Survivor-Centered Economic Advocacy: Expanding Our Approach to Safety

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Consumer Rights for Domestic Violence Survivors Initiative

- A national project that enhances economic justice for survivors by building the capacity of lawyers and advocates to provide consumer and economic civil legal advocacy and engage in systemic advocacy to remove barriers to economic security for survivors.
- Began in 2007 with funding from OVC.
- Currently a TA Project funded by OVW.
- Partners include:
  - National Consumer Law Center
  - Home Free
  - Center for Court Innovation
  - Wider Opportunities for Women
  - Expert Advisors
Program Activities

- Guidebook & Advocacy Briefs
- Consumer Practice Webinars
- Consumer Rights Demonstration Sites
  - Texas Council on Family Violence
  - Women’s Resource Center
  - Indiana Legal Services, Low-Income Taxpayers Clinic
  - University of Denver School of Law, Civil Litigation Clinic

Goals

- Develop a framework to engage in survivor centered economic advocacy;
- Learn survivor centered economic advocacy strategies for use in your individual, organizational, systems change, and policy work.
- Experiment with and practice survivor centered economic advocacy approaches as applied to concrete scenarios.
- Develop solutions to address implementation challenges within your own organization or community.
Objectives

- You should walk away being able to:
  - Articulate the ways in which IPV and economic security are connected, as well as the need for economic advocacy for IPV survivors.
  - Identify current gaps in meeting the economic needs of survivors.
  - Define an overarching approach to survivor centered economic advocacy.
  - Identify ways in which you are already engaging in this work.
  - Imagine and begin to practice additional strategies that will enhance survivors' economic security, on multiple levels (individual, organizational, and systems/policy change).
  - Brainstorm practical solutions that address implementation challenges.

POLL: Who is with us today?

- What is your role?
  - Advocate
  - Attorney
  - Program staff
  - Other (write in chat box)
CHAT: Where are you from?

- Type your organization and location in the chat box.

Visioning Safety

- What does “safety” mean to you?

- How does the work you do now impact the economic safety of survivors?
Jada's Story

- Lives with 2 year-old son Jonah, infant daughter Cameron. She recently left her abusive partner, James.
- She has several collections accounts and she was convicted of check writing fraud two years ago, resulting from James’ economic coercion. She is paying restitution.
- Jada works as a part-time dietary aide; spotty employment record due to abuse and having young children; her mother-in-law watches her kids.

The link between poverty and domestic violence

- Domestic violence leads to poverty, and poverty leads to increased vulnerability to violence.
- Women living in poverty experience DV at twice the rate of those who do not.
- More than 70% of women receiving public benefits report abuse by a former partner at some point in their lives.
- More than half of homeless women report having been physically assaulted by an intimate partner.
The link between poverty and 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


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
The Ripple Effect: Collateral Costs

During relationship:
- job loss
- credit damage
- theft
- debt
- missed work days
- forgone professional advancement

Leaving relationship:
- relocation costs
- incurred debt from marriage
- legal fees

Short term:
- forgone wages
- housing instability
- cost of childcare
- increased cost of independent living

Lifetime:
- mental health effects
- obstructed/slowed professional development
- increased vulnerability to future abuse


CSAJ's Economic Advocacy Needs Assessment

- Over 220 lawyers and advocates participated
- Both consumer and DV advocates do some CR for DV survivors work, but there is a gap in intersecting expertise.
- DV advocates often do not:
  - Address ways in which coercion manifests as economic abuse
  - Screen for economic issues that require more technical expertise
  - Develop institutionalized policies, protocols, and practices to encourage inter-agency collaboration with economic experts.

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)

- Survivors who work with advocates who employ survivor-centered models:
  - Have less difficulty obtaining community resources over time
  - Experience less violence over time
  - Report higher quality of life and higher levels of social support


POLL

- How comfortable are you in discussing economic needs with survivors?
  - 1: Not at all comfortable
  - 2: Somewhat uncomfortable
  - 3: Neither comfortable nor uncomfortable
  - 4: Fairly comfortable
  - 5: Extremely comfortable
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What is Survivor Centered Consumer Advocacy?

