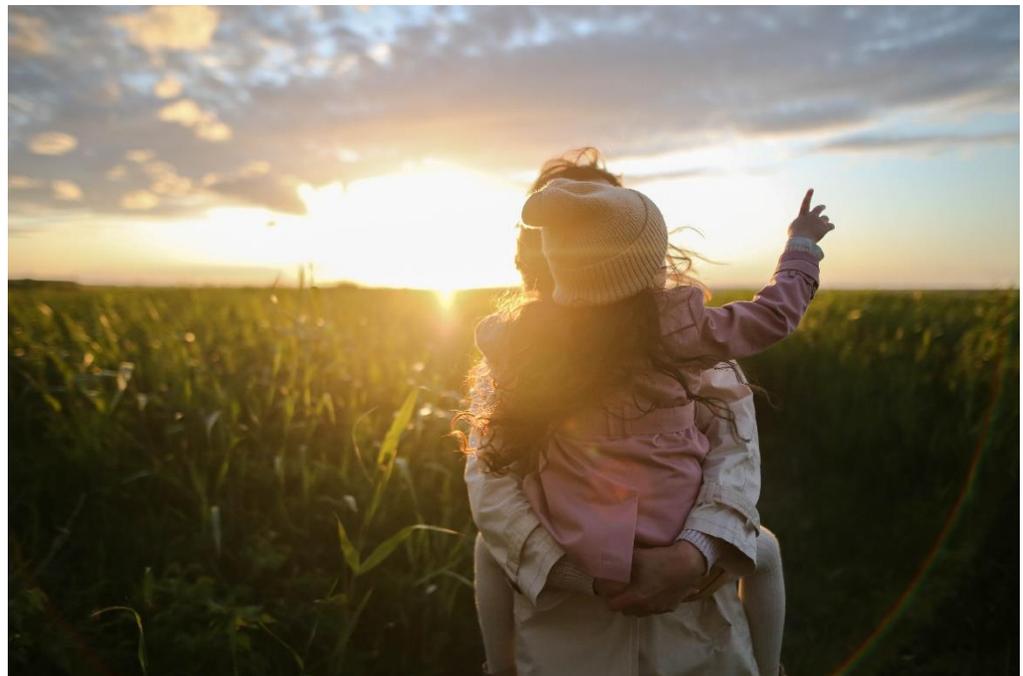


PROTECTING CHILDREN & FAMILIES AGAINST VICTIMIZATION



Submitted to DCF
September 30, 2021

2020-2021 Domestic Violence and Sexual Abuse
Civil Legal Services Program

Protecting Children & Families Against Victimization

2020-2021 DOMESTIC VIOLENCE AND SEXUAL ABUSE CIVIL LEGAL SERVICES PROGRAM

INTRODUCTION

In 1891, the United States Supreme Court wrote on behalf of a unanimous Court, “... no State can deprive particular persons or classes of persons of equal and impartial justice under the law. The concept is so central to our legal system that it is summarized in an inscription on the U.S. Supreme Court building – *EQUAL JUSTICE UNDER LAW*.”

However, meaningful access to the court system and professional legal assistance remain barriers for Wisconsin’s most vulnerable. Add to that the isolation and stigma that so often plagues victims of domestic violence and sexual abuse, and you have a socio-economic crisis threatening a cycle of dependency on public assistance.

In State Fiscal Year 2021, the Domestic Violence and Sexual Abuse (DVSA) Civil Legal Services Program was both the means for and the proof of the State of Wisconsin’s important work to halt that cycle of dependency and foster healthy, independent families.

“The opposite of poverty is not wealth; the opposite of poverty is justice.”

~ Attorney Bryan Stevenson, in *Just Mercy: A Story of Justice and Redemption*

Background & Data Collection

During the two-year 2019-2021 Wisconsin state budget cycle, \$1,000,000 of TANF funding from the Department of Children and Families’ (DCF) budget was allocated to the Wisconsin Trust Account Foundation, Inc. (WisTAF) to administer and fund a program for the provision of domestic violence and sexual abuse legal services to TANF-eligible Wisconsin residents. This report covers the \$500,000 distributed for services provided from July 1, 2020 through June 30, 2021, which marks the sixth year of this vital program. It outlines the management processes that WisTAF used to grant the funds to legal services providers and domestic abuse shelters, and provides specific data on services provided with the funds.

Per contract number 437004-G20-0001447-000-01 between the Wisconsin Dept. of Children and Families and the Wisconsin Trust Account Foundation, WisTAF required grantees to submit fourth

quarter and annual reports following conclusion of the 2020-2021 grant cycle, which were used to compile the service and financial information contained in this report. The annual report was designed to elicit the information that WisTAF needed to determine that grant recipients provided high-quality domestic violence and sexual abuse legal services to TANF-eligible clients in all parts of Wisconsin through the efficient and effective use of DVSA Civil Legal Services grants.

The grantees' accomplishments – what they were asked to do, and what they achieved – demonstrate the immense need for supportive legal services for survivors of domestic violence and sexual abuse. The investment was valuable not only in helping the individual clients who were served with the funds, but also in encouraging Wisconsin's economic health and the preservation of families. Legal services providers were successfully able to ensure the safety and stability of vulnerable families; remove barriers to employment; retain housing for survivors of domestic and sexual abuse; and obtain child support and other economic supports for families facing uncertainty and, in some cases, imminent danger.

DVSA CIVIL LEGAL SERVICES PROGRAM DEVELOPMENT AND MANAGEMENT

About WisTAF

The Wisconsin Trust Account Foundation, Inc. (WisTAF) is a 501(c)(3) nonprofit corporation created in 1986 by the Wisconsin Supreme Court to *aid the courts and improve the administration of justice by administering funding for legal services to persons of limited means in non-criminal matters*. WisTAF brings Wisconsin's legal and financial communities together to generate funds, which are used to make grants to nonprofit organizations providing civil legal services to Wisconsin's most vulnerable residents. Since its inception, WisTAF has distributed more than \$61 million to Wisconsin civil legal services providers, to help low-income Wisconsinites obtain information, advice, and/or representation critical to ensuring families' health, safety, security, and independence. The Foundation currently manages six sources of income, which are used to fund three grant programs, including the DVSA Civil Legal Services program. A nonpartisan, experienced fund administrator and grantmaker, WisTAF is the state's designated channel for the administration of low-income civil legal services funding in Wisconsin. More information about WisTAF's programs and services can be found online at www.wistaf.org.

