project's clients, and will meaningfully connect its clients and their children to those resources. With the goal of helping clients feel supported rather than overwhelmed by the network of resources they must navigate, the Project advocate will connect clients by making calls with them, accompanying them to initial appointments if requested, and/or arranging for on-site services.

(8) The Clinic will collaborate with community partners to create a seamless response for its clients.

- Partnering with the FJC. The Clinic's long-standing partnership with the New Orleans Family Justice Center will continue to enhance our client services, because the FJC can also provide non-legal services such as crisis counseling, emergency shelter, and case management to the Clinic's clients. Conversely, the Clinic will provide support and legal information to FJC staff and partner agencies, accept referrals from the FJC, and provide on-site client services at the FJC weekly and/or when requested.

- Partnering for children's services. Childhood exposure to family violence is correlated with a variety of lasting effects, including increased likelihood of criminal justice involvement, substance dependence, anxiety, and depression. Yet many domestic violence survivors find it difficult to connect their children with high quality mental health services. Because child mental health services are essential to improving family outcomes and mitigating the risk that the abuse will have intergenerational effects, the Clinic's Project Advocate will coordinate these services for our clients, working with partners such as the New Orleans Family Justice Center and other community service providers to identify services for client's children.

- Collaboration with other VOCA-funded legal partners. The Clinic will also work with other VOCA-funded legal services providers, the FJC, Project Save and Southeast Louisiana Legal Services. Together, these programs provide the majority of civil legal services for domestic violence survivors in New Orleans. As partners, we will strive to ensure that victims do not "fall between the cracks" when one agency is unable to provide services because of a conflict or overflow.

(9) The Clinic will utilize a rigorous model for supervision, mentoring and performance evaluation to ensure excellent legal services. This model includes direct daily supervision, weekly case management meetings, and performance evaluations.

(10) The Clinic will exercise best practices for client safety, autonomy and confidentiality. The Clinic conducts annual training in, and utilizes best practices for victim advocacy, including specialized, trauma-informed interviewing techniques and safety planning. The Clinic trains its students and staff on client confidentiality and safety planning, conducts conflict checks on every case, and strictly adheres to the professional and ethical obligations governing lawyers.

(11) The Clinic will survey clients to assess the effectiveness of the services they have received.

Expected Results. The Clinic's overarching objective is that all of its clients will feel more safe and independent from abusers because of the services we provide. The Clinic's holistic advocacy model is designed to achieve long-term results for survivors and their children. We have had great success in obtaining relief essential to their safety and self-sufficiency, including protective orders, sole custody, safe and supervised visitation with the parent with a history of abuse, child support, spousal support, and divorce.

As a result of this funding, the Clinic also expects the following results:

- At least 25 victims who would have been turned away due to a lack of capacity will receive civil legal services.
- All 25 clients will receive representation, advice or advocacy on multiple legal and non-legal issues.
- At least 95% of clients represented in court will follow through with court processes that improve their family safety and stability.
- At least 45 successful legal outcomes will result from representation.
- At least half of Project clients will follow through with mental health services, and/or access additional community resources for themselves and/or their children.
- Victims who receive supportive Clinic services will be more likely to participate in, and follow through with, parallel criminal justice processes.

Objectives

Goal 1: To enhance the safety and independence of domestic violence survivors and their children by providing high quality, comprehensive civil legal advocacy.

Objective 1: To provide comprehensive direct legal services to at least 25 domestic violence survivors on issues that help them stabilize in the aftermath of abuse, resulting in at least 45 successful legal outcomes.

Although each of the Clinic's clients will define success differently, "successful outcomes" would include protective orders, child custody orders, divorce orders, support orders, enforcement orders, structured visitation restrictions on a dangerous parent, and housing retention. Protective orders and child custody orders in particular can radically improve family well-being after abuse.

Objective 2: To provide representation or advocacy on multiple legal issues in 95% (at least 23) of Project cases.

