

# CLEARINGHOUSE REVIEW

JOURNAL OF POVERTY LAW AND POLICY



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# CLEARINGHOUSE REVIEW

## JOURNAL OF POVERTY LAW AND POLICY

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**96 About This Issue: Affirmative Advocacy****BY ILZE SPRUDZS HIRSH****97 Six Steps to Broader Impact****BY JOHN BOUMAN**

High-volume, direct-service legal aid organizations would like to increase their impact. The transition to a practice model that fosters a mix of direct services and high-impact affirmative advocacy has six operational steps. Identifying client problems as subjects of broad-based advocacy is followed by brainstorming about responsible parties and strategies. Any decision to proceed with affirmative advocacy is based on a “research action,” which organizations must recognize as valuable expenditure of time and resources.

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Immigration Narrative Partnerships that Work****BY CHUY SÁNCHEZ, TAMMY BESHESSE, AND DIEGO IÑIGUEZ-LOPEZ**

Advocates for immigrants’ equal rights need a clear narrative that speaks to the public and emphasizes the values shared by native-born Americans and immigrants. A narrative is a set of broad themes and values that advocates can adapt to their voice and purpose. The Opportunity Agenda partnered with advocates in South Carolina to develop a narrative to build support in the state for immigrants’ equal rights.

**112 HelpHub: Technology to Build a  
Community for Affirmative Advocacy****BY STEPHANIE ALTMAN, STEPHANI BECKER, AND BASEL MUSHARBASH**

HelpHub, a crowdsourced website for frontline enrollment specialists in Illinois, offers expertise and feedback on the Patient Protection and Affordable Care Act’s implementation. Experts respond to information requests, elevate cases to government partners, and monitor for policy shortcomings. A forum for state and federal advocacy, HelpHub is a model for affirmative advocacy in the Act’s ongoing implementation.

118 **A King’s Blueprint for Change**

BY TODD BELCORE

Martin Luther King Jr.’s fight for freedom and racial justice shows how to advocate change. To eliminate poverty, an American and moral imperative, advocates should follow—as did the civil rights movement—King’s blueprint: Recognize the need to right a wrong and inspire the masses to act. Create a unifying message that resonates with different audiences, and develop a media strategy to move the public and combat negative press.

126 **Don’t Leave Them Behind:  
Education for Homeless, Immigrant,  
and Limited-English-Proficient Children**

BY LIZ ABDNOUR

Homeless, immigrant, and limited-English-proficient children may be unable to access a public education as public school districts make their residency requirements stricter. Advocates can challenge these policies through civil rights complaints to federal or state agencies or in federal or state court. Advocates should keep in mind the protections of the McKinney-Vento Homeless Education Assistance Improvements Act and its inclusive definition of who is considered homeless.

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132 **Ongoing Barriers to Coverage Under  
the Affordable Care Act**

BY CHRISTOPHER E. COLEMAN

Full implementation of the Patient Protection and Affordable Care Act must overcome these barriers: delays in income verification; conflicting information about how to note marital status on applications from domestic violence victims; unprocessed appeals of eligibility determinations; a “glitch” that prevents families who cannot afford employer-sponsored insurance from receiving premium tax credits; and preserving eligibility for a “special enrollment period” for individuals coming out of the Medicaid “coverage gap.”

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# About This Issue: Affirmative Advocacy

Anniversary commemorations of the declaration of the War on Poverty by Pres. Lyndon B. Johnson and the enactment of the Civil Rights Act of 1964 inspire and energize advocates. However, commemorations of these life-changing, historical events may cause advocates to feel ill-equipped to take on “big problems” such as racial injustice or poverty, and they hesitate to act. In fact, advocates and their legal aid organizations are well suited to step beyond suggestions that they are unable or not permitted to take on “big problems”: they might follow in the footsteps of Martin Luther King Jr. and Sargent Shriver, pioneers in the fight against poverty and racial injustice, and engage in affirmative advocacy for racial justice and opportunity. What appear to be small steps may lead to the root causes of and broad-based solutions to problems.

“Small steps” were what local NAACP president Eula Johnson and Von D. Mizell, a black doctor, took when they waded in the ocean at a “whites-only” beach on July 14, 1961, thereby beginning a nationally publicized “wade-in” of Fort Lauderdale beaches. Johnson, Mizell, a third black adult, and four black college students participated in the first wade-in. As many as 200 African American residents took part in civil rights wade-ins throughout that summer. When Fort Lauderdale haled the protesters to court, the court denied the city’s request to stop the wade-ins. What began as small steps into the ocean brought about the desegregation of Ft. Lauderdale beaches and gave African Americans the same access as everyone else to the respite from homes without air-conditioning, recreation, relaxation, and natural beauty the beaches offered. Fifty years later a historical marker in the sand honors the protesters.

More recently, the thousands of e-mail messages, phone calls, meetings, crowdsourced platforms, and other interaction with the federal government may be viewed as many small steps taken to communicate the problems in using Healthcare.gov, the federal health insurance site developed pursuant to the Patient Protection and Affordable Care Act. When the next open enrollment period to purchase health insurance begins on November

15, consumers will be using an overhauled and improved Healthcare.gov. The upgraded site comes largely in response to “many small steps”—the numerous user and advocate complaints about the original problem-ridden application process.

Finding solutions to problems that cause or exacerbate poverty encompasses myriad factors and approaches. Individual representation by legal aid groups brings justice to many, it is true. Yet, as the authors of this theme issue on affirmative advocacy teach us, finding and implementing answers to problems affecting more than one client or community will have a much greater impact than even a high-volume, direct-service legal aid organization can generate.

Affirmative advocacy brings about broad-impact solutions that benefit more than one client with the same or similar problem. Nonlegal strategies and tactics are often the best practice. Creating partnerships or alliances; collaborating; educating policymakers; negotiating and lobbying for policy changes; and representing community groups and leaders—these are among the possible creative strategies. Key, too, are developing a media strategy as well as a unifying message and, when possible, exerting economic pressure. When all else fails, affirmative litigation is most often the chosen route.

The lead article in this issue instructs legal aid programs on the steps to integrating high-impact affirmative advocacy into a program’s operation. Another article shows how Martin Luther King Jr.’s fight for racial justice offers a blueprint for social change. The other articles describe how to create advocacy narratives that resonate with the public; how to obtain a public education for homeless, immigrant, and limited-English-proficient children; and how a crowdsourced website serves as a model for affirmative advocacy in implementing the Affordable Care Act. The last article describes ongoing barriers to full implementation of the Act.

*Mae Spudis Hirsh*



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