

Clearinghouse REVIEW

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Sargent Shriver National Center on Poverty Law

Link Between the Foreclosure Crisis and Homelessness

“Foreclosure to Homelessness 2009: The Forgotten Victims of the Subprime Crisis” is a joint report released by the National Coalition for the Homeless, the National Health Care for the Homeless Council, the National Alliance to End Homelessness, the National Association for the Education of Homeless Children and Youth, the National Law Center on Homelessness and Poverty, the National Low Income Housing Coalition, and the National Policy and Advocacy Council on Homelessness.

The report analyzes the results of two surveys aimed at assessing the foreclosure crisis across the country. The survey of agencies has respondents who provide direct services to the homeless in various geographic locations, and the survey of individuals covers homeless persons or those facing homelessness due to foreclosure. The surveys show the prevalence of homelessness as a direct outcome of foreclosure, common coping mechanisms employed in the aftermath of foreclosure, institutional responses to the crisis, and the legal rights of renters and tenants. The report also discusses related issues such as health care, access to legal aid, education, geography, and protections for military veterans and their families. See <http://tinyurl.com/m23z7d>.

Reducing Homelessness

The Helping Families Save Their Homes Act of 2009, which President Obama signed into law last May, is a big first step in dealing with homelessness, according to the National Law Center on Homelessness and Poverty. The law reauthorizes the McKinney-Vento Homelessness Assistance Act—the first and only legislation that directly responds to the problem of homelessness—and expands the rights of renters in foreclosure.

The Act increases funding for McKinney-Vento programs (administered by the U.S. Department of Housing and Urban Development) from \$1.677 billion to \$2.2 billion; amends the Emergency Shelter Grant program to allow aid agencies and nonprofit entities to provide a broader set of services; reduces restrictions on nonprofit entities in rural areas to serve doubled-up households; defines homelessness to include unaccompanied youths and children in families with a history of housing instability; and requires the U.S. Interagency Council on Homelessness to develop a national plan to end homelessness. The Act eliminates laws and policies

that unfairly target and criminalize the activities of homeless individuals.

The Act protects the rights of tenants in foreclosure proceedings. Tenants are allowed to stay in their homes pursuant to their leases unless the new owners intend to use them as their primary residence. See www.nlchp.org.

Fighting Foreclosure Through Partnerships Between Legal Aid and Community Organizations

The national foreclosure crisis is disrupting the lives of millions of homeowners and renters and contributing to widespread neighborhood instability. In response, advocates from across the country have been working with community organizations to develop strategies to keep people in their homes.

CLEARINGHOUSE REVIEW recently hosted a webinar examining community-based initiatives in Philadelphia and Los Angeles County. In Philadelphia legal advocates and community organizations have been working together to help homeowners gain maximum benefit from the city’s foreclosure mediation court and stay in their homes. In Los Angeles County a loan-modification initiative has been helping groups of low-income homeowners negotiate jointly with their loan servicers and led to city council funding of a pilot foreclosure prevention project.

The presentations and webinar materials are archived on the Sargent Shriver National Center on Poverty Law’s website at <http://tinyurl.com/ClearinghouseReviewWebinar>. Join in on the postwebinar discussion by becoming a “fan” of the Shriver Center’s Facebook page at www.facebook.com/shrivercenter and visiting the discussion forum <http://tinyurl.com/Webinardiscussion>.

Shift Toward Education and Training for the Unemployed

President Obama outlined, in a speech last May, the need for a fundamental shift toward focusing heavily on education and training in the nation’s approach to unemployment. In response, the National Employment Law Project released a report on the president’s policy. “State Implementation of President Obama’s Initiative: Removing Hurdles to Education for Jobless Workers Collecting Unemployment Benefits” sets forth the best options for states to reform

unemployment insurance while expanding access to education and training and coordinating with national workforce development programs and higher-education systems. The full report is free at <http://tinyurl.com/obq97h>.

GAO Seeks Coordination in Accounting for the Recovery and Reinvestment Act

The U.S. Government Accountability Office (GAO) seeks to coordinate the monitoring of the American Recovery and Reinvestment Act's implementation. The Act requires GAO to conduct a longitudinal study tracking the implementation of Act funds in sixteen states and the District of Columbia. GAO urges efficient oversight through communication among primary accountability bodies—the Recovery and Accountability Transparency Board, the inspectors general, and state and local government auditors. “GAO’s Efforts to Work with the Accountability Community to Help Ensure Effective and Efficient Oversight” is the second in a series of bi-monthly reports. See <http://bit.ly/yBKNB>.

Random Drug Testing of TANF Recipients at What Cost?

In the past year several states have proposed instituting mandatory drug testing for parents when applying for the Temporary Assistance for Needy Families (TANF) program. The Center for Law and Social Policy (CLASP) rejects these proposals on the grounds that they are rooted in stereotypes rather than facts, are costly and inefficient, put children at risk, and are most likely unconstitutional. CLASP advocates increased funding for drug treatment programs as a more efficient use of taxpayers’ money because it has been shown to lead to significant employment gains, a modest rise in income, and a modest decline in the need for public benefits. See <http://bit.ly/2unj4r>.

Asset Coalition Toolkit for States

A new website contains tools and resources for information sharing among state coalitions on asset building: www.assetcoalitiontoolkit.org. The Shriver Center’s Community Investment Unit activated it last June. Among the materials are coalition administration and management tools, policy and advocacy resources, links to other state and local asset coalitions, and funding resources. The website allows for participation in developing it through document submissions and coalition up-

dates, ongoing dialogue among those interested in asset building, an assessment guide to direct coalitions to documents specific to their needs, and news on asset policies and legislation. The Levi Straus Foundation and the Friedman Family Foundation support the site.