The Clinic will prioritize serving victims with multiple or complex needs beyond protective orders and custody, and will provide unified services to address those needs whenever possible. Because housing stability and financial independence are essential to escaping abuse, the Clinic will also prioritize legal issues that enhance both.

Goal 2: To improve the long term safety and stability of domestic violence survivors by providing highly coordinated advocacy, support, and access to community resources.

Objective 1: To develop an individualized community resource plan for every Project client (at least 25), and to successfully connect at least 20 clients/families to essential community services.

The Clinic will work with partners to deliver client services as seamlessly as possible. Partners like the FJC will provide direct services to the Clinic's clients to address non-legal needs like counseling for clients and their children, emergency shelter, and housing assistance. The Clinic will also identify and forge partnerships and consultations with culturally-specific organizations to address the unique non-legal needs of clients with diverse backgrounds and from underserved populations. The Clinic expects that as a result of its coordination with partners, the families it serves will be more likely to meaningfully connect to, and follow through with, essential services like mental health services and financial counseling.

Objective 2: Increase the likelihood of victim participation in criminal justice processes that will enhance their safety through information and advocacy to all Project clients (at least 25).

In all (25 or more) Project cases, the Clinic will educate clients about criminal justice processes and options, and provide support to them in cases against their batterers. Support includes attending criminal court dates with the client, working with police to make sure protective order violations and related offenses are enforced, facilitating client communication and needs with the ADA when appropriate, and ensuring that civil litigation does not inadvertently interfere with criminal prosecution goals.

Organizational Capacity and Capabilities

The Domestic Violence Clinic's major activities and projects include: 1) Direct civil legal services for low-income survivors of domestic violence, child abuse, stalking, and sexual assault in Orleans Parish. These civil legal services make up the bulk of the Clinic's activities; 2) A state-wide Domestic Violence Appeals Project for domestic violence victims who cannot afford to appeal family court decisions that place victims or their children in danger; 3) a Women's Prison Project that provides direct services to domestic violence survivors who have been incarcerated for reasons associated with the abuse they experienced, and 4) community collaboration and training that enhances and improves systemic responses to abuse.

Organizational Budget. Our program not only has a demonstrated record of providing effective legal services to victims of crime, but also of maintaining substantial financial support from sources other than the Crime Victims Fund. We have successfully applied for and received competitive Office on Violence Against Women Legal Assistance for Victims grants for over a decade, allowing us to provide uninterrupted holistic civil legal services to victims in our community since the program's founding in 2002; in 2016, we expanded our services through this grant. Our current budget includes the following: (1) University support. The Domestic Violence Clinic, the Juvenile Law Clinic, the Civil Rights & Federal Practice Clinic, and the Criminal Justice Clinic are part of the Tulane Law School Clinic. Funding for the

Tulane Law School Clinic (all four Clinics) comes from Tulane University, and the total annual budget for these programs is \$981,648.29. (2) Competitive federal grants. The DV Clinic is the current recipient of two competitive federal grants that support different attorney positions – this VOCA award, and a Legal Assistance to Victims award. The Legal Assistance to Victims (LAV) (through the Department of Justice's Office on Violence Against Women) is for \$599,231 over 3 years, and ends in September 2023. It fully funds a different attorney position, and supports the Clinic's state-wide appeals project. This VOCA Project does not supplant funding from LAV or any other source. The Clinic's VOCA attorney position was created when the Clinic received its first VOCA award in January 2016, and this request would continue funding that position which would not exist without VOCA funding. (3) Private grants. Additionally, the Women's Prison Project (a joint project with another clinical program) has recently received a private grant of approximately \$450,000 a year for 4 years that is shared between the programs and funds a different attorney to serve different clients. That funding cannot be used to provide the civil legal services provided under this VOCA project.

