



Division of
Victim Services

Statewide Victim Liaison Project Report

A report on the civil legal representation needs of Rural and
Tribal victims of Domestic Violence, Sexual Assault, and Stalking

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Report and Recommendations from Michigan's Statewide Victim Services Liaison Project

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Introduction

Survivors of domestic violence, sexual assault, and stalking have multiple needs for legal assistance and are faced with a complex maze of criminal and civil justice systems. The need for legal services is even more complicated for Native American victims of these crimes, who not only are victimized at higher rates than the general population, but must navigate the added complexity of overlapping local, state, federal and tribal laws. Any victim of these crimes may have several legal needs, such as protective orders, eviction or home foreclosure, employment security, marriage dissolution, and child custody and parenting time issues.

The Division of Victim Services (DVS) earlier recognized the need for legal services and representation for survivors. In past years, it has awarded VOCA-formula grant funds to several organizations to hire or contract with attorneys to represent these victims in civil proceedings. The work of these DHHS VOCA-funded projects, as well as the work of the Survivor Law Project at the Michigan Coalition to End Domestic and Sexual Violence (MCEDSV), made clear that barriers remained to providing effective legal services.

Programs reported that there continued to be more victim needs for assistance than there were attorneys to provide them, especially in the family law area. As well, several challenges were identified from the operation of the DHHS-funded programs, among them: (1) attorneys hired by community-based programs may not have had the mentoring and supervision needed to ensure effective legal services; (2) attorneys throughout most of these programs had little or no experience working with tribal victims or understanding tribal culture or tribal law; (3) some attorneys, and the legal services programs in which they were located, did not have collaborative working relationships with the domestic and sexual violence programs. In working with UTFAV and Michigan Indian Legal Services, DHHS also learned that there is a lack of clarity about whether and when general legal services programs will provide representation to tribal members.

DVS applied for and was awarded VOCA funds for the Statewide Victim Services Liaison Project (SVSLP) in order to better identify the barriers to civil legal assistance for rural and indigenous survivors of domestic violence, sexual assault, and stalking, and to develop a roadmap to enhance access to civil legal assistance in Michigan's rural and tribal communities. DVS partnered in this project with Michigan's tribal coalition, Uniting Three Fires Against Violence, (UTFAV) and the MCEDSV. Representatives from these organizations, along with DVS staff, formed the SVSLP Advisory Committee (Advisory Committee). Through the Michigan Public Health Institute, DVS hired the Honorable JoAnne Cook, a tribal judge and member of the Grand Traverse Band of Ottawa/Chippewa Indians, to serve as the Liaison and coordinator of the project.

This report provides information on the project, process, and information that was gathered, as well as recommendations for increasing access to legal assistance and services for victims/survivors in these communities.

Overview of Process

The SVLP Liaison (“Liaison”) gathered information through:

- talking circles with tribes and their community partners;
- listening sessions with community-based service providers and their community partners;
- listening sessions with legal services providers in Michigan;
- a survey distributed to tribes, DV/SA service providers, and their respective community partners; and
- independent research of pertinent demographic data in these areas and regions.

The work of the SVLP was guided by the Advisory Committee, which met quarterly to discuss and review the progress of the goals and objectives. Advisory Committee members also attended the listening sessions/talking circles as observers to the process.

Overview of needs identified

The rural communities all identified divorce, custody and protection orders as the top three most pressing needs for survivors. Tribal respondents identified assistance with child abuse and neglect proceedings as one of the top three most pressing needs, along with divorce and custody. Representation in eviction proceedings was also identified by many stakeholders as a pressing need. Some regions also identified a significant need for assistance in applying for, or appealing the denial of, public benefits.

Overview of barriers/gaps identified

Limited financial resources, geographic isolation and distance, lack of knowledge and understanding of diverse cultures, and lack of knowledge and understanding of the dynamics of these victimizations, are significant barriers to tribal and rural victims in accessing essential legal services and representation. These barriers are exacerbated by other factors, including a lack of attorneys – whether paid or pro bono – available in these communities to provide legal advice and representation.

Overview of Recommendations

Most frequent recommendations were to increase the numbers of attorneys practicing in rural and tribal areas¹, remove income restrictions on qualification for legal services so that survivors with incomes higher than those restrictions can be represented, and ensure that attorneys representing survivors have received training on the dynamics of these victimizations and on trauma-informed services.

Michigan and the Communities Covered by this Project

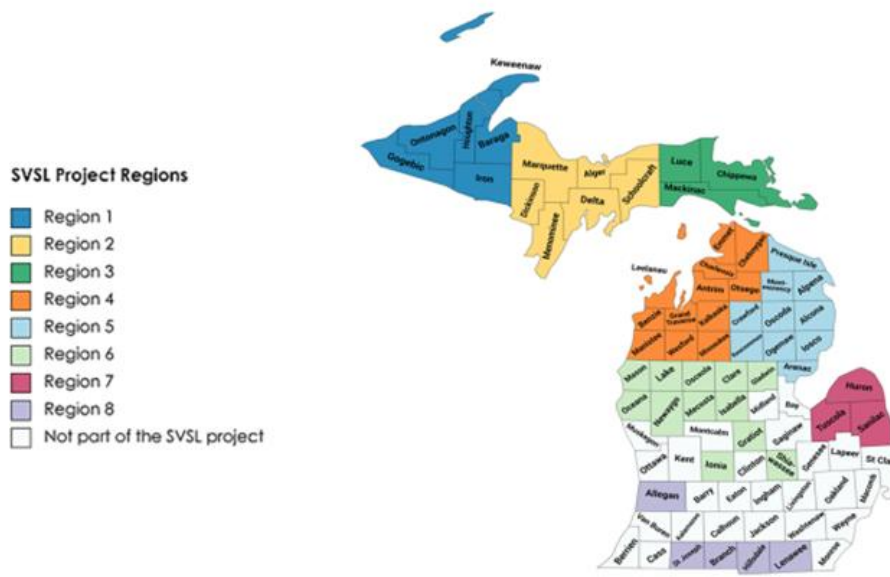
The State of Michigan has 83 counties, 15 of which are in the Upper Peninsula (UP) and are completely rural.² The UP is 16,377 square miles, and it is approximately 302 miles from the eastern end (Sault Ste. Marie) of the UP to the western end (Bessemer). 68 of Michigan's 83 counties are in the Lower Peninsula (LP), and 42 of them are designated completely rural as defined by the Rural Health Grants Eligibility Analyzer. The LP is 40,162 square miles, and the distance from the northern end (Mackinaw City) to the southern end (Waldron) is approximately 305 miles. This project examined the 57 completely rural counties in the LP and UP, see map.

For purposes of this project, these rural counties were assigned to 8 different regions. The assignment of counties into these regions was based on geographic proximity³ and does not necessarily mean that these counties are similar to each other, except for the designation of being completely rural.

¹ Further in the report there are several suggestions from participants on how that might be done, including creating incentives (e.g. higher wages, forgiveness of student loans) for attorneys to practice in these communities.

² Rural Health Grants Eligibility Analyzer, the US DHHS Health Resources and Services Administration, <https://data.hrsa.gov/tools/rural-health?tab=StateCounty>

³ At the time of the grant application, the project anticipated holding one or two in person listening sessions for counties in each region, so breaking the counties out by geographic proximity made sense in terms of anticipated participation by community stakeholders traveling to a session in that region.



Rural community-based programs provide a variety of services to victims and survivors, which typically include:

- Emergency shelter and crisis counseling to address the immediate needs of the victim and their children.
- Individual counseling or support groups that provide support to adults and dependent children.
- Court accompaniment and advocacy by victim advocates
- Housing assistance, and sometimes transitional housing
- Transportation or assistance with cost of transportation
- Referrals to legal assistance where available

Some programs may also provide sexual assault medical forensic exams, and most will assist survivors in locating a hospital or clinic where a sexual assault medical forensic exam can be performed.

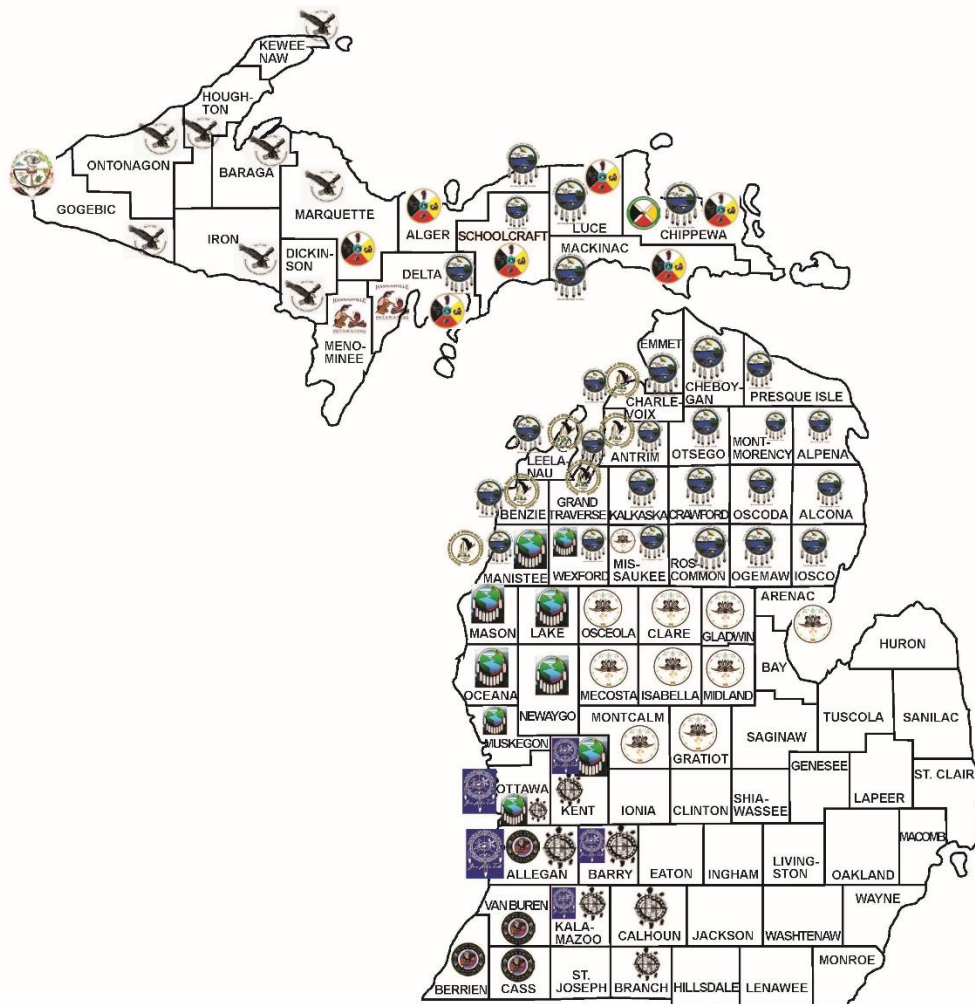
Tribes of Michigan

The project also included the 12 federally recognized tribes in Michigan. The headquarters for the respective tribes are located across the state, with 5 in the Upper Peninsula and 7 located across the north, central, and the southwestern area of the Lower Peninsula. See Michigan's Tribal Service Area Matrix from DHHS Native American Affairs. These 12 tribes have members

living on and off trust lands throughout the state. The 12 tribal nations have service delivery areas that largely overlap with the rural counties targeted by this project. According to 2019 census data, 0.7% of Michigan residents, or 69,907 people, identified as American Indian or Alaska Native (<https://www.census.gov/quickfacts/fact/table/MI,US/RHI325218>).