- Addresses both the physical safety and the economic safety needs of the survivor.
- There is no safety without economic justice.
- Economic advocacy is ineffective without attention to the safety and privacy needs of survivors.

- A partnership between the DV and anti-poverty fields that attends to the ways in which physical and economic risks facing survivors fundamentally shape their opportunities for securing safety.
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 Consumer and 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– Sullivan et al.
    - 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
Questions?

Challenges, Benefits, & Strategies

Individual Advocacy Level
What are the main barriers or challenges you face in providing economic advocacy?

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
- CSAJ’s Building Partnerships for Economic Justice Pilot Projects
- Systemic advocacy strategies to address the barriers faced by individual survivors

What are the benefits?

- Taps into our creativity
- Creates real, lasting change
- Educates survivors about resources and strategies
- Creates more efficient and effective advocacy strategies in the long term
Putting the pieces together

Jada’s Story

Jada’s Story: Revisited

- Lives with 2 year-old son Jonah, infant daughter Cameron. She recently left her abusive partner, James.
- She has several collections accounts and she was convicted of check writing fraud two years ago, resulting from James’ economic coercion. She is paying restitution.
- Jada works as a part-time dietary aide; spotty employment record due to abuse and having young children; her mother-in-law watches her kids.
Jada’s Story

- Issued court papers which name her as a defendant in a debt collection lawsuit.
- Worried because she doesn’t have money to pay both the debtor and rent.
- Received a verbal warning at work after James came to the nursing home and refused to leave until Jada would talk to him.
- Frustrated that James filed his taxes first and put the kids as dependents on his return.
- Wants to have a bank account for direct deposit of her paycheck and for safety but hasn’t been able to get an account.

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:

- 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?
- 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).[1]


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
- Educate Jada about employment rights
- Research tax options for Jada
- 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

Challenges, Benefits, & Strategies

Organizational Level
 POLL

What are the main barriers or challenges to doing this work in your organization or community?

 Challenges

- Structure of organizations (hours of operation, accessibility) do not fit with survivors’ daily lives.
- Organizational capacity of social service organizations is often restricted.
- Caseload levels can make organizational changes hard to implement in meaningful ways.
Strategies

- How do you utilize current partners?
- How can you leverage partnerships to forge new relationships?
- What can staff advocates and attorneys bring to enhance organizational change?
- Have you sat down to think about un-tapped resources, assets, or partnerships?

Benefits

- Partnerships enhance capacity and build community.
- Discover pre-existing and disposable resources and assets.
- Survivor feedback on process becomes core and regular component of feedback.
- Develop autonomy of advocates to seek effective remedies.
Putting the pieces together

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What organizational-level changes could assist Jada?

What things within your own organization could assist survivors?

What types of partnerships between organizations could enhance economic security for survivors?

See CSAJ’s Assessment Tool

Possible Actions for Organizational Change

- Develop partnerships between IPV; landlords; banks (credit unions); consumer lawyers; anti-poverty organizations; housing organizations; childcare
  - Advocates can: develop points of contact, provide cross-training
  - Attorneys can: provide training, link systems to DV org
  - Program leaders can: establish work group, systems advocacy

- Create protocols within your organization that enhance coordination between domestic violence and consumer attorneys
  - Advocates can: present at staff meetings, talk with supervisor about protocols, develop resource lists
  - Attorneys can: partner with DV orgs, establish referral process, request regular meetings to discuss trends
  - Program leaders: Convene a workgroup to review org policies, assess economic needs, present to potential partners
Challenges, Benefits, & Strategies

Systems and Policy Level

POLL

- How familiar are you with the systems or policies in your community/state that impact survivor economic security?
  - Not at all
  - Not really (know of one)
  - Somewhat (know of a few or work w one)
  - Fairly
  - Very familiar
Challenges

- Systems not “built for” people living in poverty.
- Physical Safety Risks of survivors shape policies, inform purpose of systems.