Key personnel. The Clinic's success has been due, in part, to Tulane Law School's commitment to staff the Clinic with experts in victim advocacy. The Clinic's Director, Becki Kondkar, will oversee this Project. Professor Kondkar is a Commissioner on the American Bar Association's Commission on Domestic and Sexual Violence, is an expert in domestic violence litigation, and has handled hundreds of DV and abuse cases in eleven states. She has trained hundreds of domestic violence attorneys throughout the country on best practices in victim advocacy, at more than a dozen trainings sponsored by the United States Department of Justice's Office on Violence Against Women. She serves on the steering committee for the Louisiana Protective Order Registry, was a long time law enforcement trainer for the State Attorney General's Office, and in 2015, was appointed by the governor to the state's Domestic Violence Commission. The Project Attorney will be Shama Farooq, a seasoned litigator with extensive experience addressing domestic violence. Ms. Farooq has represented thousands of indigent clients in both trial and appellate courts. She has trained law students, lawyers, judges, prosecutors, and court staff around the world. Ms. Farooq has additional experience promoting access to justice and enforcing human rights and addressing gender-based violence in developing and transitional countries, and has been called upon by the Louisiana State Bar Association Access to Justice Commission to provide statewide training to domestic violence attorneys serving clients in the context of the COVID-19 pandemic. The Project Advocate, Kesana Durand, is a licensed attorney, trained sexual assault and domestic violence medical advocate, has significant training in human trafficking and strangulation, and expertise in K-12 education and partnerships.

Key Partnerships and Collaboration. The Clinic's key formal Project partnerships include the New Orleans' Family Justice Center and its on-site partners, with whom we have developed specific protocols for mutual referrals and on-site clinics. Our working relationship with the FJC includes regularly scheduled partner meetings, weekly cross-referrals and on-site visits, cross-training to enhance the expertise of both programs, and multi-disciplinary meetings to coordinate comprehensive services to survivors and their children. The Clinic also collaborates with numerous other service agencies in Orleans Parish, and conducts outreach to non-victim service programs likely to interact with survivors and their families.

This Project enhances already existing collaboration among partners who work together on coordinated community response issues through the Mayor's Working Group on Domestic Violence and Sexual Assault, the Blueprint for Safety Working Group, Family Justice Center partnerships, and more. The Clinic's clients benefit enormously from these partnerships, because of they make the systems responding to their abuse more effective, and help us quickly connect them to resources for need non-legal help.

**Sanford "Sandy" Krasnoff New Orleans Criminal Justice Council
Supplemental Grant Application Worksheet**

1. Problem Statement

For families and children in our community, domestic violence is tragically common. The global COVID-19 pandemic put this truth in perspective, making the choices victims face when weighing safety over basic human needs more stark than ever. In 2020, our community saw a drop in 911 calls related to domestic violence, even though both anecdotal and empirical data suggest that *rates* and impacts of domestic violence likely increased because of the pandemic.¹ In 2020, restrictions imposed to protect the public also had the unintended effect of isolating many victims at home with abusive partners, increasing their economic dependence or entanglements with them, reducing access to alternative or emergency housing options, and making it more difficult to report the abuse or access help. Since the beginning of 2021 and the gradual easing of restrictions, our program has seen a steady and significant increase in demand for legal services, as victims trapped by pandemic-related hardships increasingly reach out for help to escape violent relationships.

Even before the pandemic made things worse, our community faced a crisis of need relating to domestic violence services. In a 2015 survey of 1,000 predominantly African-American New Orleans children, 39% reported having witnessed domestic violence within the past year.² The New Orleans Police Department received over 15,000 domestic calls, resulting in nearly 3,000 arrests in 2018;³ in 2020, they received roughly 13,000 calls, resulting in about 2,200 arrests.⁴ Of 3,000 survivors served by the Family Justice Center (FJC) in 2019, more than 600 reported that they needed legal services.⁵ By 2020 over 800 FJC clients received more than 1,500 legal referrals to meet their complex needs.⁶ These victims largely cannot afford lawyers – 90% earned less than \$20,000 per year⁷ – and often turn to civil protective orders as a way to stay safe. Information collected by the Orleans Parish Civil District Court domestic violence help desk showed that between October 2018 and February 2019, an average of 40-50 individuals sought temporary restraining orders against intimate partners every month – without the assistance of attorneys.⁸ In 2020, over 600 people accessed the Civil Court Help Desk.⁹ 2018 data from the Louisiana Supreme Court Protective Order Registry, however, indicated that many of those in danger may not receive