**Native American Affairs
Tribal Service Area Matrix
(Map Reference)
Counties Included in Tribes' Service Delivery Area**



The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs or disability.



Native American Affairs
Tribal Service Area Matrix
(Legend Reference)
Counties Included in Tribes' Service Delivery Area



-  = Bay Mills Indian Community (Chippewa) -
906-248-3204
Chippewa
-  = Grand Traverse Band of Ottawa & Chippewas Indians (Leelanau) -
231-534-7681
Antrim, Benzie, Charlevoix, Grand Traverse, Leelanau, Manistee
-  = Gun Lake Band/Match-E-Be-Nash-She-Wish Band of Pottawatomis (Allegan) -
269-397-1760
Allegan, Barry, Kalamazoo, Kent, Ottawa
-  = Hannahville Indian Community (Menominee) -
906-723-2510
Delta, Menominee
-  = Huron Potawatomi/Nottawaseppi Huron Band of Potawatomi (Calhoun) -
269-729-4422 ext. 1
Allegan, Barry, Branch, Calhoun, Kalamazoo, Kent, Ottawa
-  = Keweenaw Bay Indian Community (Baraga) -
906-353-4201 or 353-4212
Baraga, Gogebic, Ontonagon
-  = Lac Vieux Desert Band of Lake Superior Chippewa Indians (Gogebic) -
906-358-4940
Gogebic
-  = Little River Band of Ottawa Indians (Manistee) -
231-398-2242
Kent, Lake, Manistee, Mason, Muskegon, Newaygo, Oceana, Ottawa, Wexford
-  = Little Traverse Bay Bands of Odawa Indians (Emmet) -
231-242-1400
Alcona, Alger, Alpena, Antrim, Benzie, Charlevoix, Cheboygan, Chippewa, Crawford, Delta, Grand Traverse, Iosco, Kalkaska, Leelanau, Luce, Mackinac, Manistee, Missaukee, Montmorency, Ogemaw, Otsego, Presque Isle, Roscommon, Schoolcraft, Wexford
-  = Pokagon Band of Potawatomi Indians (Cass) -
269-782-8998
In Michigan, Allegan, Berrien, Cass, Van Buren and in Indiana; Elkhart, Kosciusko, LaPorte, Marshall, St. Joseph, Starke
-  = Saginaw Chippewa Indian Tribe (Isabella) -
989-775-4901
Arenac, Isabella, Missaukee, Clare, Midland, Mecosta, Osceola, Gladwin, Montcalm, Gratiot
-  = Sault Ste. Marie Tribe of Chippewa Indians (Chippewa) -
800-726-0093
Alger, Chippewa, Delta, Luce, Mackinac, Marquette, Schoolcraft

County listed as "Location of Tribe" is in parenthesis.

Each of the 12 Federally Recognized Tribal Nations in Michigan has their own form of government and determines the services it provides to victims of domestic violence, sexual assault, and stalking. These services are similar to those provided by community-based programs. However, tribal programs also are able to provide services in a culturally honoring manner, including cultural healing support services (e.g., sweat lodge, traditional healer, talking circles), which can be critical for Native American survivors needing support and assistance .

The Information Gathering Process

The Liaison identified 27 rural community-based programs in the rural counties that serve domestic violence and sexual assault victims. The Liaison contacted the leadership of each of those programs to explain the project and invite their community's participation in listening sessions. The Liaison reached out to representatives of each of the 12 federally recognized tribes to invite them to participate in talking circles. After initial phone contact, the Liaison sent individual introductory emails to the leadership of the community-based programs and Tribal contacts, together with a press release announcing the project and a PowerPoint explaining the project.⁴

Each participating program and tribe identified the community representatives that they deemed important to include in the listening sessions or talking circles. Some of them directly engaged in outreach and invitation to their community partners, and some provided the names and contact information to the Liaison to inform and invite. Of the 27 community-based programs serving rural counties in the project, 22 participated in the project by reaching out to community partners and attending (virtually) a listening session. Representatives from programs with 9 of the 12 tribes participated in talking circles.

Additionally, the Liaison contacted Michigan Indian Legal Services (MILS) and several legal services programs that provide services in the rural areas of Michigan to invite them to a listening session specific to them.⁵ Staff from MILS and 4 other legal services programs participated in listening sessions.

DVS originally anticipated holding in-person regional listening sessions in the rural regions, and in-person talking circles with each tribal nation and its community members who wished to participate. The onset of the Covid-19 pandemic, with the consequent "shut down" of in-person gatherings and state travel restrictions, required the project to shift to virtual sessions using Zoom.

⁴ A copy of the powerpoint and the press release are included with this Report as Appendix____.

⁵ Legal services attorneys also attended and provided input in some of the rural listening sessions or tribal talking circles.

The Liaison scheduled and held grant information meetings through Zoom to review the PowerPoint and grant objectives, provide an opportunity to ask questions about the project, and to identify appropriate participants from the respective community to invite to a listening session or talking circle. Once stakeholders were identified and notified, the Liaison scheduled the listening sessions/talking circles.

Each talking circle or listening session provided the participants with an opportunity to respond to several areas of inquiry and to engage in further discussion. Prior to the listening session or talking circle, the Liaison emailed to the anticipated participants a preview of the areas about which the Liaison would be seeking information.⁶ During the listening sessions/talking circles each participant had an opportunity to share their perspectives about the most pressing needs that survivors had for civil legal representation, the barriers to addressing those needs, and recommendations to meet those needs. Participants in each listening session/talking circle varied, but generally included tribal victim service providers, prosecutors (tribal or non-tribal), community-based service providers, staff from the tribal and state coalitions, legal services providers, private attorneys, court representatives (judiciary, probation, court administrator) and survivors/victims (voluntary).

In addition to the talking circles/listening sessions, a community stakeholder survey⁷ was created using Survey Monkey, and a link to that survey was emailed to rural community and tribal representatives and their respective community partners.⁸ At the request of the Liaison, the rural community participants and tribal participants also circulated the link among other members of their respective communities. The purpose of the survey was to gather additional information from additional people about the needs of victims and survivors for, and barriers to, civil legal representation. 119 people responded (anonymously) to this survey. Respondents were able to identify themselves by organizational role, and responses included a broader spectrum of community partner roles than those who participated in the listening sessions/talking circles.

The Liaison also gathered information about the regions in the project from several sources, including the following:

- US census data.
- State Bar of Michigan data.
- ALICE in Michigan reports.

⁶ A copy of this document is included with this Report as Appendix ____.

⁷ A copy of the survey is included with this Report as Appendix ____.

⁸ The project also drafted a survivor survey, which it distributed to the community-based programs for further distribution to survivors with whom the program had contact. This survey generated only 2 responses and so is not included here.

- “ALICE” stands for “Asset Limited, Income Constrained, Employed.”
- An ALICE Household is one with income above the Federal Poverty Level but below the basic cost of living.
- The Household Survival Budget is an estimate of the actual bare-minimum costs of household necessities, adjusted by county and household type.
- The ALICE Threshold is the average income that a household needs to afford the basic necessities defined by the Household Survival Budget for each county.

Challenges Along the Way

As with any project, there were challenges that required flexibility and collaboration to overcome. Had the project been able to conduct the listening sessions/talking circles in person, there would have been an opportunity for more relationship building, and for additional activities to gather information during the session (such as flip charting of participant comments and “sticker voting” on most pressing issues and priority of recommendations, etc.). Zoom was utilized, instead, to facilitate the listening sessions/talking circles due to the pandemic related travel restrictions. Utilizing Zoom allowed for individual meetings and virtual face-to-face conversations that would have otherwise been impossible with travel restrictions that were then in place.

The project didn't anticipate conducting preliminary informational meetings about the grant itself, but with travel restrictions it seemed prudent to have these informational meetings with each community and tribe, to provide the stakeholders with enough information about the project and purpose of the listening sessions/talking circles, so that they could make informed decisions about participating. These preliminary information meetings were important because they allowed the Liaison to begin building relationships with leadership of these communities and created an opportunity for question/answer sessions with the leadership of the programs and tribes.

The process of outreach to, and informational meetings with, service providers and tribal representatives took more time than originally anticipated. Staff shortages at tribes and programs, and remote work due to COVID, created challenges to scheduling the appropriate meetings, as did turnover in some of the program executive director positions during this time period.

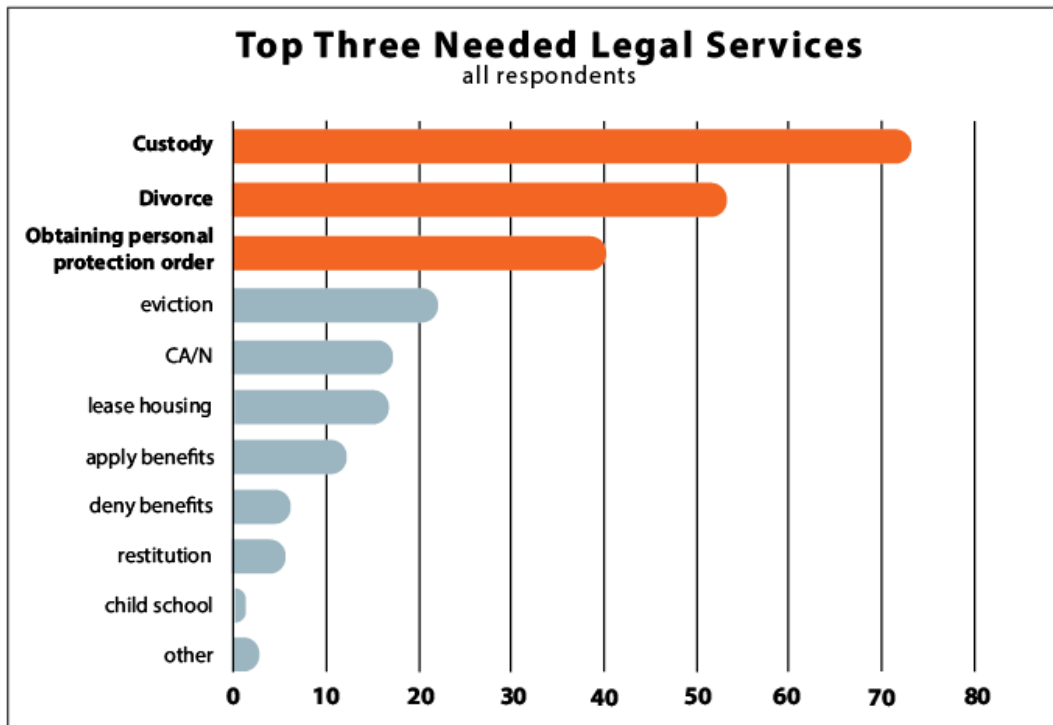
Overview of Listening Session and Talking Circles

The listening session/talking circles explored several areas, asking participants:

1. What are the legal assistance needs of victims of domestic violence, sexual assault, and stalking, in your community? What gaps are there in meeting the needs of victims?
2. What resources are in place in your community to meet victims' civil legal assistance needs?
3. How do organizations in your community work together to support the legal needs of these victims currently, and how could they collaborate more effectively? What collaboration exists between community-based programs and tribes?
4. What technology is in use, or could be used, to facilitate the delivery of effective legal services and representation to these victims?
5. What recommendations do you have for improving victim access to civil legal assistance?