Program Development & Resources

Per Wis. Stats. § 49.175(1)(j)14, which provides for grants to WisTAF of \$500,000 per fiscal year to fund this program, WisTAF prepared a plan for using the funds, dated October 21, 2015, which was approved by the Wisconsin Department of Children and Families (DCF). Upon plan approval, WisTAF staff developed and implemented the grant application, approval, distribution and reporting/evaluation processes used to fund eligible services from July 1, 2015 through June 30, 2016. Pursuant to adoption of each State of Wisconsin Biennial Budget since, WisTAF has entered into a contract with DCF specifying the conditions for use of the funds. WisTAF's volunteer Board of Directors and paid professional staff oversee funds and administer the program.

WisTAF's 15-member Board of Directors is comprised of three judges (appointed by the chief justice of the Wisconsin Supreme Court), nine attorneys and three non-attorneys (appointed by the State Bar of Wisconsin president). In addition to its other functions, the board is responsible for making all grant funding decisions. These dedicated volunteers bring a wealth of diverse legal, social services

and other professional expertise to WisTAF. Upon joining the board, members are assigned to one or more of the following committees, depending on their experiences, leadership roles and preferences: Grants/Evaluation Committee, Finance Committee, and/or Executive Committee.

Currently, WisTAF employs 3.6 full time equivalent (FTE) staff members. Grant program management is provided by the full-time executive director and the 0.85% FTE program manager.

In August 2019, representatives from the Wisconsin Department of Children and Families and the Wisconsin Trust Account Foundation signed a new contract:

- Contract Number: 437004-G20-0001447-000-01
- Contract Term: July 1, 2019 through June 30, 2021
- Commodity or Service Description: Provide legal services in civil matters related to domestic abuse, sexual abuse, or restraining orders or injunctions for individuals at risk under Wis. Stat. § 813.123, for individuals eligible for Temporary Assistance to Needy Families (TANF)
- CFDA Number: 437004-G18-0001071-000-01 93.558 Temporary Assistance to Needy Families (TANF)
- The contract was amended in March 2020 (A01 - allocation update) and October 2020 (A02 – allocation update).

Grant Notification & Application Process

Potential applicants were notified of the availability of 2020-2021 DVSA funding via direct email. WisTAF staff also posted information on the WisTAF website for public access. Online grant application materials were made available to potential applicants on February 26, 2020.

WisTAF received fifteen grant applications for combined requests totaling \$765,950 by the March 13, 2020 application deadline. (See Appendix Table 1: 2020-2021 DVSA/TANF Civil Legal Services Grant Applicants and Requests.) All applicants were required to meet the following provisions and criteria in order to receive funding consideration.

Grant Purpose and Funding Cycle

Grants were to be used to provide legal services in civil matters related to domestic abuse, sexual abuse, or restraining orders or injunctions for individuals at risk under s. 813.123 (TANF-eligible clients) from July 1, 2020 through June 30, 2021.

Eligible Client Populations

Grant recipients were required to verify that clients served met TANF financial and non-financial eligibility requirements. Any individual meeting Wisconsin's W2 eligibility requirements was automatically deemed eligible. Individuals concurrently enrolled in any of the following programs also were considered automatically eligible:

- Wisconsin Works (W2)
- Transform Milwaukee/Transitional Jobs
- Received Wisconsin Shares child care assistance
- Received the Wisconsin Caretaker Supplement
- Participated in the Women, Infants and Children (WIC) program

Grant Applicant Eligibility Criteria

To be eligible to apply for 2020-2021 DVSA Civil Legal Services Grant funds, applicants were required to meet the following requirements:

1. The applicant had to demonstrate that it provided, planned to provide or caused to be provided domestic violence and sexual abuse legal assistance to TANF-eligible clients; and,
2. The applicant had to be a civil legal assistance organization, a domestic violence shelter or be an organization that qualified as a 501(c)(3) exempt organization; or
3. The applicant had to otherwise demonstrate the charitable purpose of the organization and project.

Grant Application Review & Decision Process

WisTAF's eight-member Grants/Evaluations Committee was responsible for reviewing applications and making a funding recommendation for board consideration. Application materials were made available to all board members.

Each member of the Grants/Evaluation Committee was assigned as "primary reviewer" on up to three applications. Primary reviewers were responsible for thoroughly reviewing the assigned agencies' application materials and presenting a summary to the full committee during its May 5, 2020 meeting. Each member of the Grants/Evaluation Committee also served as "secondary reviewer" on up to three additional applications. Secondary reviewers acted as information resources during the grant application discussion. In addition, grant program management staff reviewed all applications and served as an information resource during the meeting.

Following presentation and in-depth discussion of each application, the committee used a two-step process to: 1) determine whether an application merited funding, and 2) allocate the funding amount to be awarded. Factors considered included the applicant's ability to identify and serve the specified target population; current and historical financial stability and longevity; demonstrated partnerships, collaborations and community support; the program's geographic reach/service area; and whether applicants was able to use prior cycle funds effectively and efficiently, if applicable.

As a result of this process, the committee recommended funding thirteen of fifteen applicant agencies. The full board discussed and unanimously approved the recommendation on June 10, 2020. (See Appendix Table 2: 2020-2021 DVSA Civil Legal Services Grant Awards.)

Disbursement of Funds

Grantees began submitting expense reimbursement requests to WisTAF on August 2020 for eligible services provided from July 1, 2020 through July 31, 2020. WisTAF verified expense eligibility and supporting documentation; monitored administrative vs. direct expenditures; aggregated subrecipient requests; and submitted reimbursement requests to DCF via the SPARC online portal. WisTAF remitted expense reimbursements to subrecipients upon receipt from DCF. WisTAF included a monthly expense reimbursement request for the funds needed to administer the grant program in the monthly expense reimbursement requests submitted to DCF. This process was repeated in each subsequent month of the grant contract period.