¹ Buttell, F., Cannon, C. E. B., Rose, K., & Ferreira, R. J., *COVID-19 and Intimate Partner Violence: Prevalence of Resilience and Perceived Stress During a Pandemic*, *Traumatology*, (January 14, 2021), Advance online publication, <http://dx.doi.org/10.1037/trm0000296>.

See also, Jeffrey Kluger, *Domestic Violence is a Pandemic Within the COVID-19 Pandemic*, *TIME*, (Feb. 3, 2021), <https://time.com/5928539/domestic-violence-covid-19/>.

² *Emotional Wellness and Exposure to Violence: Data from New Orleans Youth Age 11-15*. INSTITUTE OF WOMEN & ETHNIC STUDIES. (2015), <https://static1.squarespace.com/static/59f78bfbf43b558afe23e48a/t/5a84a73071c10b7697d3c5ad/1518642994026/EWS-Report-2015.pdf>.

³ COMSTAT NOPD data 2018, compiled by the New Orleans Health Department's Blueprint for Safety office.

⁴ Data compiled by New Orleans Health Department's Blueprint for Safety office and shared via email on March 17, 2021.

⁵ Data shared by New Orleans Family Justice Center Alliance on January 16, 2020.

⁶ Data shared by New Orleans Family Justice Center Alliance via email on March 18, 2021.

⁷ Data shared by New Orleans Family Justice Center Alliance on January 16, 2020.

⁸ From help desk advocate, February 2019.

⁹ Data shared by New Orleans Family Justice Center Alliance via email on March 18, 2021.

the civil protection they seek – only 13% of temporary protective orders (lasting 21 days or fewer) issued in Orleans Parish Civil District Court resulted in *final* orders of protection (lasting 18 months or longer).¹⁰ Although Orleans Parish TROs made up 16% of all TROs issued in the state in 2018, less than 6% of the state’s *final* protective orders were issued in Orleans Parish.¹¹ These disparities were corroborated by a New Orleans judge, who in 2019 estimated that 70% of family court litigants appear without lawyers.¹² In short, domestic violence survivors who represent themselves, or even those represented by lawyers not trained in domestic violence, are too often not getting the protection they need.

The fact that so many survivors are proceeding *pro se* and are unable to obtain orders of protection is troubling, especially because protective orders are recognized as one of the most effective tools for helping survivors get safe. A 2003 study published in *Contemporary Economic Policy* (a peer-reviewed journal) concluded that access to civil legal services, *more than any other victim service*, reduces future abuse.¹³ According to a 2009 study funded by the National Institute of Justice (“The Kentucky Protective Order Study”), civil protective orders are an effective way to reduce violence for most domestic violence survivors.¹⁴ So, a growing body of research suggests that civil legal services, including custody and protective orders, are fundamental to any coordinated community response to domestic violence. In fact, civil protective orders, much more than “criminal stay away” orders, will often determine whether victims can stabilize their lives after they separate from abusers. The difference is that while criminal courts can issue only simple “stay away” orders to protect victims, family courts can issue stay away orders that are equally enforceable but include crucial added protections such as temporary child custody, emergency housing, and emergency support.