Information shared by participants in the listening session/talking circles with rural communities and tribes revealed much in common among them. For the most part, these communities identified and prioritized the same victims/survivors' civil legal needs, as well as the gaps and barriers to meeting those needs. Many of the recommendations for addressing the gaps and barriers were the same. This report speaks first to the overall shared issues among the rural communities and tribes, and then breaks out information by region and from tribes, highlighting the gaps and needs specific to each region and tribe, and where there are some important differences.

The listening session/talking circles identified common themes regarding the need for civil legal representation. Overall, participants identified assistance with divorce, child custody, and personal protection orders (PPOs) as the areas in which survivors had the most pressing needs. The overall survey responses also identified these three areas as most needed. However, participants in tribal talking circles and tribal survey respondents identified eviction and child abuse/neglect as top pressing needs for survivors.



SVSL Stakeholder Survey, 2022

Barriers to Legal Assistance for Victims/Survivors in Rural and Tribal Communities

Participants in the listening sessions and talking circles identified several barriers to survivor access to legal assistance and representation including the following:

Not enough attorneys practicing and available in the community

Participants in the talking circles and listening sessions, especially in the Upper Peninsula, noted that there are not enough attorneys in their communities with expertise in the most pressing areas of need. Statewide, there were only 2559 family law attorneys licensed to practice in Michigan.⁹ Participants in the listening sessions pointed out that in one county in their region, there are only four practicing attorneys to meet the legal needs of all residents.

⁹ Michigan has an estimated 4 million households, meaning that statewide there is 1 family law attorney for 1563 households. <https://www.census.gov/quickfacts/fact/table/MI/AFN120217>.

Licensed Michigan Attorneys	Number	Percent
Michigan Resident	2485	97.1%
Non-Resident	74	2.9%
Total	2559	100.0%

State Bar of Michigan, Family Law, All Active Members by Michigan Residency, 2022

In regions where other counties have more attorneys, many survivors must travel significant distances to meet with them.

Some participants pointed out that the number of attorneys in their communities is in steady decline, with experienced attorneys retiring and with new attorneys unwilling to move to and practice in the area. This is particularly the case in the Upper Peninsula. The absence of new attorneys was attributed to both the remoteness of the region, making it less of a desired location to many new attorneys, and to the lack of competitive income. The income disparity between rural communities and more densely populated areas of Michigan can make it economically infeasible for attorneys to practice in rural areas, especially new attorneys who may face paying significant student loan debt.

Lack of financial resources needed to pay private attorneys.

Even when attorneys are available in these communities, the cost to retain an attorney is out of reach for many of the victims and survivors. The hourly rates of attorneys can be from \$150 - \$250 an hour depending on location in the region.¹⁰ It is estimated that, as of 2019, the average total fee paid to lawyers for divorce representation in Michigan ranged from \$9500 to \$11,300, with cost increasing based on the number of issues in dispute. <https://legal-info.lawyers.com/family-law/divorce/how-much-does-divorce-cost-in-michigan.html>.

Participants in listening sessions and talking circles stressed that many of those they serve simply do not have the resources to retain private counsel. The ALICE data for these rural communities supports this perception -- nearly one-third to one-half of households in almost all the counties in these regions are either at or below the income that allows them to meet their basic needs, much less find an additional \$10,000 or more to pay an attorney.¹¹

¹⁰ CITE

¹¹ See ALICE data per county in Regional breakout sections, below.

Incomes are too high to qualify for legal aid, but not high enough to be able to pay private attorneys.

Legal aid services are available in some form in all these communities, and participants overall noted that these services are essential and helpful. It was clear from the listening session/talking circles that the community-based and tribal programs do all they can to assist victims and survivors in accessing legal assistance. Most programs have a relationship with the local legal services programs and provide referrals to those programs for victims – from provide the victim with the phone number to call, assisting with the intake process to ensure the victim understands the questions, and providing transportation to the legal services office for an appointment.

However, every region identified that a major barrier to accessing legal assistance is the income eligibility requirement for legal service programs. In general, legal services can help persons with a total household income at or below 125% of the Federal poverty level. In some eligibility circumstances, legal aid is available to persons with a total household income up to 200% of the Federal poverty level if they have other qualifying circumstances. See, e.g., <https://lsnm.org/client-eligibility.html>; <https://lawestmi.org/i-need-help/eligibility/>.

Many of those in households with incomes above the legal services eligibility threshold constitute “the working poor,” who may have just enough to meet basic needs but have nothing extra to pay for private counsel. As noted above, data from Michigan’s ALICE report reveals that in almost every county in these regions, anywhere from one-third to one-half of households are either at or below the income to meet basic needs.

Legal Services organizations do not have the capacity to serve all who might be eligible.

Each legal services program must make decisions about the types of cases they will take, and not all will do divorce and custody or PPO representation. Further, the legal services programs in these communities cover a large service area, and must also represent clients with needs not related to domestic violence, sexual assault, or stalking. As with private attorneys, there are not enough legal services attorneys to meet the need.

Legal services’ capacity is further restrained because of the geographic size of these areas. In some regions, representing one client may mean a full day’s work to travel to and from, and attend, one court hearing. This process can be repeated several times a week, with multiple trips to different county courts for different clients. This limits the number of clients an attorney may take on (and is cost-prohibitive for victims who must pay a private attorney for the travel time in addition to the court time).

There is lack of clarity and inconsistency among legal services programs and MILS about who is eligible for the services from each other and how to access those services.

As an example, legal services will refer any client who is Native American to MILS for assistance, but, based on priorities set by its board, MILS does not provide representation in cases of domestic violence. MILS then needs to re-refer clients.

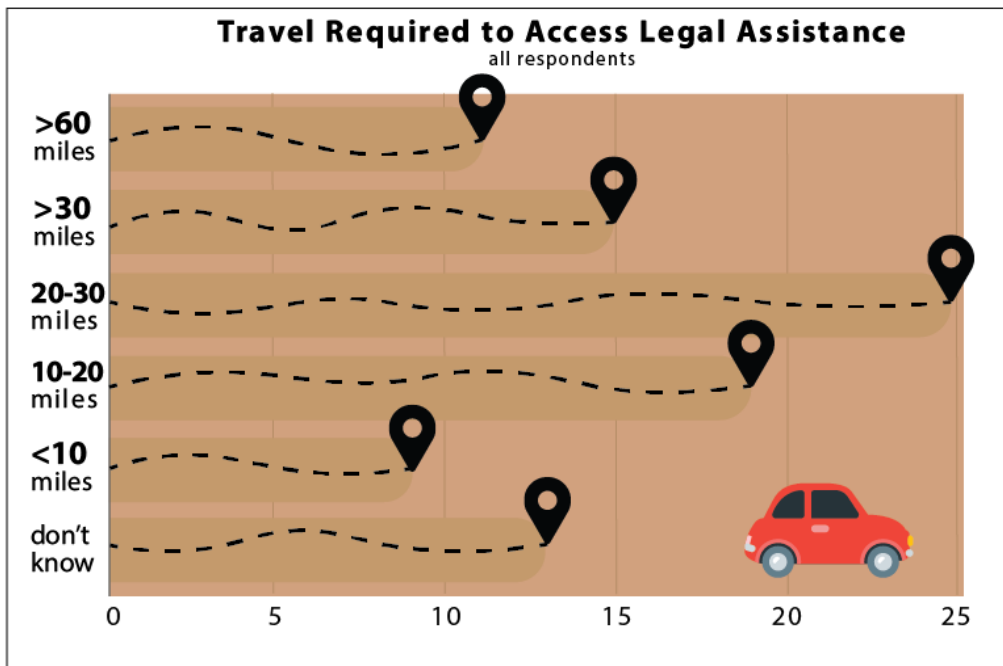
Factors compounding the barriers from insufficient number of attorneys.

Participants in listening sessions and talking circles consistently noted that the low numbers of attorneys in their communities means that there is an increased likelihood that an attorney who might otherwise be able to assist is conflicted out of representation of a survivor due to previous representation of the abusive partner. This is particularly true if the attorneys are on a court appointment roster. As well, abusive partners have been known to consult with more than one attorney as a form of coercive control over their partners, creating a conflict of interest for those attorneys and making it impossible for those attorneys to represent the victim, even when the abusive partner does not actually retain them.

Transportation is a major need for most victims and survivors.

Participants in each listening session or and talking circle agreed that geographic distance -- between the attorney's office, the courthouse, or victim services, and where the victim or survivor lives -- creates barriers to receiving services, attending court hearings, or being able to meet with an attorney. Responses to the stakeholder survey indicated that overall, most survivors would need to travel 20-30 miles, with some traveling 30 to 60 miles or more.¹²

¹² Significantly, stakeholders in the Eastern UP region perceived that survivors there could have the longest distances to travel, 90 miles or more.



SVSL Stakeholder Survey, 2022

Some victims and survivors do not have their own transportation. Most of these communities do not have public transportation, and those that do have limited hours of operation for that transportation. Service providers try to either transport clients or provide gas cards. The distance in each county varies but is an issue for victims and survivors, victim service providers, and attorneys. In some areas, it can be a two-hour drive to attend a court hearing which means another two-hour drive to return home or the office.

Lack of housing.

Participants in listening sessions and talking circles uniformly expressed concern about the lack of affordable housing. For victims/survivors to have a chance at creating safety for themselves and their children, they need stable housing. The pressure to continue in a relationship with an abusive partner can be overwhelming to a survivor who cannot find a permanent residence. This is especially true for those who have children.

Technology barriers.

Survivors lack access to technology.

“Access to technology still varies by income. In Michigan, 31% of households with income below the ALICE Threshold did not have an internet subscription in 2019, compared with

only 8% for households above the ALICE Threshold. For many families, lack of access translates directly to reduced job and educational opportunities, health care access, and financial tools.” United For ALICE. (2020). *ALICE in Michigan: A financial hardship study*. Retrieved from <https://unitedforalice.org/state-overview/Michigan>, (emphasis added).