WisTAF subrecipient grantees provided eligible services and received expense reimbursements totaling \$450,000 by the conclusion of the funding cycle.

WisTAF's executive director and program manager coordinated grantees' monthly expense reimbursement requests; tracked the services provided and amounts spent on direct and administrative activity; and maintained ongoing communication with grantees in the event of reporting discrepancies or to clarify and/or request information. The executive director was responsible for the financial accounting for the DVSA funds that flowed through the Foundation.

The program manager coordinated all WisTAF Grants/Evaluation Committee activities associated with the DVSA grant. The executive director coordinated all WisTAF Board of Directors activities. In the spring of 2021, Wegner CPAs conducted an independent audit of WisTAF's financial information and management, which included the DVSA program. Wegner CPAs submitted the audited financials to the DCF Audit team as required.

Note on discrepancy between contract expense period and state accounting period: In May 2019, DCF notified WisTAF that Wisconsin Statute 49.175(1)(j) limits Temporary Assistance to Needy Families (TANF) funding to Wisconsin Trust Account Foundation, Inc. (WisTAF) to \$500,000 each fiscal year. TANF-funded expenditures in a state fiscal year (SFY) may not exceed the amounts provided under Wis. Stat. 49.175. DCF tracks compliance with TANF allocation limits provided in the statute using the state accounting system STAR, not the SPARC system that WisTAF is required to use to report expenses. Expenses in SPARC for a given month are not recorded as an expenditure in STAR until the following month, e.g. the June expenses reported in SPARC are reimbursed in July. This means June expenses are counted as July expenses in the STAR accounting system, and counted against the following year's contract amount, even though they were technically spent under the current contract. So while Wis. Stat. 49.175 specifies allocations for the SFY (July 1 to June 30), from a practical standpoint, DCF looks at expenses entered by contractors in SPARC from June to May (paid in the financial system, STAR, from July to June) to ensure DCF is in compliance with statutory expenditure limits. In terms of financial impact, the June 2020 expenses that WisTAF was paid in July 2020 (\$105,025.53) and in November 2020, following a contract amendment to shift partial administrative expense allocation to direct expense allocation (\$4,227.19), counted against this current SFY 2021 contract even though they were technically incurred/spent under the SFY 2020 contract.

While DCF has proposed language in both the 2019-2021 and 2021-2023 state budgets that would allow the Department to count all reported expenses within the annual contract cycle to the SFY allocation, this language has not been approved. The accrual vs. cash-based accounting discrepancy will carry forward into each future contract year/grant cycle, however, DCF has verified that they are contractually obligated for those funds to WisTAF, likely to be remitted following the conclusion of the final contract governing this grant program.

Grant Oversight and Compliance Monitoring

WisTAF engages in a systematic process to evaluate successful usage of WisTAF funds and monitor compliance with contract and program requirements.

1. Provider Risk Assessment and Performance Monitoring

As the administrator of federal funding via the Wisconsin Department of Children and Families (Domestic Violence and Sexual Abuse Civil Legal Services (TANF) grant

program), the Wisconsin Trust Account Foundation, Inc. (WisTAF) has an obligation to identify and assess risks associated with the usage and administration of grant funds for each of the subrecipient agencies (“providers”) receiving funding.

WisTAF has chosen to use the risk-based approach in evaluating and monitoring providers’ administration of funds. (Note: WisTAF may not waive federal audit requirements for any providers meeting federal criteria for needing a program audit or a single audit in accordance with the Uniform Guidance.) Per the Wisconsin Dept. of Children and Families Provider Agency Audit Guide, WisTAF will determine whether the risk factors associated with programs and providers point toward a lower or higher risk, and will use the results of these individual factors to assess whether the provider’s overall risk is low, moderate or high.

WisTAF assesses risk and monitors performance using a variety of methods including: provider site or remote visits, regular provider reporting and review of additional documentation and relevant materials. Risk assessments are performed in a systematic and rational manner. WisTAF documents all results.

Provider site or remote visits

Pursuant to WisTAF’s obligation to evaluate each provider’s risk of noncompliance with federal statutes, regulations and the terms and conditions of the subaward, WisTAF conducts site visits or “remote visits” (via video conference), allowing for in-depth and interactive discussions regarding such factors as:

- The provider’s prior experience with the same or similar subawards;
- Whether the provider uses this grant funding to partner with a nonprofit law firm, private attorney or other legal services provider to provide eligible client services, and if so, the nature, scope, specific roles and systems/processes used in client screening, billing/compensation, and performance monitoring;
- Whether the provider has new personnel or new or substantially changed systems;
- The results of previous audits including whether or not the provider receives a Single Audit, and the extent to which the same or similar subaward has been audited as a major program;
- The extent and results of federal awarding agency monitoring
- Review of program records (within the confines of client confidentiality requirements), if deemed necessary

Participants typically include at least one WisTAF staff member, one WisTAF Board member, provider agency senior management and program staff.

Regular provider reporting

WisTAF requires providers to submit quarterly reports describing activities performed by the provider using this funding; outcomes achieved; the number of

TANF-eligible adults receiving services (including client demographic data); and other qualitative and/or quantitative data the provider wishes to report.

Providers also are required to submit expense reimbursement requests detailing the amount of direct and administrative expenses incurred for eligible client services. Providers also must submit applicable supporting documentation accompanying expense reimbursements. All reimbursement requests are reviewed for reasonability and mathematical accuracy by WisTAF's grant program manager and verified by the executive director prior to submission to DCF.