The City’s high rate of domestic violence, coupled with the challenges victims face both representing themselves and recovering from pandemic related hardships, creates a compelling need for both comprehensive civil advocacy, and highly skilled lawyers. Under this Project, the Clinic’s VOCA attorney and supporting VOCA advocate will examine the full complexity of each victim’s situation – helping each strategize for long-term safety, economic security, and independence. Many will need far more than a protective order to stay safe. They may need intensive guidance and support while making choices that affect their legal rights, their safety, and their financial well-being. They may need to legally disentangle themselves from abusers through divorce, and to keep their children safe through custody orders that place restrictions on abusive parents. They may need assistance obtaining support, so that financial emergencies don’t force them to return to abusers. They will need their protective orders enforced when abusers violate them, and also help navigating criminal justice processes they sometimes distrust. They may need

¹⁰ Louisiana Protective Order Registry POR Order Type Summary Report By Parish/Court (1/1/2018 to 6/30/2018 and 7/1/2018 to 12/31/2018), shared by Mary Claire Landry, Executive Director of New Orleans FJC to FJC partners.

¹¹ *Id.*

¹² Richard A. Webster, *In Louisiana civil courts, the poor are left to defend themselves*, THE TIMES PICAYUNE, (Mar. 14, 2019), https://www.nola.com/news/article_f7a10a25-a042-50a6-85e5-3e07fe07e4a7.html.

¹³ Amy Farmer & Jill Tiefenthaler, *Explaining the Recent Decline in Domestic Violence*, 21 CONTEMPORARY ECONOMIC POLICY 158 (2003), <https://onlinelibrary.wiley.com/doi/epdf/10.1093/cep/byg002>.

¹⁴ TK Logan, Robert Walker, William Hoyt & Teri Faragher, *The Kentucky Civil Protective Order Study: A Rural and Urban Multiple Perspective Study of Protective Order Violation Consequences, Responses, and Costs*, University of Kentucky (2009), <https://www.ncjrs.gov/pdffiles1/nij/grants/228350.pdf>.

advocacy regarding charging decisions or protective order enforcement, explanations about criminal justice processes, accompaniment to criminal court, or help checking inmate release information.

Even more, these survivors may need help with other poverty law issues that prevent their escape from abuse, especially those relating to housing and financial insecurity exacerbated by the pandemic.¹⁵ They may need help transferring housing vouchers to relocate for safety, help with evictions related to abuse, or help obtaining permanent supportive housing. They may face utility termination initiated by an abuser, or school problems triggered by the trauma their children have experienced. To address all of these needs, domestic violence victims and their children require intensive legal representation and advocacy of the highest quality, and they must be connected to an even wider web of community resources. This Project's purpose is to do both.

2. Bonus

Sustainability. Our project has a funding sustainability plan beyond the grant award period, ongoing support from federal and non-federal funding sources other than the Crime Victims Fund, and a record of effective services to victims of crime. The Tulane Law School Domestic Violence Clinic was first created in 2002 through private funding and grants, and has successfully not just maintained but *grown* the program through a combination of funding sources since that time. Tulane University has expressed a commitment to the permanence of the Domestic Violence Clinic, and continues to aggressively seek and secure funding that will promote its community services to survivors of abuse, and its teaching mission to law students. The Clinic will continue to seek continuation funding from its current competitive federal grant under the Office on Violence Against Women Legal Assistance to Victims grant program, as well as support in the form of gifts from alumni and other private donors.

Innovation. For 19 years, the Tulane Law School Domestic Violence Clinic has provided intensive, truly holistic legal services to domestic violence victims, while also training a new generation of lawyers in victim-centered advocacy. Our long-standing effectiveness in serving victims while also training new victim-centered lawyers makes our program innovative in three important respects.

First, through our combined mission of direct services and teaching, we address the immediate need for victim services in our community, while also expanding our community's capacity to provide well-informed, victim-centered advocacy for generations to come. The Domestic Violence Clinic's graduates have led the City's Blueprint for Safety Project; they have become domestic violence lawyers for Southeast Louisiana Legal Services, VOCA-funded attorneys in Orleans Parish and multiple other parishes, and are prosecutors, public defenders, and *pro bono* volunteers in both large and small private firms.