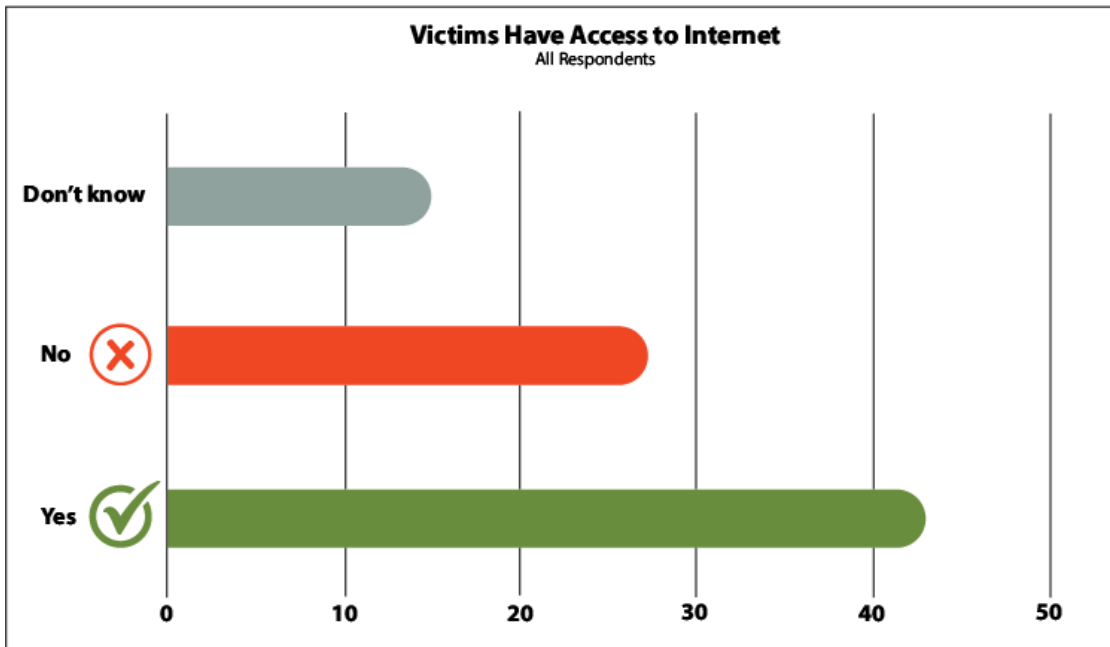
This observation is true for many of the regions encompassed by this project. Participants in listening sessions and talking circles noted that there are areas in these regions that don’t have access – or don’t have reliable access – to the internet, and some do not have cellular service. This precludes survivors from being able to participate in virtual meetings with attorneys or advocates, or in virtual court hearings (if and when available). They cannot even access the online system in Michigan for pro se individuals (<https://michiganlegalhelp.org/>)¹³ as an alternative to having attorney representation.

Those that do have access to the internet may only have it through their cellular phone, with data usage limits. If accessing the internet through their smartphone, they are forced to navigate sites and forms on a small screen.

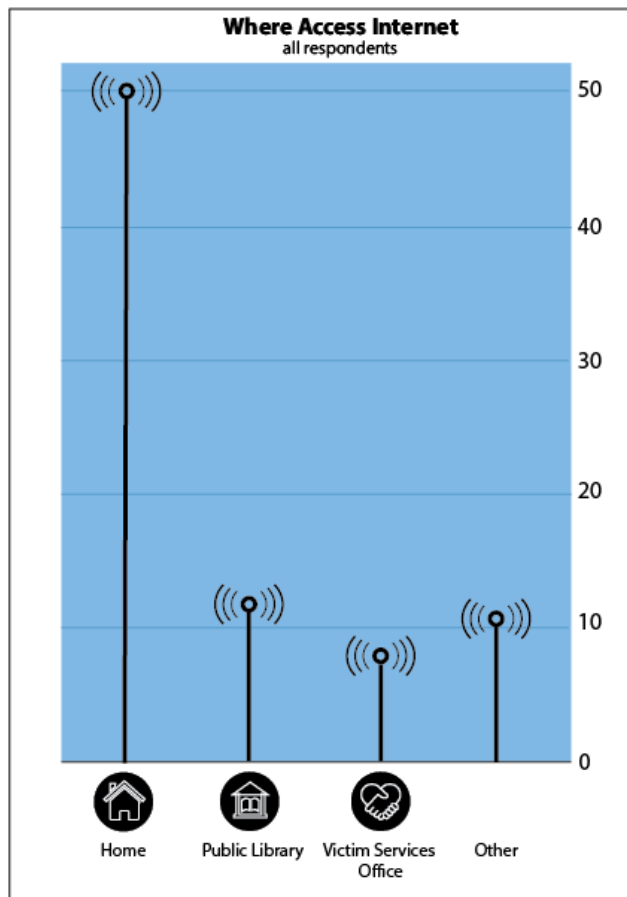
Those who manage to do this may not be able to print information and forms, because they don’t have a printer. Some programs provide computer and printer access at their offices, but that then requires the survivor to travel to those offices for this ability. Participants in tribal talking circles indicated providing significant technological support for their members who are survivors, with one tribe paying for computers and internet.

Survey responses supported these observations. While most respondents indicated that survivors had access to the internet, a significant number responded to the contrary.

¹³ One participant remarked that Michigan’s online self-help system is not as helpful as it could be. “I personally used it recently and discovered that it is not as helpful as I thought it was. I used it for something non-PPO related, it didn’t have the form, the link to it was to a site that was shut down. I called the court clerk to ask for the form, they said I needed to contact an attorney. I know how frustrating it is for me, a relatively educated person, to try to do this, so it would be worse for someone who is dealing with domestic violence, dealing with stressful situation at home.”



SVSL Stakeholder Survey, 2022



While most survey respondents indicated that victims typically access the internet from home, some responded that they access from public libraries, from the service providers' offices, or at some other location.

Lawyers and state courts do not have adequate knowledge and understanding about the needs of, and laws pertaining to, Native American survivors.

Some state county courts do not recognize tribal court PPOs and/or refuse to enforce them. Non-Native legal services organizations, as well as historically funded community-based service programs, do not necessarily understand the historical trauma experienced by Native communities and how to work with Native survivors in a culturally honoring way.

Native American survivors, and non-tribal victim advocates, do not know what rights victims have under tribal laws.

Each tribe's laws and court processes are different from another tribe's laws. There is not necessarily a resource guide to help victims and advocates.

Common or Significant Recommendations

The rural community-based and tribal participants are well informed individuals with expertise working with victims and survivors of domestic violence, sexual assault, and stalking in their communities. Most of them live in or near the rural communities they serve, with insight into and knowledge of the available services and how the community functions. That knowledge generated recommendations that are tailored for the specific needs of the client population with whom they work.

The following recommendation were made by multiple stakeholders during the listening session/talking circles:

- **Provide access to an attorney who can rotate through and work with rural community-based or tribal programs.**

A number of programs noted that if they had access to an attorney in their office at least one day a week, it would provide both staff and victims/survivors the opportunity to meet with them for guidance, information, and legal advice. The attorney could be based in one region of Michigan and spend a day in each program's office. The attorney could answer legal questions and, in a best-case scenario, provide limited representation to some survivors and attend court

hearings when necessary. This attorney might also be someone to whom the tribe's attorney could refer cases that fall outside of the tribe's jurisdiction (such as divorce and custody).

- **Provide trauma informed training for attorneys, judicial personnel and others who work with victims and survivors.**

The majority of listening session/talking circle participants stressed that trauma informed training was needed in order to make the justice system more welcoming and accessible to survivors. One program noted in a listening session that attorneys representing survivors have told them "I am their attorney not the mental health worker."

- **Work with Michigan law schools to create a law school clinic program specifically to assist victims of domestic violence, sexual assault, or stalking.**

Michigan has several law schools, and those law schools all have one or more specialized clinic programs where law students, under supervision of a licensed attorney, are able to represent clients in court. These clinics include child advocacy clinics, civil-criminal litigation clinics, human trafficking clinics, public defender clinics, debt relief clinics, and family law clinics. Clinics are a great resource for low-income, ALICE households, and others who are unable to retain private counsel or income ineligible for traditional legal services.

The law schools which operate these clinics, however, are located in urban areas in the central and southern Lower Peninsula of Michigan. They currently have no capacity to provide supervised student-lawyer assistance in the more remote rural and tribal areas.

Rural and tribal communities saw value in reaching out to the law schools to determine if a similar law school clinic could be established in certain regions of Michigan. This might be more possible now than in earlier years, given the increased use of technology (Zoom, Google Meets, Teams, etc.) to conduct remote proceedings virtually.

- **Create an attorney training and retention program.**

Attorneys in this program would receive training and supplemental compensation for assisting victims with legal issues. For those who are ineligible for legal services, the attorney could charge them a reduced rate. The program

would cover the difference between the charged fee and the attorney's normal rate. Program attorneys would receive trauma informed training. This would potentially address the income disparity for attorneys practicing in rural and tribal areas, and enhance recruitment and participation rates for attorneys there.

Related to this, some participants recommended that there be a program to forgive student loan debt for lawyers who practice in the remote and rural areas, as an incentive to them to do so.

- **Recruit attorneys to practice in tribal courts and provide an orientation to tribal courts**

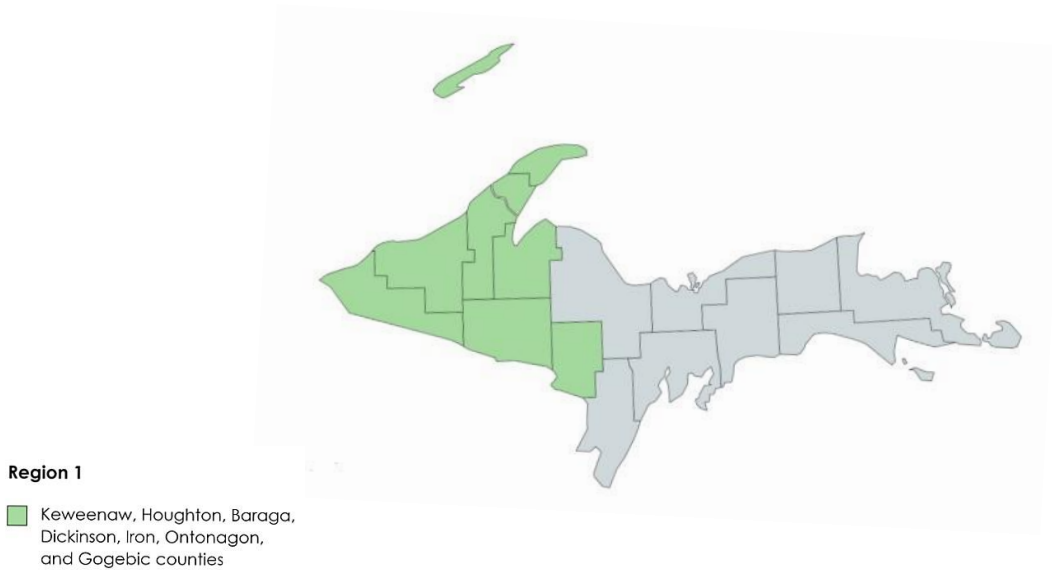
The limited number of attorneys eligible to practice in tribal courts means that they are quickly conflicted out of representing survivors, because these attorneys do everything for their Native clients, assisting with civil and criminal and Indian Child Welfare cases.

