

**Survivor-Centered Consumer
Rights Advocacy**

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**Consumer Rights for Domestic
Violence Survivors Initiative**

- CRDVSJ seeks to enhance consumer rights for survivors by building the capacity of and forging partnerships between domestic violence and consumer lawyers and advocates.
- Funded by the Office on Violence Against Women, DOJ, to provide technical assistance to Legal Assistance to Victims, Rural, and other non-governmental organizations providing services to survivors.
- Partners include:
 - Center for Survivor Agency and Justice
 - National Consumer Law Center
 - National Law Center on Homelessness and Poverty
 - Feerick Center for Social Justice
 - Expert Advisors

**Consumer Rights for Domestic
Violence Survivors Initiative**

- Activities and Resources:
 - National Conferences
 - Consumer Practice Webinar Series
 - Individualized TA
 - Online Resources
 - Building Partnerships Pilots and TA
- To learn more about trainings, technical assistance, and resources offered by CRDVSJ, visit the project's website at crdvsj.wordpress.com or email at info@csaj.org

Welcome!

- **Who is in the room?**
 - Lawyers
 - Advocates
 - Consumer lawyers/advocates
 - Domestic violence lawyers/advocates
 - Combined expertise

Visioning Safety

- **What does “safety” mean to you?**

- **How does the work you do now impact the economic safety of survivors?**

Domestic Violence Impoverishes Survivors

- **The Link: Domestic violence leads to poverty, and poverty leads to increased vulnerability to violence.**
 - Poor women experience high rates of domestic violence
 - Women receiving public benefits experience even higher rates of domestic violence
- **Economic Abuse**
 - “Economic abuse involves behaviors that control a woman’s ability to acquire, use, and maintain economic resources, thus threatening her economic security and potential for self-sufficiency.”
 - 99% of women were subjected to economic abuse at some point during their relationship.
 - Economic Control
 - Economic Exploitation

* Adams, Sullivan, Bybee, Greeson. Development of the Scale of Economic Abuse. 14(5) Violence Against Women Journal 563 (2008).

Battered Women Living in Poverty

- More risks
- Fewer options
- May not prioritize physical safety
- May remain in contact
- Are affected by consequences for abusive partners

Defining Survivor Centered Advocacy

- Direct Service vs. Advocacy
 - “Advocacy is not primarily concerned with providing a service, but rather with assuring the availability and relevance of the service that is provided.”
 - Herbert & Mould (1992)
 - Advocacy: The needs of the survivor *drive* the process.
 - Advocacy is not simply the ends, it is also the means.
 - New Zealand Study on Lawyering for Survivors

Survivor Centered Advocacy Makes a Difference

- Community Advocacy Project
 - Survivors who work with advocates who employ survivor-centered models:
 - Had less difficulty obtaining community resources over time
 - Experienced less violence over time
 - Reported higher quality of life and higher levels of social support
 - “The variability in women’s focal needs punctuates the importance of emphasizing women’s active involvement in identifying their needs and how they wish to prioritize them.”

• Nicole Allen, Deborah Bybee, Cris Sullivan, *Battered Women’s Multitude of Needs: Evidence Supporting the Need for Comprehensive Advocacy*, 10(9) VIOLENCE AGAINST WOMEN JOURNAL, 1015-1034 (September, 2004).

Shoener Research

- It's hard, because getting to that place where I take care of everything and everybody all the time. And I just want somebody to take care of me. One day of my life. And you know what, like I said, I thought about it – in the month that I was here, really was the first time in my entire life that somebody took care of me and watched out for me and listened and generally cared how I was feeling and how I was doing.
- To finally have somebody behind me saying you can, you can, you can. When I needed to be able to, I was finally able to. Because there was somebody there saying to me, yes you can. I never had that. I had everybody telling me, no you can't. So I think that's... knowing there was somebody, anybody out there behind me made all the difference because I spent all those years with nobody.

Survivor Centered Advocacy Offers Tools for:

- How problems are identified
- How solutions are explored
- How strategies are pursued
- How success is defined

What is Survivor-Centered Consumer Advocacy?

- Addresses both the physical safety *and* the economic safety needs of the survivor.
- Infuses all of our work.
 - Examples:
 - Protection Orders
 - Housing
 - Employment
 - Debt

How do we do Survivor Centered Consumer Advocacy?

- Full and open assessment of financial situation
- Review and develop past, current, and future economic plans
- Attend to economic situation in the face of safety.
- Strategic partnership on current, past, and future economic situation
- Requires flexibility and willingness to suspend judgment

Survivor Centered Economic Advocacy

- How is this different from regular IPV advocacy or consumer rights advocacy alone?
 - Holistic, client centered strategies that lead to long-term safety
 - Community Advocacy Project
 - Gondolf- Texas Shelter Study
 - Three ingredients of long-term safety:
 - Childcare
 - Transportation
 - Independent source of income
 - Asks us to use different set of skills, knowledge, resources

What are the challenges?