Second, the Clinic's model for client services is unique because each client is assigned both an expert lawyer and a *team* of law students, who are tasked with providing unified legal services

¹⁵ Jennifer S. Rosenberg & Denise A. Grab, *Supporting Survivors: The Economic Benefits of Providing Civil Legal Assistance to Survivors of Domestic Violence*, Institute for Policy Integrity, New York University School of Law, (July 2015), <https://policyintegrity.org/documents/SupportingSurvivors.pdf>.

on multiple legal issues. The Clinic attorneys and student-attorneys (licensed to practice under supervision) work together to advocate for and represent clients. The Project attorney represents the client, and the student attorneys trained in victim advocacy do too – they also accompany survivors to related criminal court proceedings, to pick up medical records, or to meet with law enforcement. Student attorneys help gather evidence and records, and sometimes arrange transportation or childcare so that clients can attend court or important meetings. The Clinic’s teams of student attorneys help clients feel supported rather than overwhelmed during daunting legal processes.

Third, the Domestic Violence Clinic’s model of providing unified, holistic services is unlike any other in New Orleans. We provide unified legal services that allow the client to stay with one lawyer for multiple legal issues that include safety emergencies, family law, and poverty law issues that prevent their escape from abuse. We try to address as many problems as we can for our clients so that their families can meaningfully stabilize when escaping abuse.

Coordination. Our program has a long history of community leadership and engagement to improve and coordinate systemic responses and services for survivors. Because of that history, in 2020, we were able to quickly coordinate with the Family Justice Center and other service providers to plan an emergency response to the COVID-19 crisis. In the early days of the pandemic, the Clinic coordinated and facilitated an interdisciplinary, interagency rapid response group to address court shutdowns and the resulting effect on victims in need of protective orders. The project brought stakeholders together, sometimes multiple times a week, to assess the effects of shutdowns on domestic violence survivors, many of whom struggled to access courts. The group problem solved and shared information, working collaboratively to improve the overall system function and to increase victims’ access to partially-closed courts and legal services. Our community’s quick emergency response was the culmination of a long history of collaboration among community partners with a history of coordinating both service delivery and systemic improvements for survivors.

Historically, the Clinic has long provided critical local leadership on domestic violence issues, and supported efforts for a coordinated community response. The Clinic participates in citywide coordination efforts, including the Mayor’s Working Group on Domestic Violence and Sexual Assault. It was integrally involved in the Family Justice Center’s creation. Beginning in 2010, the Clinic provided extensive technical assistance, consultation, and drafting to help the City overhaul NOPD policies on domestic violence and sexual assault through its Blueprint for Safety Pilot Project. The Clinic worked with the State Attorney General’s Office to develop a 24-hour domestic violence training for NOPD recruits, and has conducted hundreds of hours of domestic violence training for the NOPD to help them implement best practices in responding to survivors. The Clinic has provided free CLE (continuing legal education) training for the statewide legal services community, the Louisiana State Bar Association’s Justice Community Conference, the LSBA Lift Project, the New Orleans District Attorney’s Office, New Orleans Criminal District Court Judges, a network of *pro bono* attorneys, the civil attorneys housed at the Family Justice Center, the Children’s Advocacy Center, and family law mediators.

The Domestic Violence Clinic has a long-standing partnership with the New Orleans Family Justice Center. We have partnered with the FJC since its inception in 2007, originally

through its operating agency, Associated Catholic Charities. The FJC screens victims to make referrals for the Clinic's holistic legal services, in turn providing Clinic clients with a broad array of social services, safety planning, shelter, counseling, and other needed services from its well-established domestic violence and sexual assault programs. The Clinic's clients can schedule meetings at the FJC, in a location where counseling and social work services are available. The Clinic and the FJC have a system of information sharing and consent that preserves confidentiality under the state privileges available to lawyers and shelter workers.