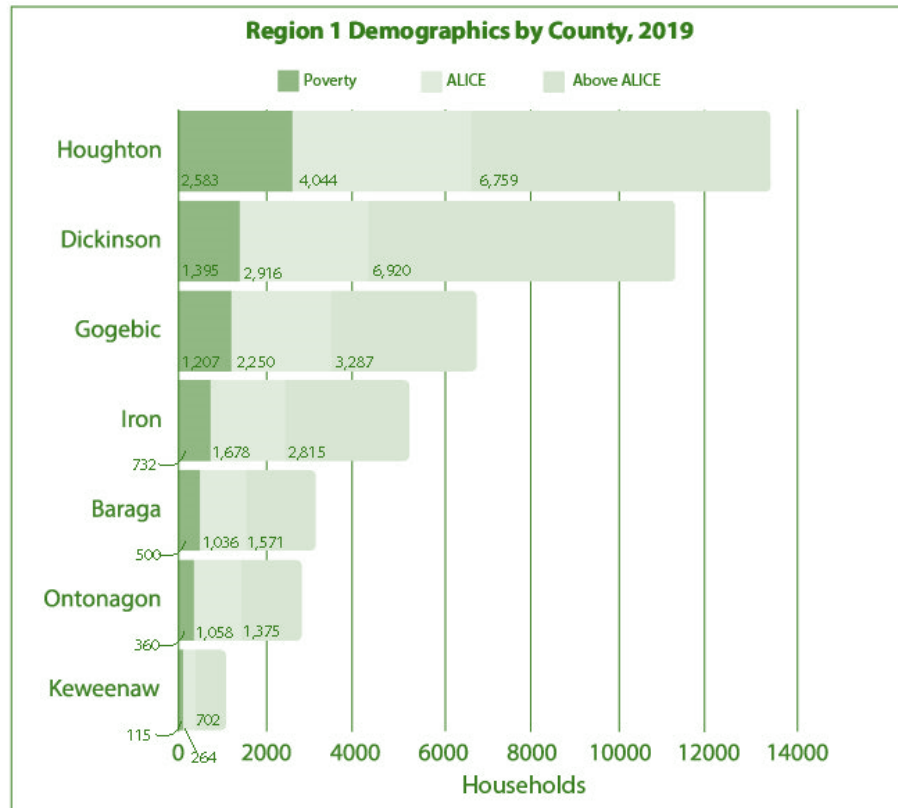
Information from Listening Sessions, Talking Circles and Survey Responses

The following section summarizes information about and from each region that was part of the project. It begins with listening sessions and survey responses from community-based programs and their collaborative partners, the talking circles and survey response from tribes, and then listening sessions and survey responses from attorneys and legal services staff.

REGION 1

Region 1 (the Western Upper Peninsula) includes the following counties: Baraga, Dickinson, Gogebic, Houghton, Iron, Keweenaw, and Ontonagon.





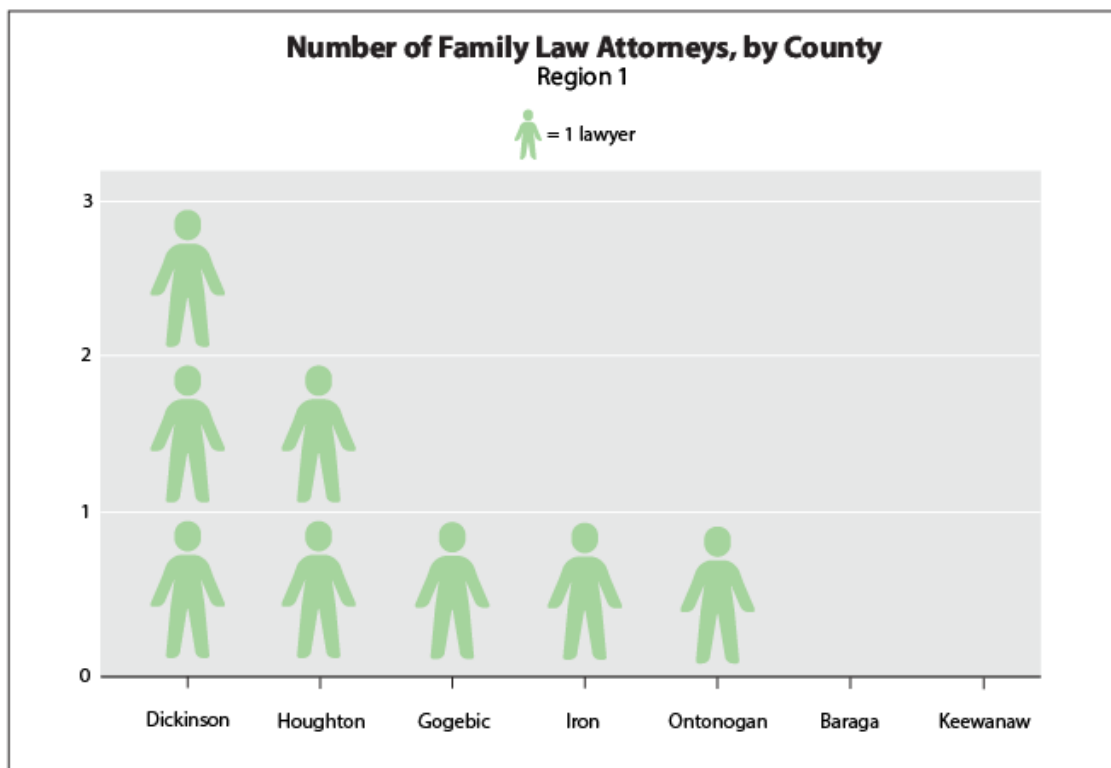
In all of these counties, anywhere from one-third to one-half of households are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs.

<https://www.unitedforalice.org/household-budgets/michigan>

There are four (4) rural community-based programs serving Region 1, providing assistance and support to victims and survivors of domestic violence, sexual assault and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

All these counties fall within the service delivery area of one of two tribal nations, the Keewenaw Bay Indian Community and the Lac Vieux Desert Band of Lake Superior Chippewa Indians. Services may include financial assistance to purchase clothing, personal hygiene items, and other items, legal and medical advocacy, healthcare treatment, counseling, and assistance with securing emergency shelter.

Additionally, all of these counties fall within the service area of Legal Services of Northern Michigan (LSNM). LSNM provides free civil legal services for people whose incomes are at or below 125% of the poverty level. People with incomes up to 187.5% of poverty may receive services under certain provisions. Legal assistance is provided in the areas of domestic violence such as defending personal protection orders, divorce, custody and parenting time. LSNM also provides legal assistance in the following areas: housing, consumer, benefits and elder law.¹⁴



Section Demographics: Family Law (michbar.org)

Data from the State Bar of Michigan indicates that there were 8 active family law attorneys practicing in Region 1 in 2022. However, three counties had only one, and one county (Keeweenaw) had none.

Region 1 Participant feedback in listening sessions

Feedback on gaps and barriers for victims/survivors in accessing legal services.

¹⁴ LSNM's Houghton office has one attorney and covers Keweenaw, Houghton and Baraga Counties. LSNM's Marquette office has two attorneys and covers Dickinson and Iron Counties LSNM contracts with a private attorney to cover Ontonagon and Gogebic Counties. LSNM also hosts a CV-LAP specialist attorney who focuses on assisting domestic violence victims throughout the 15 counties of the Upper Peninsula. That attorney is located in LSNM's Marquette office.

- The lack of adequate legal aid services to meet the needs of victims and survivors.
 - Legal Service programs have an income requirement (125%-187.5% of poverty level) that prohibit some victims from qualifying for legal services. In addition, legal services are not able to represent every victim or survivor who applies for legal representation. There have been estimates that for every 100 victims who apply at legal services, 30 victims will receive legal services representation. That leaves 70 victims who will have no legal representation. Legal Services have done what they can to assist victims, but the need is greater than legal services can fulfill.
 - There are not enough private civil attorneys in the rural communities that can provide legal representation. Even when there are attorneys in the area, the hourly rate of an attorney can be from \$150 to \$250 an hour plus a retainer. If a victim is leaving a domestic violence relationship, it is probable that the victim is not the employed person of the family and does not have the financial resources to hire an attorney.
 - Another issue is the possible conflict of interest with attorneys in the community because they may have represented the abusive partner. Some communities are small and the likelihood of a conflict of interest is high. There are reports of the abuser calling attorneys or legal services first which means the victim or survivor will not be able to retain that specific attorney or legal services because of conflict of interest.
- If the victim does not have an attorney and requests a PPO, and it is denied, a percentage of victims will return home to the abuser. The reasons vary: managing safety, uncertainty of employment, lack of housing, no financial support, or no support to continue pursuing a new life. Attorneys provide legal support through the court process and, along with program services, help give the victim hope and determination to start a new life. When that support is missing the victim may not believe they can continue through the court process and complete it.
- Transportation in rural communities can be a barrier to obtaining civil legal representation. Public transportation is not always available in every region. Certain towns may have local transportation but even then, the victim may not live within the bus route or the hours of operation may prevent the victim from being able to utilize the service because of work or child obligations. Some community programs can provide gas cards or provide transportation to clients which is a benefit, for those families without a vehicle this is necessity.
- The LGBTQ community does not always feel comfortable utilizing community resources because they don't know if they will be safe utilizing that resource; i.e., whether the service providers will have and demonstrate anti-LGTBQ biases. The initial presumption from some agencies often is that the victim is female and

the abuser is male. Knowing that some communities may not support same sex couple relationships, a victim may not seek help from the local community program and may not be connected to legal services.

Feedback on how programs utilize available resources

- Program staff provide access to court websites to print forms and in some cases, read the instructions with the victims to ensure that they understand the information being requested. Staff do not provide legal advice but will make sure the victim can complete the paperwork.
- In certain communities, law enforcement charges a fee for service of process for PPO's. This can be an expense the victim cannot afford; some programs are able to pay for the service of process.
- One victim services program has a contract with attorneys to provide legal representation to victims and survivors. Although this isn't standard practice for most rural community programs, there are a few programs who have the financial resources to assist victims. The attorneys who work with the local programs either provide a discount on their hourly rate or will take the case for a set fee.
- Program advocates assist clients with contacting the local legal services office. Staff allow them to use the office phone to make phone calls and if needed, will provide transportation to the law office for appointments. Programs can provide transportation to victims and their families to various appointments within the community. Depending on the community, the court can be located in another town which can be miles away.

Feedback on Technology

- Internet is not always available in the region. Lack of access to the internet creates barriers to a client receiving information via email or attending virtual court hearings.
- Where available, most clients have to pay for internet service. Many families are unable to afford internet and other expenses, especially those families that are a one income household. Since internet is not considered a basic need, most programs cannot pay for internet services for a client with federal funding supporting programs, although there are exceptions.
- Many rural community programs have access to internet and can provide a computer, printer, and virtual access for clients. This enables the client to print legal forms, court forms, and attend court hearings while in the service provider office. Advocates are present and can assist clients with their needs.

Feedback on collaboration in their community

- The participants stated that having meetings (as needed) between rural programs and tribes to discuss services, procedure, and tribal court rules would benefit each other and provide an opportunity to collaborate, communicate, and better serve clients.
- It would be helpful to create a services handbook that outlines services provided by both the tribal and rural community-based programs.