Review of additional documentation and relevant materials

WisTAF also conducts a desk review of materials submitted by prospective grantees as part of the grant application process. The following materials typically are reviewed:

- Articles of Incorporation
- Bylaws or other governing documents
- Determination letter from the IRS (recognizing the subrecipient as exempt from income taxes under IRC section 501(c)(3))
- Most recent Form 990 or 990-EZ, including all supporting schedules and attachments (also Form 990-T, if applicable)
- Most recent audit report and management letter received from subrecipient's independent auditor
- Most recent internally-prepared financial statements and current budget

Ongoing monitoring of providers varies based on the nature of work assigned to each and WisTAF's assessed level of risk. Ongoing monitoring activities may involve any or all of the following:

- Regular contacts with subrecipients and appropriate inquiries regarding the program.
- Reviewing programmatic and financial reports prepared and submitted by the provider and following up on areas of concern.
- Monitoring subrecipient budgets.
- Offering providers technical assistance where needed.
- Maintaining a system to track and follow up on deficiencies noted at the site or "remote" visit in order to ensure that appropriate corrective action is taken.
- Establishing and maintaining a tracking system to ensure timely submission of all reports required of the subrecipient.

2. Setting and Communicating Clear Expectations

Once an agency has received notification of a WisTAF grant award, a representative of that agency must sign a grant conditions contract agreement, which provides clear guidelines for the agency's use and management of the funds. Each DVSA grant recipient was required to sign such an agreement prior to receiving 2020-2021 funding. WisTAF also incorporates conversations regarding expectations into our subrecipient monitoring activity.

3. Long-term Relationships

With a relatively small pool of regular grantees covering the entire state, historically WisTAF has been able to stay in frequent contact with grantees on an informal basis. This helps us to learn about individual grantee agency problems before they develop into serious issues, and to direct grantee agencies to appropriate assistance as requested.

Initially, the DVSA Civil Legal Services State Appropriation grant program was atypical in that several grant recipients were not traditional legal services providers per se, but rather domestic abuse shelter agencies with which WisTAF had no prior relationship. In the initial 2015-2016 grant cycle, WisTAF offered assistance to support the development of DVSA legal services programs to all grantees. This provided a proactive opportunity to help them determine what they needed to do to be successful and meet the requirements of the grant. We have continued to maintain strong, supportive relationships with these agencies in subsequent grant cycles.

2020-2021 EXPENDITURES, CLIENTS SERVED & OUTCOMES ACHIEVED

What does the nation's mental health crisis look like in the era of the COVID-19 pandemic? To 9-month-old Jarvis and 3-year-old Janae it is a pretty scary place. Their mom has a long history of mental illness with limited periods of taking her medication. During the pandemic, she stopped taking prescribed medications and returned to self-medication with street drugs. Multiple family members and community providers tried to get help for the family. Unfortunately, social distancing measures made it harder for their mom to connect and things got dangerously violent between the adults in Jarvis's and Janae's life. Their mom's boyfriend was charged with felony child abuse, intentionally causing harm, with a domestic violence enhancer. The courts issued a no-contact order against the mom relating to the kids due to multiple violent incidents and prior efforts to help her set safe boundaries. Like so many children today, Jarvis and Janae did not go into the foster care system. Instead, they were taken in by loving grandparents, who are equally concerned with getting help for their daughter. It was an uphill battle.

The children had not received any health care under COVID, which means that baby Jarvis didn't have any well-baby visits or vaccinations. Janae is behind developmentally and needs help catching up. More than anyone, the grandparents know that a long prison sentence won't help their daughter's mental health. They didn't know how to move forward to protect their grandkids while still trying to get help for their daughter.

The grandparents were initially reluctant to move forward with guardianship of the younger children, afraid of what another protracted civil legal battle would do to their daughter's mental health. At the same time, the grandchildren were seriously injured, and had experienced far too much violence already. Due to a recent law change, more guardianship options were available that better met the needs of the family. The grandparents decided to move forward with a limited guardianship for one year that would allow them to meet the children's educational and medical needs while the mother undergoes mental health and substance abuse treatment. The mother ultimately agreed to this arrangement as it gives her hope. Legal aid provider, Kids Matter Inc., was able to help the grandparents obtain kinship and health insurance for the children, and get Janae enrolled in an early childhood program.

As a result, Jarvis and Janae are safe and thriving. Their grandparents hold out hope that a year of treatment and court supervision will help their daughter engage in mental health treatment, sobriety and address issues with family violence.

Expenditures

The following table summarizes 2020-2021 DVSA Civil Legal Services (TANF) State Appropriation Program expenses:

DVSA Civil Legal Services State Appropriation (TANF) Program Expenses (7/1/2020 – 6/30/2021)

| | |
|---|---------------------|
| A. Direct expense | |
| 1. Grantee direct expenses | \$412,360.72 |
| Direct expense subtotal: | \$412,360.72 |
| B. Administrative expense | |
| 1. Grantee administrative expenses | \$37,639.28 |
| 2. WisTAF administrative expenses | \$50,000.00 |
| Administrative expense subtotal: | \$87,639.28 |
| Total expenses reimbursed: | \$500,000 |

Due to unanticipated circumstances, four agencies were unable to use the full amount of the 2020-2021 grant they were awarded. Such circumstances included instances where clients moved out of the grantees' service areas or who chose not to pursue further legal remedy.

During the 2020-2021 grant cycle, exceptional circumstances were widespread and exacerbated by the COVID-19 pandemic. As one grantee (CASDA) described:

Survivors with whom our attorneys and other staff were working identified multiple challenges during the pandemic including increased stress and responsibilities around parenting that hindered or prevented clients who were parents from focusing on their own needs and prioritizing their goals for a safer living situation. Especially for our senior attorney, these challenges meant that she sometimes found her clients' goals shifting within the pandemic environment, and their stress level heightened. On top of the hardships of coping with abuse and with limited income, the pandemic brought unexpected new challenges. It is fortunate that CASDA's attorneys are dedicated to CASDA's philosophy of providing trauma-informed services, meaning that they strive to remain understanding, non-judgmental and flexible when clients' needs, goals, and responses shift.

This sentiment was echoed by numerous other grant recipients. And, as in past years, WisTAF took proactive steps to determine the anticipated amount of unused grant funds, and put in place a process

to reallocate funds to grantees incurring expenses that exceeded their initial grant awards. This resulted in the best possible utilization of all funds in the areas with the greatest need.