Strategies

- What access points do you have to City or State Institutions? How could they serve survivors better?
- Who/what is available to assist devising alternative strategies (in the face of bad policy)?
- What, if any, engagement is being done to inform policy makers about survivor experiences?
Benefits

- Opportunities for coalition building.
- Technical systems fixes become long term systems culture.
- Policies have immediate effects on advocacy options.
- Policy makers and institutional leaders better informed of context of poverty and IPV (become long term allies).

Putting the pieces together

Jada's Story
Jada's Story: reminder

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- Wants to have a bank account for direct deposit of her paycheck and for safety but hasn’t been able to get an account.

What systems and policy advocacy strategies could assist Jada?

What kind of systems work could assist survivors?

What types of policy or legislative changes would support survivors’ economic security?
Economic Issues to Consider

- Tax
- Housing
- Childcare
- Debt & Credit
- Employment
- Criminal Records Barriers
- Banking & Financial Services

Possible Actions for Systems Change

- Increase housing protections for survivors of IPV
  - **Advocates can:** familiarize themselves with housing options and policies in your area/state, develop relationships with professionals in housing systems, volunteer to participate in state coalition work on housing policies.
  - **Attorneys can:** train DV orgs on implications of policies, participate in task force to develop recommendations, meet with DV org and advocates to identify alternative legal remedies to address housing barriers.
  - **Program leaders can:** initiate conversations with local housing authorities, form a coalition with homeless services, work with state coalitions to collect data on housing needs among survivors.

- Work with banks to create policies that allow survivors to access banking despite negative banking history and low income, and which address privacy concerns
  - **Advocates can:** develop a resource list, provide training, participate in workgroups to develop strategies for victims
  - **Attorneys can:** train DV programs on banking policy implications, work with DV orgs and advocates to devise alternative remedies for banking and asset protection.
  - **Program leaders can:** invite bank leaders on your board, participate in national policy advocacy on banking protections and regulations and access for survivors.
Possible Actions for Systems Change

- Advocate for state laws that enhance the rights of individuals with criminal records; educate employers regarding the rights of individuals with criminal records.
  - **Advocates can:** Develop relationships with employers or Work Force Development systems, provide training on needs of survivors
  - **Attorneys can:** Provide training, work with DV orgs to create a list of survivor employment rights
  - **Program leaders can:** Develop partnerships with employers/workforce systems, Work with state coalitions to conduct policy education

- Advocate for changes to tax laws to enhance rights of survivors of IPV (e.g., tax credit for DV, using DV to access earned income tax credit, Tolling SOL on refund cases, DV as automatic trigger for tax debt)
  - **Advocates can:** Link survivors with tax experts, develop a resource list of tax attorneys who will offer free/low-cost assistance, familiarize yourself with key tax exemptions, credits, filing regulations, etc.
  - **Attorneys can:** Train DV orgs and advocates on tax issues, work collaboratively with survivors (linking advocacy, other civil legal needs, and tax assistance cohesively)
  - **Program leaders can:** Offer training opportunities to staff to build expertise, develop innovative models to provide for tax and civil legal needs to survivors, participate in state and federal action regarding tax regulations with protections for survivors.

Resources

- **CSAJ’s National Needs Assessment Report**
- **Economic Ripple Effect DV Report Article**
- **CSAJ’s Pilot Site Report**
- **CSAJ’s Assessment Tool for Attorneys & Advocates**

- **CSAJ’s Resource Library**
- Past [webinars] on consumer issues
Why are YOU the right person 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?

Thank you!

- Final Questions?
- Email CSAJ: info@csaj.org
  - Follow-up Questions
  - Connect to Expert Advisors
  - Individual Technical Assistance
- Recording & Materials posted on www.csaj.org/webinars