Shriver Brief

Shriver Brief is an advocacy blog published by the Shriver Center. The blog regularly features commentary and analysis from the Shriver Center’s advocates on health care reform, affordable housing, budget and taxes, child care, job training and employment, asset building, and violence against women and girls, among others. Read *Shriver Brief* (www.theshriverbrief.org) for the latest analysis of economic and social justice issues and innovative work to build opportunities for low-income people.

Funding Opportunities for Legal Aid

The Funding Opportunities for Legal Aid (FOLA) website, which the National Legal Aid and Defender Association (NLADA) recently opened to announce funding under the stimulus bill, serves as an online clearinghouse for sharing information about funding resources in the legal aid community. The site categorizes the resources by state, federal agency program, and type (e.g., stimulus, federal, private foundations). Interactively users can find and post news, reports, and resources. FOLA is open to NLADA’s civil members as well as stakeholders and partners in legal aid. To create an account, visit www.mynlada.org and access FOLA.

American Bar Foundation—a Leader in Legal Research

An independent, nonprofit agency, the American Bar Foundation (ABF) has been a leader in legal research for over fifty years. The ABF research team consists of twenty-five prize-winning scholars with a diverse range of academic expertise. Some recent projects are research conducted by Traci Burch, Ph.D., on imprisonment and neighborhood political participation; Stephen Daniels, Ph.D., and Joanne Martin, J.D., on a supply-side analysis of legal services for the poor; John Hagan, Ph.D., on parental incarceration and intergenerational social exclusion; and Robert Nelson, Ph.D., J.D., and Laura Beth Nielsen, Ph.D., J.D., on the changing dynamics of employment discrimination litigation. See www.americanbarfoundation.org.

Margaret Stapleton Honored for Her Career in Public Service

Margaret Stapleton, senior attorney at the Shriver Center, received this July the Chicago Bar Foundation's Thomas H. Morsch Public Service Award for her high-quality career in public interest law. The Morsch Award "honors an attorney who, in choosing to devote himself or herself to a career of public service, has demonstrated lifelong excellence in the quality of his/her work, leadership within his/her organization and significant leadership and service on behalf of the poor and disenfranchised."

Stapleton's career in legal services for nearly four decades embodies an ideal mix of representing individuals and systemic advocacy aimed at root causes and innovative solutions to poverty. She focuses on the rights of and opportunities for vulnerable groups, such as racial minorities, fathers, people with disabilities, nonparenting able-bodied adults, and those with criminal records.

Her career took her to the heart of the civil rights movement in Cairo, Illinois, to fight against the use of Jim Crow laws. She campaigned for disability rights in South Bend, Indiana, worked to preserve public benefits, advocated on behalf of senior citizens in Chicago, and has been a leader in the Shriver Center's efforts to promote universal health care in Illinois.

Stapleton is a CLEARINGHOUSE REVIEW editorial advisory board member and contributing author.

A New Era for Legal Aid

The Obama administration recently proposed an 11.2 percent increase in funding for the Legal Services Corporation (LSC) and advocated the elimination of key restrictions placed on LSC-funded programs. A new era for legal aid may be imminent.

A report by Alan Houseman, director of the Center for Law and Social Policy (CLASP), describes the current legal aid landscape, outlines the need for expanding the civil legal aid infrastructure, and sets forth possible solutions—sources of funding, eligibility requirements and restrictions, and supplements to the staff attorney system. Houseman concludes that, despite recent progress and the promise of prospective funding, the fundamental problem remains: there are not enough staff attorneys, paralegals, and private attorneys to meet the burgeoning legal needs of low-income

people. See CLASP's "Civil Legal Aid in the United States: An Update for 2009," <http://bit.ly/OvFNI>.

CLEARINGHOUSE REVIEW Wants to Hear from You on Facebook!

CLEARINGHOUSE REVIEW invites you to the discussion board on the Shriver Center's Facebook page to give us feedback and to connect with other advocates and experts. The editors are interested in hearing about emerging trends and innovative strategies in the legal aid community. Use the discussion board to submit topics for articles and to post and respond to questions. Join in on the conversation by becoming our "fan" on Facebook at www.facebook.com/shrivercenter and visiting the discussion forum area of the site.

Next Special Issue: On Military Veterans

The September–October 2009 CLEARINGHOUSE REVIEW will be a special issue on "Meeting the Legal Needs of Military Veterans, Servicemembers, and their Families" aimed at supporting legal aid and pro bono attorneys when working with current and former military personnel.

The special issue will cover the basics of military legal assistance, analyze pertinent legal issues, and explore public policies affecting the growing military population. The issue will describe resources and have a guide for working with military clients.

Topics include advocating veterans benefits; the Servicemembers Civil Relief Act and duties of appointed counsel; transitional job programs for veterans; employment law and protections in the Uniformed Services Employment and Reemployment Rights Act; the Equal Employment Opportunity Commission exemption for sexual assault and harassment in the military; the basics of immigration law and policy; the applicability of the Fair Housing Act to disabled veterans; securing housing for veterans; child care resources for servicemembers and their families; establishing a pro bono veterans-benefit project; common and controversial issues in family law; and developments in Department of Veterans Affairs and Social Security Administration fugitive felon rules and policies pertaining to veterans.

For more information, contact Jason T. Vail, staff attorney—legal editor, at jasonvail@povertylaw.org.

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