Recommendations from Region 1

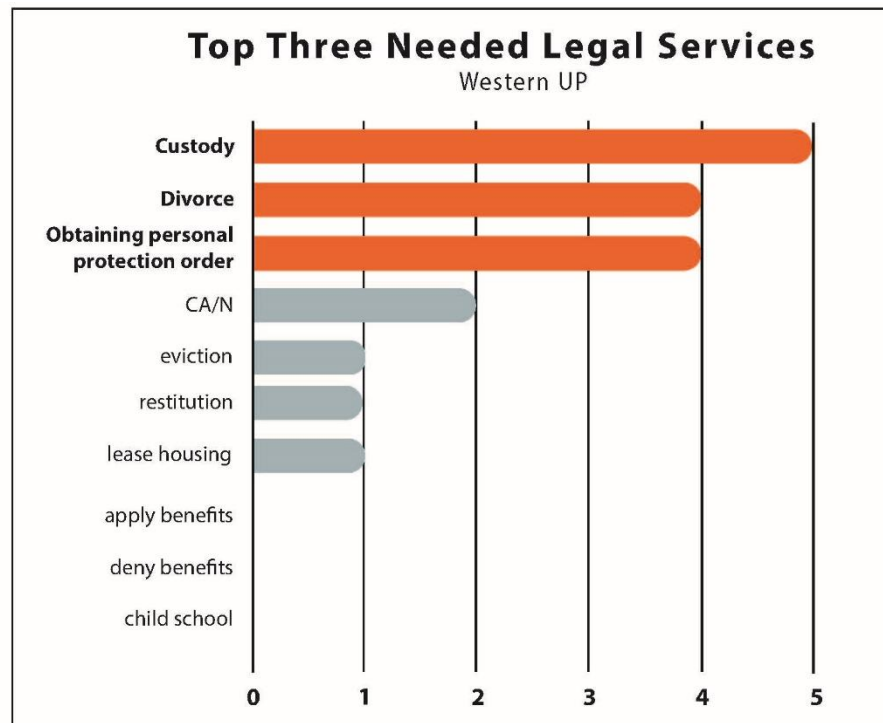
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- Provide funding that doesn't require strict income-based qualifications, to ensure that victims/survivors have unrestricted access to legal representation through legal aid. This can be achieved by modifying the current income-based guidelines or creating a new eligibility and funding for victims in ALICE Households.
- Provide additional grant funds to allow programs to cover the cost of PPO service of process on behalf of victims/survivors. Certain law enforcement departments are charging a fee.¹⁵ A potential remedy would be to provide funds to cover this cost for victims or work with law enforcement agencies to include the cost in their budget or create an exception for victims.
- Provide programs with adequate grant funds to offer competitive wages to attorneys contracted to represent clients. Review current grants that provide attorney services and increase the wages and benefits to retain attorneys.
- Provide funding and resources to train attorneys working with victims/survivors about trauma-informed and survivor-centered practices. This may include inviting representatives from the State Bar of Michigan to offer such trainings. Attorneys, law enforcement and court personnel need to understand how trauma of domestic violence, sexual assault and stalking affect victims and their families.
- Hire an attorney on-staff and provide competitive salary and benefits to encourage staff retention. Programs and victims would benefit from having an attorney on staff.
- Hire twelve attorneys for the rural community programs. Rural community programs can have an attorney in their office one day a week and then rotate to another rural community program for another day of the week. Having the attorney rotating to more than rural community program will increase victims'

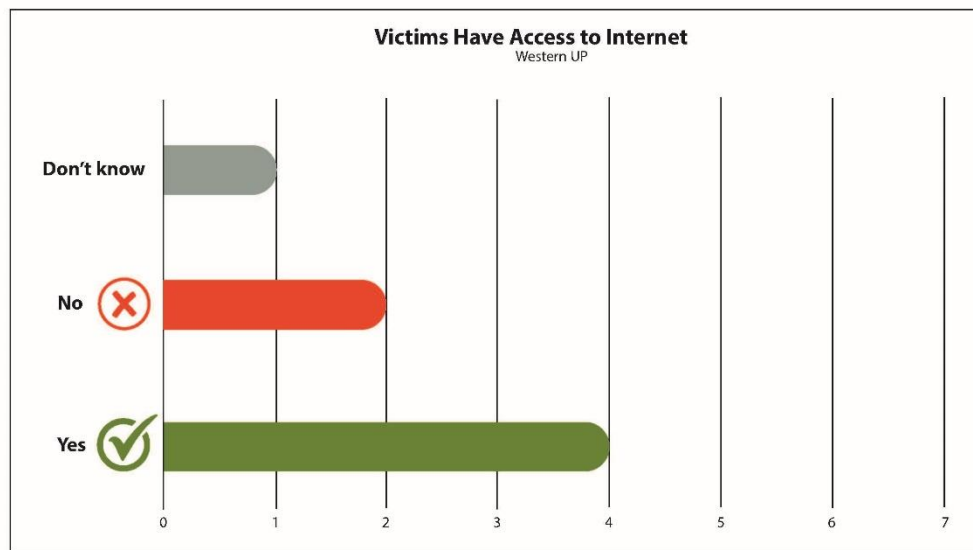
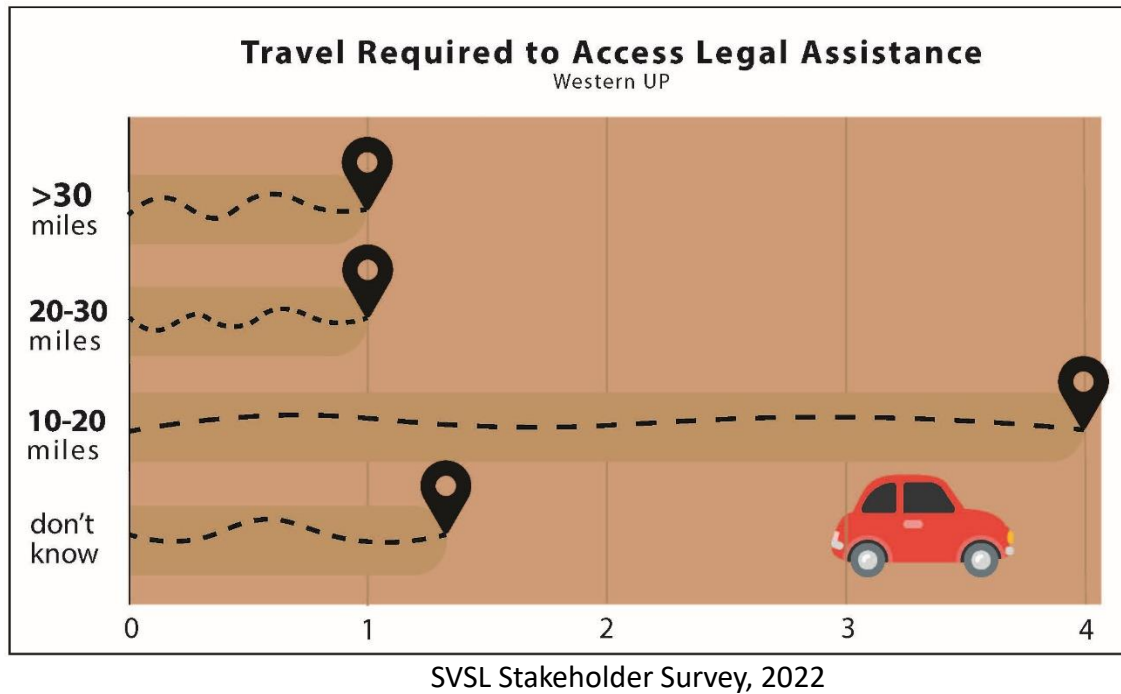
¹⁵ DVS notes that there is a process under Michigan Court Rule where any competent adult may serve process/a PPO, and that this provides one means of service if the petitioner has a friend or family member willing to serve. While the Office on Violence Against Women has determined that this option technically allows Michigan to be in compliance with the VAWA requirements on no-cost service of PPOs, DVS has long-recognized that this is not an effective option. DVS, through the Michigan Domestic and Sexual Violence Prevention and Treatment Board, has made it a legislative priority to establish a more meaningful no-cost service option that would be available to all petitioners.

access to an attorney. The program would have to consider court dates and the number of clients in each program. This type of program may work for other rural community programs.

- Increase support from law schools.
 - Have a law school set up a clinic with a supervising attorney to assist victims.
 - Contact law schools to begin discussion on the needs of victims in rural communities.
 - Review law school clinics and potential for similar law school clinics in rural communities.
 - Work with law schools and create program for new attorneys to work in rural communities for a set number of years and have student loans be forgiven. Contact law school scholarship programs and request information to begin the discussion.

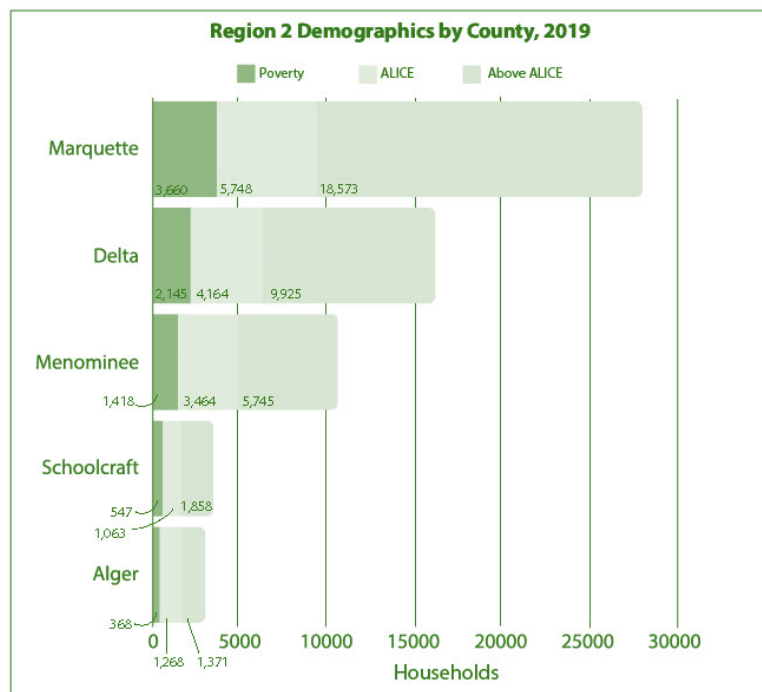
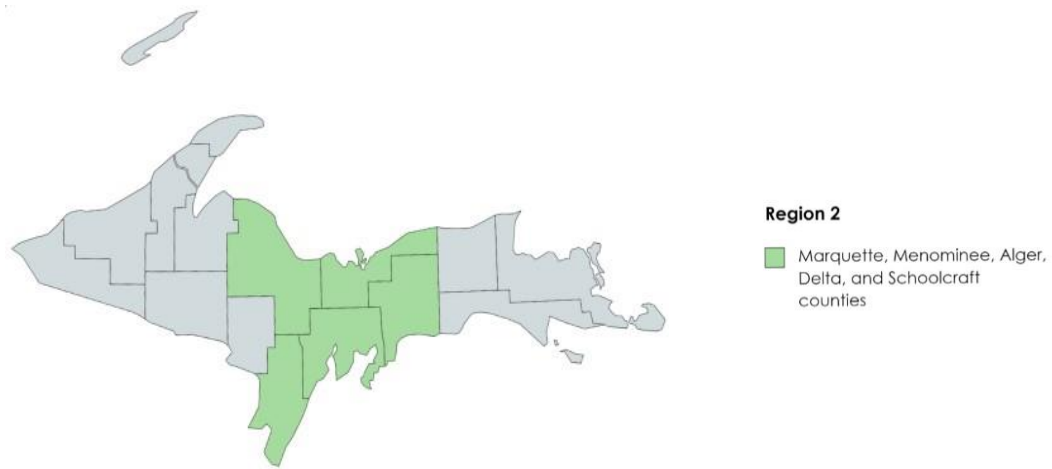


SVSL Stakeholder Survey, 2022



REGION 2

Region 2 (Central Upper Peninsula) includes the following counties: Alger, Delta, Marquette, Menominee, and Schoolcraft.



In all of these counties, anywhere from one-third to just over half of households are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs.