The Clinic's continual engagement with key stakeholders in the domestic violence community means that we constantly assess gaps in services and community need, striving to improve the overall function of systems responding to survivors of abuse. The funding we seek through this Project would allow us to fill some of those gaps and needs.

Evidence-based model. The DV Clinic utilizes contextual information, best available research, and real experiences working with victims to provide evidence-based best-practices in victim-advocacy.¹⁶ All of our attorneys, staff, and student-attorneys receive training in trauma-informed interviewing, domestic violence, strangulation, safety planning, lethality assessments, stalking, sexual assault, and child abuse – all based upon the most updated research available.¹⁷ We utilize the American Bar Association's Standards of Practice for Lawyer's Representing Victims of Domestic Violence, Sexual Assault, and Stalking.¹⁸ Additionally, our model for providing comprehensive, holistic legal services, rather than simply emergency safety services, is grounded in studies showing that victims need these comprehensive services to escape abuse – they need legal assistance and advocacy on a variety of issues that help stabilize their families, promote economic independence from abusers, and address their safety concerns.¹⁹ In our custody cases, we pursue safe visitation orders based on the best research available on childhood trauma and exposure to abuse.²⁰

The Clinic also uses best practices to ensure its clients receive the highest quality representation available, and maintains a rigorous process for supervision, mentoring, performance evaluation, and continuing education. The Project attorney is an expert in domestic violence, and is supervised, mentored, and evaluated by the Clinic's Director, Becki Kondkar, also an expert in domestic violence. Our program participates in Department of Justice – approved training and

¹⁶ See the Center for Disease Control Evidence Project Overview,

https://www.cdc.gov/violenceprevention/pdf/evidence_project_overview2013-a.pdf.

¹⁷ See Sarah Katz & Deeya Halder, *The Pedagogy of Trauma-Informed Lawyering*, 22 *Clinical Law Review* 359-393 (2016), http://www.law.nyu.edu/sites/default/files/upload_documents/Katz%20-%20Halder%20Pedagogy%20of%20Trauma-Informed%20Lawyering.pdf.

¹⁸ See https://www.americanbar.org/groups/domestic_violence/Initiatives/standards-of-practice/ and also Mary M. Seighman, Erika Sussman, & Olga Trujillo, *Representing Domestic Violence Survivors Who Are Experiencing Trauma and Other Mental Health Challenges: A Handbook for Attorneys*, National Center on Domestic Violence, Trauma & Mental Health, (December 2011), <http://www.nationalcenterdvtraumamh.org/wp-content/uploads/2012/01/AttorneyHandbookMay282012.pdf>.

¹⁹ See Jennifer S. Rosenberg & Denise A. Grab, *Supporting Survivors: The Economic Benefits of Providing Civil Legal Assistance to Survivors of Domestic Violence*, Institute for Policy Integrity, New York University School of Law, (July 2015), <https://policyintegrity.org/documents/SupportingSurvivors.pdf>.

²⁰ See Mary A. Kernic, *Final Report of the Impact of Legal Representation on Child Custody Decisions among Families with a History of Intimate Partner Violence Study*, (May 2015), <https://www.ojp.gov/pdffiles1/nij/grants/248886.pdf>.

technical assistance made available free of cost through another federal grant.²¹ The Clinic convenes weekly meetings to review case progress, case strategy, and case outcomes with all Clinic attorneys and student attorneys in the Clinic. This collaborative approach for feedback, review, mentoring, and oversight ensures a continual process for assessing and ensuring excellence in the client services we provide.

3. Past History

The Tulane Law School Domestic Violence Clinic has had no issues meeting objectives for its previous grants or remaining in compliance with administrative requirements.

²¹ See <https://ta2ta.org/about.html>.