A Global Pandemic Long Before the COVID-19 Outbreak: One in three women worldwide experience physical or sexual violence mostly by an intimate partner. Before the pandemic, 243 million women and girls, aged 15-49 experienced sexual and/or physical violence by an intimate partner in the past year. Since the outbreak of COVID-19, emerging data and reports from those on the front lines, have shown that all types of violence against women and girls, particularly domestic violence, has intensified. The sudden, unexpected social and physical distancing measures implemented statewide impeded grantees' ability to serve clients in the initial months of this grant cycle, at the same time they were witnessing a spike in the legal needs faced by domestic abuse survivors. The crisis worsened as stress mounted and was compounded by income loss, medical debt, the confines of close quarters, and the absence of typical support systems. For many, life as we know it paused. Domestic violence and sexual abuse did not.

Geographic Distribution of Funds

Samantha was in a physical, emotional, and financially abusive relationship with her child's father, with whom she shared three children. Samantha came to Golden House after moving to Green Bay from another area shelter where it was no longer safe for her family. She was able to get her children into school in the area and started seeing Golden House's therapist and children's advocate. While talking to the children's advocate she learned about her legal rights for her children and what she could do to protect them.

Samantha decided a restraining order was the best thing she could do right away, so she used the assistance of Golden House advocates. After a few weeks living at the Golden House shelter and working closely with her advocate, Samantha decided to take further action and was finally ready to leave her abuser and the father of her children – to keep everyone safe.

The Golden House advocate connected Samantha with the Legal Action attorney and they were able to meet to discuss all her options. Samantha went through the intake process and received legal representation for her divorce and child custody. She was also able to ask questions and receive information and advice on how she could legally take action related to her financial abuse.

The divorce and child custody were long and complicated processes. Samantha thanks Legal Action and the partnership that they have with Golden House for allowing her to find her own freedom, because without the free legal representation, she doesn't think she could have done it on her own.

Family law cases involving domestic violence are among the most difficult legal cases an attorney can undertake. Statewide, many private attorneys refuse to take them because of the long hours they require to complete, and the emotional circumstances that accompany family law cases, which include abuse. Even domestic and sexual abuse survivors with means have difficulty finding the legal help they need, because there are few private attorneys in their county that take domestic and sexual abuse

family law cases. The odds are stacked even higher against *low-income* domestic and sexual abuse survivors. There is increasingly little chance that they will find the legal help they need except through programs such as the ones funded by DVSA Civil Legal Services grants.

2020-2021 grantees were geographically limited by the relatively small amount of available funding and the service areas that each agency defined based on the resources at their disposal. Some agencies receiving funding were small, and served one county. Other larger agencies served several counties. There was little overlap of service areas.

Due to insufficient funding and the constraints imposed by the pandemic, the program fell short of its goal of making civil legal services available to domestic violence and sexual abuse survivors in every county of the state. Grantees reported providing DVSA-funded services in 49 counties during this grant cycle. This compares to a reach of 56 counties during the 2019-20 cycle, 55 counties during the 2018-2019 cycle, 56 counties during the 2017-2018 cycle and 37 counties in the 2016-2017 cycle. (See Appendix 3: Counties Served with 2020-2021 DVSA/TANF Funding and Appendix 4: Clients Served with 2020-2021 DVSA/TANF Funding by Judicial District).

As illustrated in Appendix 3, a few pockets remain underserved due to the limited funds available and the geographic reach of the 2020-2021 applicant pool. We hope to continue to expand the program's coverage and address these areas of need in the future, in the event the State's investment in civil legal aid is increased.

Clients Served

Christina was referred to End Domestic Abuse's RISE program by a DVSA victim service agency. Christina's abusive ex-partner and father of her child was using the court system and family court process to perpetuate the abuse, given that she had successfully obtained a domestic abuse injunction against him. The abuser would be present in court; however, he would obstruct the court process by becoming belligerent, being non-responsive to questions; failing to attend court-ordered mediation; and not cooperating with the Guardian ad Litem. He also refused to use an electronic method of communication to communicate with the victim, as he wanted to perpetuate the abuse through direct contact.

Through representation by RISE, Christina was able to obtain a court order that prevented placement between their child and the abuser until he was willing to comply with the court order. The abuser continued to file Motions and letters with the Court seeking additional court hearings. Eventually, the Court entered a final order denying him placement due to his lack of follow-through with the Court order. After the final order was entered, the abuser filed another motion to change placement, insisting that the hearing be held in person. RISE attorneys were able to file a response letter and the Court denied his request for an in person hearing. This resulted in the abuser withdrawing his motion, and RISE being able to close out the case.

The lack of attorneys willing and able to take domestic violence and sexual abuse cases is not the only factor that prevents clients from being able to get the legal help they need. Lack of money is a common obstacle faced by domestic and sexual abuse survivors, who may be cut off from financial resources by their abusers. Other factors such as disability or lack of transportation can also affect a survivor's ability to find an attorney.

In 2020-2021, DVSA grants were used to help more than 759 TANF-eligible individuals and their families, providing services ranging from limited advice to full representation in civil litigations. As the following charts indicate, ninety-two percent of clients served were women; the vast majority of clients served were between the ages of 18 and 61; and forty-six percent of clients served identified themselves as non-white.