- Many of us work in agencies with compartmentalized legal services
- There is no formula; requires creativity and new ways of looking at issues
- Long-term work is time consuming
- Challenges traditional definitions of “the lawyer or advocate as *the expert*.” Here, both the advocate and the survivor are experts
 - Survivor is expert in her life, risks, prior strategies
 - Advocate/lawyer is expert in remedies and legal processes
 - Share information and education
 - Integrate with values, goals, life, partner generated risks and culture of the survivor

Strategies to Address the Challenges

- How have you addressed the challenges of doing survivor centered economic advocacy?
- Creating bridges within and between agencies
- Long term strategies will decrease the economic needs in the future
- **Building Partnerships Pilot and Technical Assistance**
 - To learn more about the project, visit:
<http://crdvsj.wordpress.com/2012/04/17/building-partnerships/>
 - Building Partnerships Assessment and Resource Tool:
<http://crdvsj.files.wordpress.com/2012/04/csaj-brochure-3-21.pdf>

What are the benefits?

- Taps into our creativity
- Creates real, lasting change
- Educates survivors about resources and strategies
- Example: Jada

Putting the pieces together: Jada's Story

- Jada 23-year old African-American woman
- Lives with 2 year-old son Jonah, infant daughter Cameron, and her partner and father of her children, James.
- Received a court papers in which she is named as a defendant in a debt collection lawsuit.
- Worried because she doesn't have money to pay debtors
- James isn't helping out with the bills.
- She has several collections accounts and she was convicted of check writing fraud two years ago.

What do you want to ask Jada?

WHAT DO YOU WANT TO KNOW ABOUT HER SAFETY?

WHAT DO WE WANT TO KNOW ABOUT HER STRENGTHS?

WHAT DO YOU WANT TO KNOW ABOUT HER FINANCIAL SITUATION?

Possible Questions:

- In addition to the debt collection lawsuit, what are your biggest financial worries right now?
- Tell me more about your financial situation. When it comes to money, what do you do well?
- What do you hope to get out of our time together?
- In general, who controls your household finances?*
- How does James react if you bring-up financial topics?*
- When you've had financial concerns in the past, what have you done? What has worked? What hasn't worked?
- What do you hope your life looks like in a year? What do you have (friends, family, personal attributes) that will help you get there? What do you need to help you get there? What do you think may be obstacles?

*Plunkett and Sussman, Consumer Rights Screening Tool for Domestic Violence Advocates and Lawyers (National Consumer Law Center & Center for Survivor Agency and Justice, 2011).
<http://ceval.fiu.usc.edu/ceval/04/consumerrihtscreeningtool-9-11.pdf>

What can you do to assist Jada?

WHAT INFORMATION DOES SHE NEED?

WHAT TOOLS CAN YOU PROVIDE?

Possible Actions

- Educate Jada on rights and responsibilities for debt collection law suit
- Expand or Create cost of living plan
 - Discuss safety issues
 - Discuss Jada's financial strengths
- Order credit report
 - Discuss safety issues
- Discuss safety options
 - Order of protection
- Work on goals for the future
 - Credit action plan
- Discuss getting Jada "banked"
 - Look into community programs

Jada's story: 2nd Visit

- Implementing cost of living plan
- Increased hours as dietary aide to help with debt
- Last week, after a violent incident, Jada's landlord told her that, "if things don't calm down, [she'll] need to leave."
- James is still living in the apartment and wants to get help with his abuse.

What do you want to ask Jada?

WHAT DO YOU WANT TO KNOW ABOUT HER SAFETY?

WHAT DO YOU WANT TO KNOW ABOUT HER STRENGTHS?

WHAT DO YOU WANT TO KNOW ABOUT HER FINANCIAL SITUATION?

Possible Responses and Questions

- I'm sorry that you are going through this right now.
- I'm am really amazed by your strength. What is helping you through this difficult time?
- I want to understand more about your living situation.
 - Who is on your apartment lease?
 - Do you pay market rate for your apartment, are you in public housing, or do you have a section 8 voucher?
- Do you want to remain in your apartment?
- If you did need to leave your apartment in a hurry, what are your plans? What have you done to stay safe during abusive times in the past? What has worked? What do you plan on doing in the future?

What can you do to assist Jada?

WHAT INFORMATION DOES SHE NEED?

WHAT TOOLS CAN YOU PROVIDE?

Possible Actions

- Discuss and strengthen staying, fleeing, and protective safety plans
- Discuss orders of protection
- Educate on housing rights (more on this later)
- Discuss shelter or transitional housing options
- Re-evaluate cost of living plan
- Re-evaluate goals

Why are YOU the right to do this work?

- You already are thinking about these issues
- You have knowledge and skills in at least one of these areas (IPV advocacy or consumer law)
- Spend a moment thinking:
 - What do you bring to the table?
 - How are you doing this already?
 - Who supports you in this work?
 - Who are some mentors?
 - What resources do you need to use this approach?