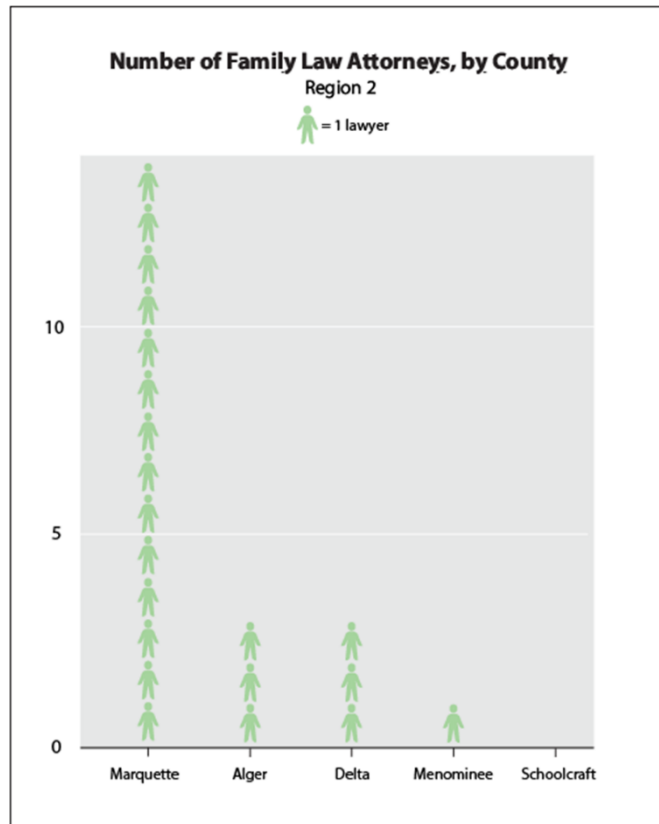
<https://www.unitedforalice.org/household-budgets/michigan>

There are three (3) rural community-based programs serving Region 2, providing assistance and support to victims and survivors of domestic violence, sexual assault and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

All of these counties fall within the service delivery area of one of four tribal nations, the Little Traverse Bay Bands of Odawa Indians, the Hannahville Indian Community, the Keewenaw Bay Indian Community, and the Sault Ste. Marie Tribe of Chippewa Indians. Services may include financial assistance to purchase clothing, personal hygiene items, and other items, legal and medical advocacy, healthcare treatment, counseling, and assistance with securing emergency shelter.

Additionally, all of these counties fall within the service area of Legal Services of Northern Michigan (LSNM). LSNM provides free civil legal services for people whose incomes are at or below 125% of the poverty level. People with incomes up to 187.5% of poverty may receive services under certain provisions. Legal assistance is provided in the areas of domestic violence such as defending personal protection orders, divorce, custody and parenting time. LSNM also provides legal assistance in the following areas: housing, consumer, benefits and elder law.¹⁶

¹⁶ LSNM's Marquette office has two attorneys and covers Marquette and Alger Counties. LSNM's Escanaba office (Delta County) has been without an attorney for the past 3 years. Emergency services have been provided by LSNM's staff attorneys from other offices when feasible. In August of 2024, LSNM will be onboarding a newly hired attorney. LSNM also hosts a CV-LAP specialist attorney who focuses on assisting domestic violence victims throughout the 15 counties of the Upper Peninsula. That attorney is located in LSNM's Marquette office.



Section Demographics: Family Law (michbar.org)

Data from the State Bar of Michigan indicates that there were 21 active family law attorneys practicing in Region 2 in 2022. However, one county (Menominee) had only one, and one county (Schoolcraft) had none.

Region 2 Participant feedback in listening sessions

The main areas where victims and survivors need civil legal assistance are divorce, custody and PPOs. However, a significant number of survey respondents also identified eviction and child abuse/neglect as top needs. Listening session participants estimated that 30% of victims and survivors need assistance with Friend of the Court issues.

Feedback on gaps and barriers for victims/survivors in accessing civil legal representation

- There is a lack of attorneys. A legal services staff attorney can have a caseload of about 20 active cases that are spread across six (6) counties. The cases can be on the same scheduling timeline, and although some cases do not take much time, others are time intensive. Additionally, some of the cases involve traveling

to other counties to attend a court hearing which can be up to 6 hours of drive time for a round-trip. This can create a huge strain on financial resources.

- Legal Services also has restrictions on providing representation due to limited funding. The agency prioritizes cases where there is a recent experience of DV, on-going DV, or a long history of abuse. This means that there are some instances where victims/survivors are unable to access legal help because the experience of violence is too long ago. This penalizes victims for whom it may have taken years to be able to separate from the abusive partner.
- Additionally, survivors may not qualify for legal aid based on income and asset restrictions mandated by grants. Priority is usually given to people who have lower income and fewer resources. As such, the agency is more likely to turn victims/survivors away if their income indicates they are capable of hiring a private attorney. This creates an issue for victims/survivors who are considered the "working poor" i.e., able to pay their bills but still cannot afford to pay for legal services.
- While there are private attorneys in the area, some attorneys do not want to work with DV victims/survivors. There are other attorneys in the area that are not affordable. Other attorneys (particularly those who work in criminal matters) are unable to provide representation to victims/survivors on civil matters due to conflict of interest.
- There is a lack of pro-bono attorney services in the area. Pro-bono work can be time consuming and attorneys in small rural communities may not be able to afford to provide pro-bono services. This can impact victims who do not qualify for legal services, or do not have the financial resources to hire an attorney (e.g. those in an ALICE Household).

Feedback on how programs utilize available resources

- The service providers expressed dedication to the work they do and noted that they are continually seeking additional resources through grants, fundraising, and collaboration with other stakeholders.
- One program provides legal assistance to victims/survivors who qualify for legal help. For clients who do not qualify for legal help, the Center has a contract with a local attorney who used to be a prosecutor. If a client does not qualify for the agency's legal services, the attorney will take on the case and provide legal services **up** to the amount of \$500 after which the attorney will decide to work pro-bono or charge the client a reduced fee for legal representation.
- Victim advocates help clients with PPOs. Advocates are able to assist with reading the form, if needed or assist by printing off the forms and answer questions. There are clients who are unable to read or have difficulty reading and need assistance, so the advocate assistance is invaluable support.
- One center also provides transportation assistance and vouchers to help survivors attend court hearings and access services as needed. Living in a rural

community can present challenges for victims especially when the court may be located in another county. The center also has a transitional housing program for victims/survivors. With lack of housing in the majority of rural communities in Michigan, transitional housing is vital to establishing a new life and providing the victim with a sense of security. If housing is not available and affordable, the victim may decide that returning home is the only option.

- One program and legal services agency work closely with shelters in the area to ensure that victims/survivors are appropriately being referred for legal services. This provides the client with support and a better chance of receiving the appropriate services needed. Collaboration with other service agencies is key for coordinating wrap-around services as well as effectively utilizing financial resources.

Feedback on Technology

- While technology can be very helpful for many victims/survivors, those residing in rural areas may have a harder time accessing technology. This is particularly true for indigenous victims/survivors. They may run out of minutes on their phones, or the phone gets broken during a domestic incident and they are forced to wait for a replacement. These victims/survivors are unable to access the internet which impacts their access to services.

Feedback on collaboration

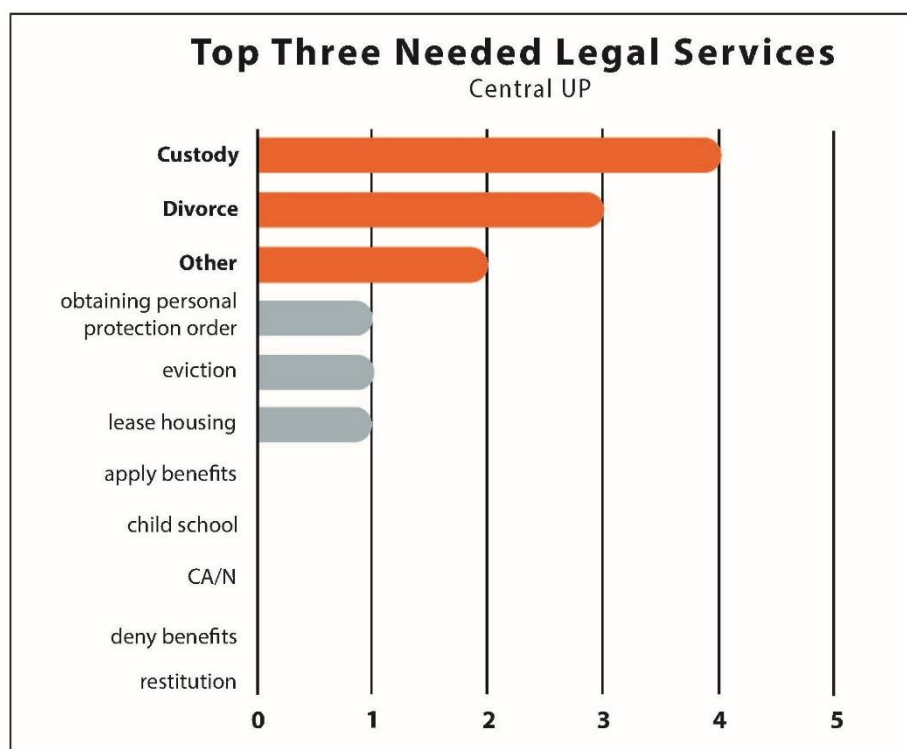
- During the listening session/talking circles, questions about collaboration between rural communities, local agencies and tribes were raised. Some participants were able to share and discuss the working relationship that has been established between some rural communities and neighboring tribes.

Recommendations from Region 2

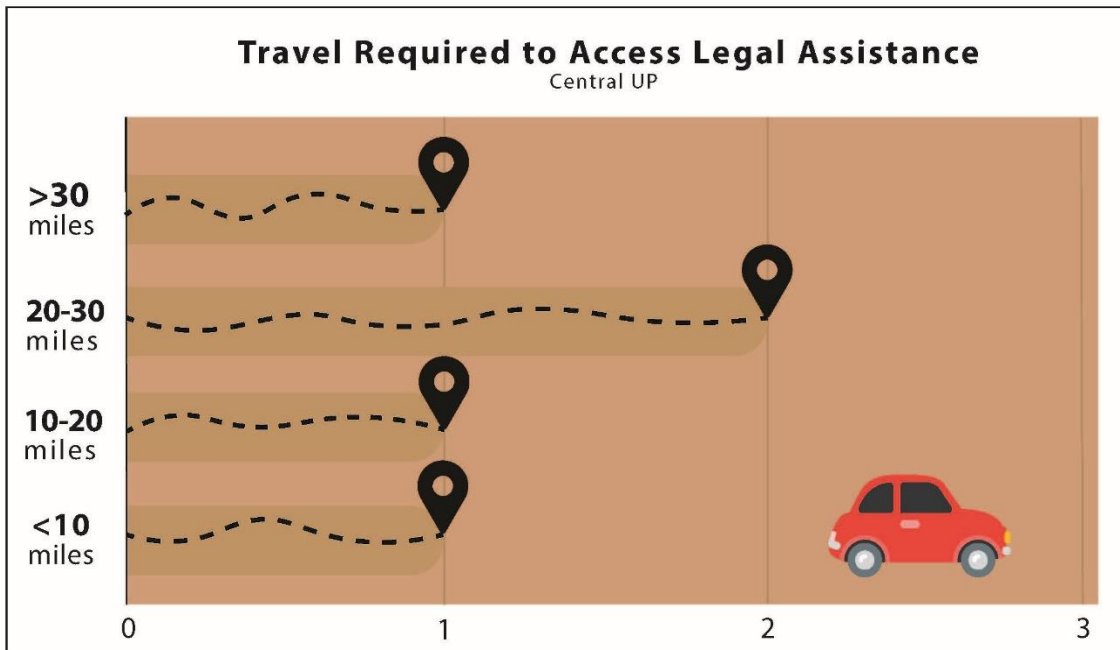
- Domestic violence specific education and training should be strongly encouraged or required for judges, prosecutors, law-enforcement personnel, and attorneys representing victims/survivors. Some training resources are noted below:
 - The Commission on Domestic & Sexual Violence of The American Bar Association (ABA) provides free webinars and trainings that provide a foundational understanding of topics related to working with survivors of domestic violence.
 - Stalking Prevention Awareness and Resource Center (SPARC) offers trainings on stalking.
 - Battered Women's Justice Project offers free webinars once a month.
- Provide funding for agencies to hire attorneys on staff, even on a part-time basis, to provide legal services to clients. Many victims/survivors have legal

issues that advocates are unable to assist them with. Having an attorney on staff at women's centers for example would ensure that clients are able to secure legal advice, legal representation, and appropriate referrals, when needed.