Chart 1: 2020-2021 DVSA Civil Legal Services Clients Served by Gender

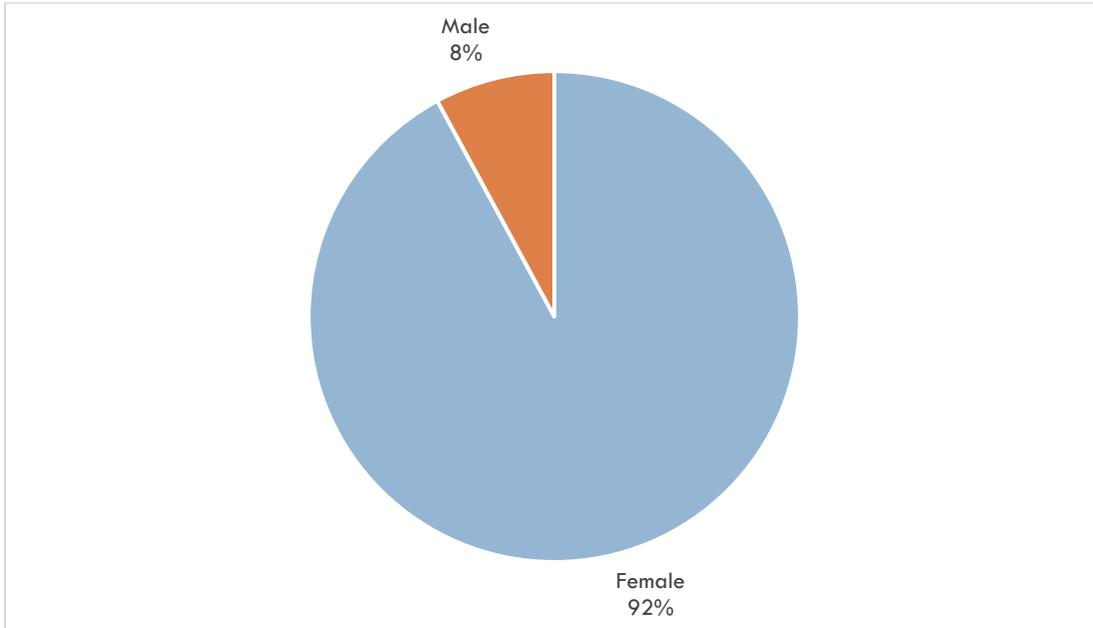


Chart 2: 2020-2021 DVSA Civil Legal Services Clients Served by Age

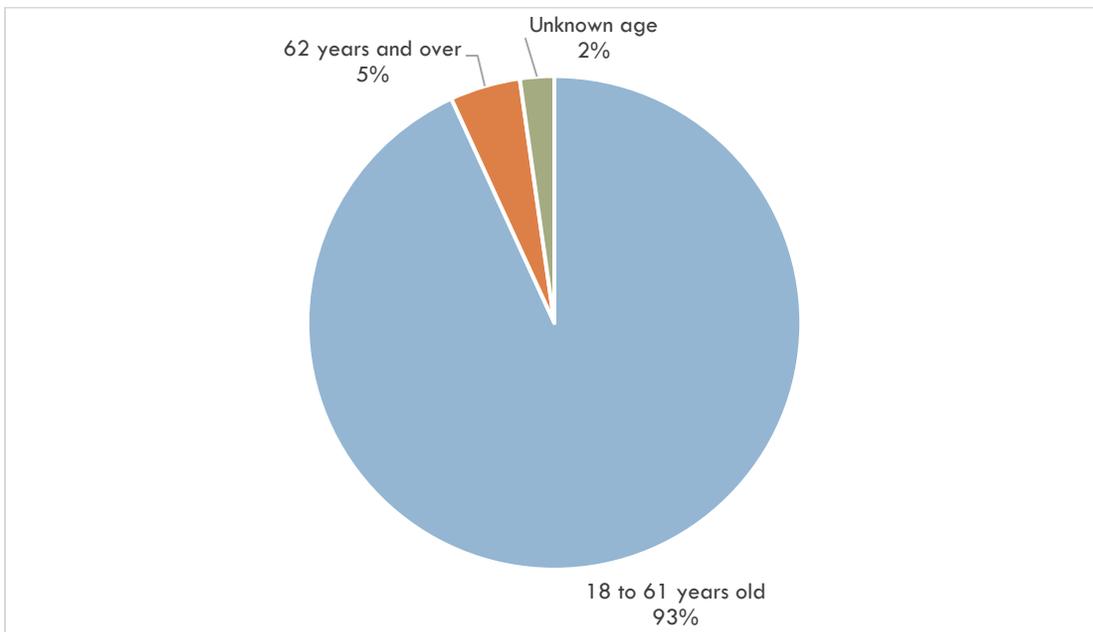
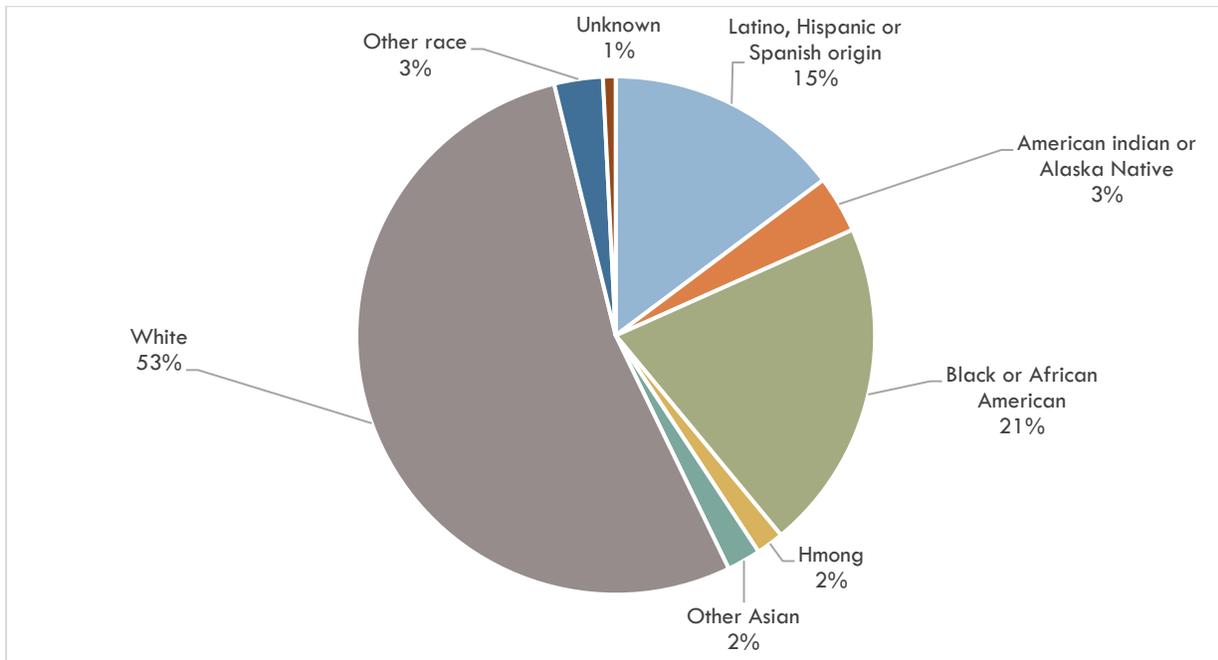


