



The Critical Role of Civil Legal Aid in State Abatement Plans

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LSC | America's Partner
for Equal Justice
LEGAL SERVICES CORPORATION

STRENGTHENING THE ROLE OF
CIVIL LEGAL AID IN RESPONDING
TO THE OPIOID EPIDEMIC
REPORT OF THE LSC OPIOID TASK FORCE

Task Force Recommendations

- Recommended that LSC and the National Judicial Opioid Task Force work together to educate courts, physicians, and law enforcement professionals about the civil legal issues faced by individuals with opioid use disorder and how legal aid can help address those issues
- Identified collaboration among legal aid providers, physicians, courts, treatment professionals, law enforcement, peer recovery specialists, and community outreach organizations as critical to supporting individuals with opioid use disorder

What Is Civil Legal Aid?

- Legal assistance for low-income individuals and families who have non-criminal legal problems
 - Eviction
 - Custody and guardianship
 - Consumer debt collection
 - Insurance disputes
 - Protection from domestic violence
 - Reinstatement of driver license
- **NOT** attorneys funded by carve-outs in the settlements

What Is Civil Legal Aid?

Legal Services of the Hudson Valley's (LSHV) client, Sylvia* is the paternal grandmother of three children whose parents are active heroin users who each have had several incarcerations.

LSHV represented Sylvia in obtaining guardianship of the minor children after Child Protective Services became involved following the mother's car accident with the youngest child in the car. The car accident occurred when the parents, both of whom were under the influence of heroin, had a domestic dispute in front the three minor children.

LSHV's success in obtaining guardianship kept the children out of the foster care system and they are thriving in the grandmother's continued care.

**Name changed*

Legal Aid and Social Determinants of Health

Social Determinants of Health



Social Determinants of Health
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 Healthy People 2030

Healthy People 2030, U.S. Department of Health and Human Services, Office of Disease Prevention and Health Promotion. Retrieved Jan. 25, 2023, from <https://health.gov/healthypeople/objectives-and-data/social-determinants-health>

Opioid Settlements

- Distributor and manufacturer settlements established two tiers of opioid abatement activities
 - Schedule A Core Strategies (e.g. expanded naloxone use and access to MOUD)
 - Schedule B Approved Uses (e.g. expanded telehealth access and support services for people in recovery)
- Seven states explicitly authorize funding for legal services
 - Colorado, Idaho, Minnesota, New Mexico, New York, South Carolina, Utah
 - Utah’s blueprint recommends “prioritiz[ing] housing, **legal supports**, education, and job training availability for those impacted by opioids.”

Case Study – The FIRST Clinic

- FIRST = Family Intervention Response to Stop Trauma
- Funded through the Washington State Office of the Public Defender
- Medical-legal partnership
- Mission: prevent trauma associated with family separation

Case Study – The FIRST Clinic

Findings (from 446 eligible clients):

- 82% resulted in no filing of a dependency case
- Of the 53 cases that did result in the filing of a dependency case, the child remained with the parent in 36% of cases
- 1/3 of the FIRST Clinic's eligible clients had themselves been involved with the child welfare system as minors

Case Study – Beyond Opioids

- Led by Center for Arkansas Legal Services and Legal Aid of Arkansas
- Serves eligible clients who have substance use disorder in their families
- Partners:
 - Hospitals
 - Recovery providers
 - Community organizations
 - State agencies
 - Law enforcement

Case Study – Beyond Opioids

- Legal issues
 - Protective orders
 - Guardianship
 - Custody/visitation
 - Eviction defense
 - Housing discrimination
 - Criminal record sealing
 - Public benefits
 - Employment issues

Questions?



Resources

Legal Services Corporation Opioid Task Force

<https://lsc.gov/initiatives/lsc-task-forces/lsc-opioid-task-force>

The FIRST Clinic

<https://thefirstclinic.org/>

Beyond Opioids

<https://www.beyondopioids.org/>

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