Chart 3: 2020-2021 DVSA Civil Legal Services Clients Served by Ethnicity/Race



In order to provide the most accurate information about case outcomes, WisTAF asks grantees to track only the individuals directly served during the grant period. The easiest way for grantees to do so is to report only cases closed during the period, which is WisTAF's preferred way to gather case outcomes. This means that any reporting is necessarily conservative, since there are always open cases carried from one time to another. 2020-2021 DVSA grantees reported that was the case in this funding cycle. Most had opened cases for TANF-eligible individuals with DVSA funds, but had not been able to bring some cases to their conclusion within the grant cycle, given the complex nature of cases and the limitations on court access and scheduling.

“Without access to quality representation, there is no justice.”
~ U.S. Supreme Court Justice Antonin Scalia

Outcomes Achieved

Kelly was referred to Legal Action of Wisconsin by Women and Children’s Horizons through their DVSA Civil Legal Services grant partnership. Kelly’s husband, Sean, had hired an attorney and filed for divorce while Kelly was visiting family in Cleveland. Sean believed that Kelly had taken their child, Avery, to Ohio and was never coming back. Sean had been emotionally and verbally abusive to Kelly during their marriage. He would scream at Kelly, punch holes in the wall, and break her things. Several years prior, Kelly and Sean had separated. Sean continued to torment Kelly, and had even made a false police report

that Kelly had tried to break into his home. Although Kelly was at work at the time, the incident made Kelly concerned about her family's safety.

With the invaluable help of her Legal Action attorney, Kelly was finally able to obtain a divorce from Sean. The parties were able to come to a compromise that, although not perfect, was acceptable to both parties. As a result of the divorce, Kelly was able to secure primary placement of Avery and a reasonable amount of child support. Most importantly, Kelly was able to legally separate from a toxic relationship and start the next phase of her life.

The outcomes of each case not only affect the individuals receiving legal help, they affect the Wisconsin court system, which runs more effectively and efficiently when legal professionals are available to expedite cases.

They affect local resources such as homeless shelters and police and rescue personnel, by removing people from dangerous situations and providing the legal help they need to become independent. They affect local economies, allowing employees who had previously missed work days due to abuse to keep regular work schedules, benefiting the employer as well as the employee.

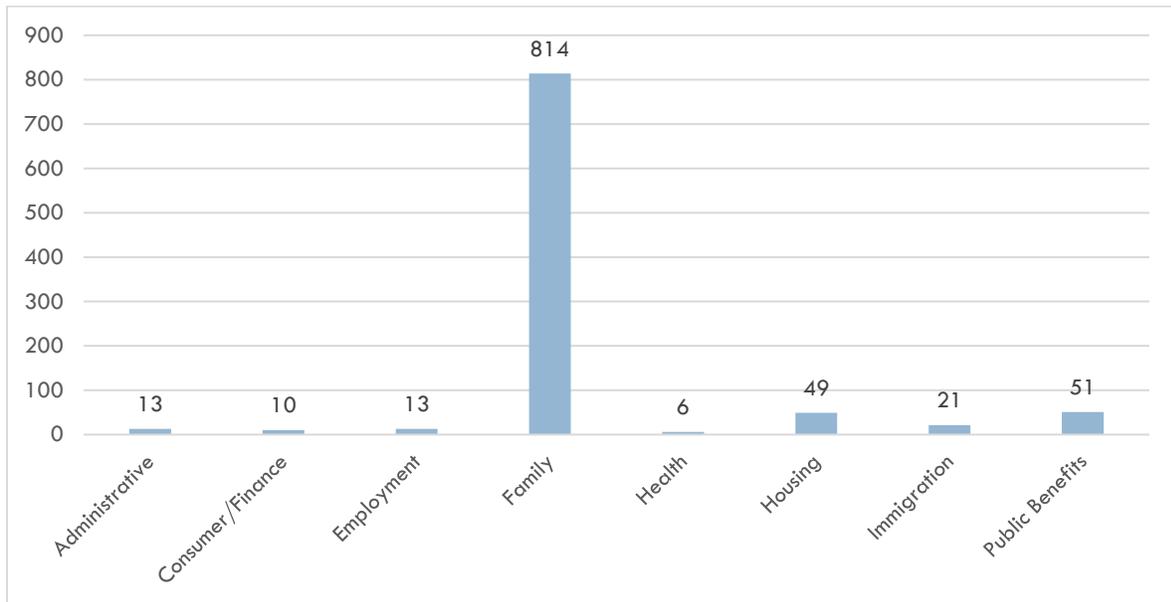
Many private attorneys don't have the resources to undertake domestic and sexual abuse cases that include complicating factors such as housing, employment and public safety. In addition, many poverty law legal cases – including those that involve domestic or sexual abuse – are complex, sometimes simply because what may have begun as a common and easily resolved legal problem is rarely addressed in a timely fashion, and continues to grow in size due to a lack of funds available to pay a private attorney.

In order to determine the number, type and financial impact of services provided by DVSA grantees, WisTAF used an outcome-based reporting system based on similar systems used to report civil legal services to the federal Legal Services Corporation. WisTAF organized the reported outcomes into 17 civil legal services categories, each of which measured multiple types of case outcomes for services provided and funds successfully received or recovered for clients. Grantees reported 980 outcomes made possible by 2020-2021 DVSA funding. Most cases addressed multiple legal issues, resulting in multiple outcomes per case.

Chart 4 illustrates the most common areas of civil law in which outcomes were reported by grantees using 2020-2021 DVSA funding. Family law-related outcomes accounted for 83 percent of all outcomes reported.

- Family (814)
- Public benefits (51)
- Housing (49)
- Immigration (21)
- Administrative (16)
- Employment (13)
- Consumer/Finance (10)
- Health (6)
- TOTAL (980)

Chart 4: 2020-2021 Outcomes by Area of Law



Financial Impact: Funds Received or Recovered

Many survivors of domestic and sexual abuse are unable to access jointly held funds to which they are entitled because the abuser controls the family's finances. This means that people continue to remain in an unsafe environment, since they don't have access to money for food, rent, and clothing. This is an even larger problem when children are involved. Without legal help, survivors are left with the choice to stay with the abuser and continue to expose their children to abuse, potentially perpetuating the cycle, or to leave the abuser and try to establish their own financial support not knowing if they will have access to safe housing, employment, or other necessities.

In 2020-2021, DVSA grantees reported that they helped their clients recover more than \$963,938 in family law related cases, and \$4,800 in income maintenance cases. Without those financial outcomes, these families would have been dependent on public benefits and other public support systems. Or worse, they may have continued to live and raise children in the kind of environment that tears families apart and destabilizes communities.

CONCLUSION

WisTAF is pleased to report continued successful management and implementation of the Domestic Violence and Sexual Abuse Civil Legal Services program to help TANF-eligible clients with much needed DVSA legal services. We are confident those services enhanced the Wisconsin Department of Children and Families' efforts to stabilize Wisconsin families and help them to be safe, secure and self-sustaining.

We offer sincerest thanks to the domestic abuse shelter agency and legal services provider staff and attorneys who work tirelessly to help clients gain the outcomes needed to achieve long-term health and self-sufficiency. We thank DCF and all who have been instrumental in securing continued DVSA civil legal services funding. We look forward to continuing our role in the efforts to help vulnerable families become thriving members of Wisconsin's great communities.

Respectfully submitted by:
Rebecca L. Murray, WisTAF Executive Director

With report preparation assistance from WisTAF Program Manager Carlos Arenas.

Appendix Table 1: 2020-2021 DVSA/TANF Civil Legal Services Grant Applicants and Requests

Page | 17

| PRIMARY APPLICANT | GEOGRAPHIC AREA SERVED | PARTNERING AGENCY | REQUEST |
|--|---|---|----------|
| Center Against Sexual & Domestic Abuse (CASDA) | Superior, Douglas, Bayfield, and Ashland Counties in northwestern Wisconsin | n/a | \$40,950 |
| Centro Legal | Primarily the greater Milwaukee area | n/a | \$60,000 |
| Civitas Law Group | Primarily the greater Milwaukee area | n/a | \$15,000 |
| Community Justice, Inc. | Dane, Columbia, Crawford, Jefferson, Rock, Sauk, Iowa, Juneau, Lafayette, Dodge, Waushara, Green, and Marquette Counties | n/a | \$75,000 |
| End Domestic Abuse Wisconsin | Statewide | n/a | \$50,000 |
| Golden House | Brown County | Legal Action of Wisconsin | \$75,000 |
| HAVEN, Inc. | Lincoln County | Frokjer & Hersil LLC | \$30,000 |
| Indianhead Community Action Agency | Primarily Burnett, Washburn, Sawyer, Rusk, Taylor, and Clark Counties | Lawton & Lawton, S.C. | \$75,000 |
| Kids Matter, Inc. | Legal representation in Milwaukee and Waukesha Counties; Statewide legal information and county specific procedural information | n/a | \$50,000 |
| Legal Action of Wisconsin | 39 counties of southern Wisconsin | Christine Ann Center | \$75,000 |
| New Cap | Brown, Florence, Forest, Langlade, Marinette, Menominee, Oconto, Oneida, Shawano, and Vilas Counties. | n/a | \$75,000 |
| Rainbow House Domestic Abuse Services, Inc. | Marinette and Oconto Counties | Wisconsin Judicare; Law Office of Aaron M. Krzewinski | \$35,000 |
| The Women's Center | Southeastern Wisconsin | Legal Action of Wisconsin | \$15,000 |
| Wisconsin Judicare, Inc. | 33 counties of northern Wisconsin | n/a | \$75,000 |
| Women and Children's Horizons | Kenosha County and surrounding area | Legal Action of Wisconsin | \$20,000 |

Appendix Table 2: 2020-2021 DVSA/TANF Civil Legal Services Grant Awards

Page | 18

| GRANTEE AGENCY | 2020-2021 DVSA GRANT AWARD AMOUNT |
|---|-----------------------------------|
| Center Against Sexual & Domestic Abuse (CASDA) | \$37,500 |
| Centro Legal por Derechos Humanos, Inc. | \$50,000 |
| Civitas Law Group | 0 |
| Community Justice, Inc. | \$50,000 |
| End Domestic Abuse Wisconsin (RISE) | \$20,000 |
| Golden House (partnering with Legal Action of Wisconsin) | \$37,500 |
| HAVEN, Inc. | \$20,000 |
| Indianhead Community Action Agency | \$50,000 |
| Kids Matter Inc. | \$35,000 |
| Legal Action of Wisconsin (partnering with Christine Ann Center) | \$37,500 |
| New Cap | 0 |
| Rainbow House Domestic Abuse Services (partnering with Law Office of Aaron M. Krzewinski) | \$22,500 |
| The Women's Center (partnering with Legal Action of Wisconsin) | \$15,000 |
| Wisconsin Judicare, Inc. | \$55,000 |
| Women's and Children's Horizons (partnering with Legal Action of Wisconsin) | \$20,000 |
| TOTAL: | \$ 450,000 |

Appendix 3: Counties Served with 2020-2021 DVSA/TANF Funding



Individuals/families in 49 (shaded) counties were served with 2020-21 DVSA/TANF funding.

Appendix 4: Clients Served with 2020-2021 DVSA/TANF Funding by Judicial District