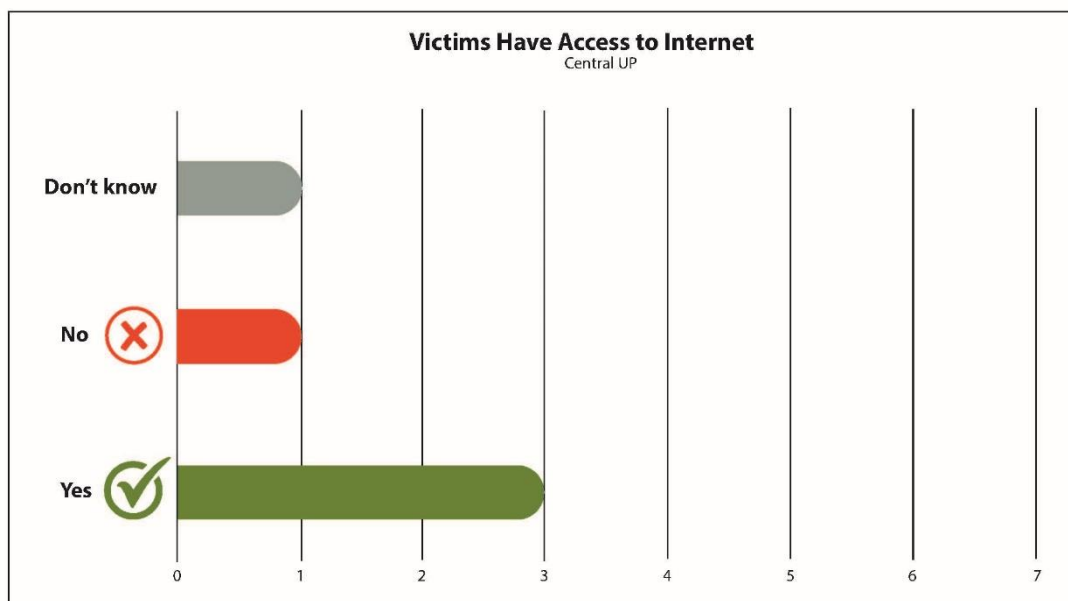
- Provide additional funding to hire attorneys, create a legal fund for survivors to hire legal representation and modify grant instructions to eliminate the strict asset and income restrictions for qualifying for legal services. This would allow legal service entities to expand their representation capacity.
- Restructure grant eligibility requirements to relax strict restrictions on asset and income. This would fill the gap for victims/survivors who cannot afford a private attorney but exceed income and asset thresholds for the legal service entities.



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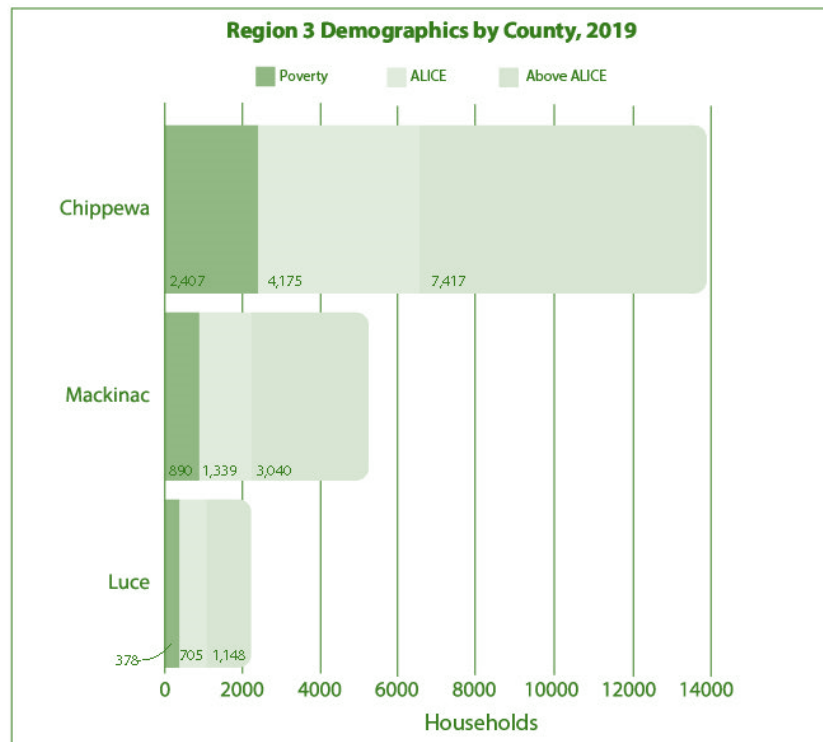
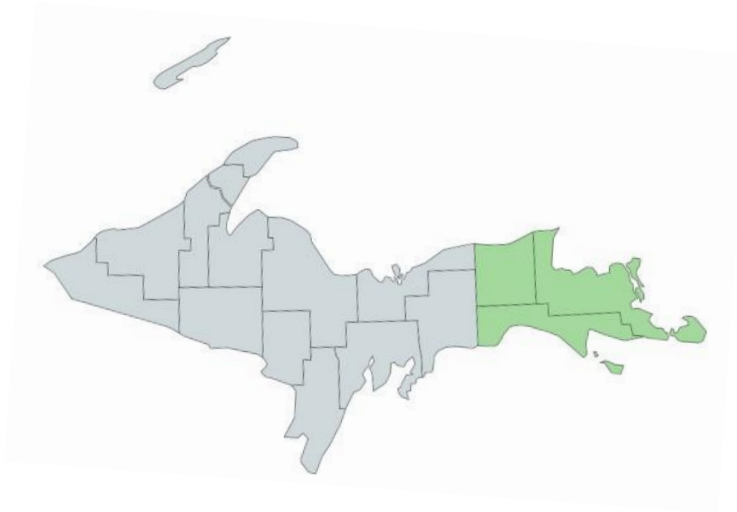
Statewide Stakeholder Survey 2022

REGION 3

Region 3 (Eastern Upper Peninsula) includes the following counties: Chippewa, Luce, and Mackinac.

Region 3

■ Luce, Chippewa and Mackinac counties



In each of these counties, very nearly half of all households are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs.

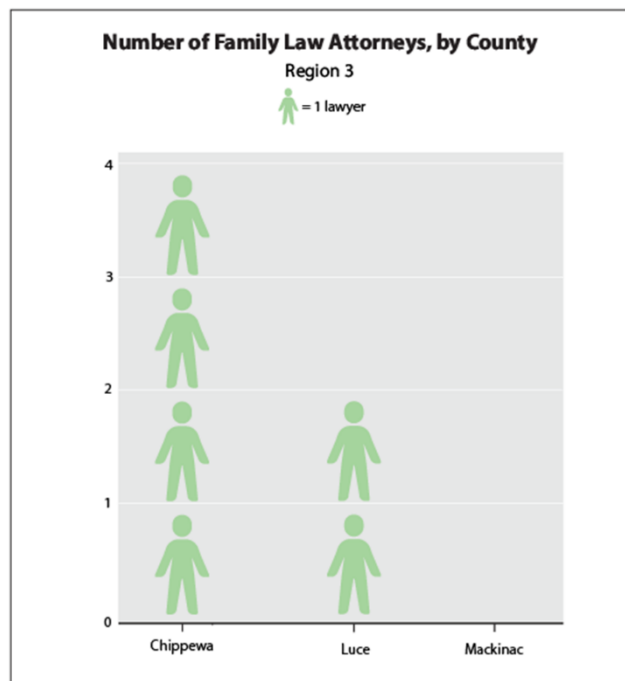
<https://www.unitedforalice.org/household-budgets/michigan>

There are two (2) rural community-based programs serving Region 3, providing assistance and support to victims and survivors of domestic violence, sexual assault and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

All three counties in Region 3 fall within the service delivery area of 1 or more of three tribal nations, the Bay Mills Indian Community, the Little Traverse Bay Bands of Odawa Indians, and the Sault Ste. Marie Tribe of Chippewa Indians. Services may include financial assistance to purchase clothing, personal hygiene items, and other items, legal and medical advocacy, healthcare treatment, counseling, and assistance with securing emergency shelter.

Additionally, all of these counties fall within the service area of Legal Services of Northern Michigan (LSNM). LSNM provides free civil legal services for people whose incomes are at or below 125% of the poverty level. People with incomes up to 187.5% of poverty may receive services under certain provisions. Legal assistance is provided in the areas of domestic violence such as defending personal protection orders, divorce, custody and parenting time. LSNM also provides legal assistance in the following areas: housing, consumer, benefits and elder law.¹⁷

¹⁷ At the time of this report, LSNM's Sault Ste. Marie office had one attorney. LSNM closed its Sault Ste. Marie office in February 2024, due to lack of attorney applicants. LSNM's Gaylord office (in the LP) has two staff attorneys who now cover Luce, Chippewa and Mackinac counties (in the UP). LSNM also hosts a CV-LAP specialist attorney who focuses on assisting domestic violence victims throughout the 15 counties of the Upper Peninsula. That attorney is located in LSNM's Marquette office.



Section Demographics: Family Law (michbar.org)

Data from the State Bar of Michigan indicates that there were only 6 active family law attorneys practicing in Region 3 in 2022, with none in Mackinac County.

Region 3 Participant feedback in listening sessions

The majority of rural community participants in listening sessions or talking circles in Region 3 identified divorce as the greatest legal need for victims and survivors.

Feedback on gaps and barriers for victims/survivors in accessing civil legal representation

- The lack of attorneys to meet the needs of the clients. Victims and survivors who seek legal representation are not always able to find an attorney to assist them.

“There is one legal aid lawyer to provide services to victims, we need more attorneys to meet the needs of clients. One attorney cannot represent all victims in four rural counties.”

- Victims and survivors can be reluctant to work with attorneys until they build trust and know the attorney understands their issue.

- The required screening process by the legal services program can eliminate victims with extensive issues.
- If victims unable to obtain legal assistance, it creates difficulties for them, because they do not always understand the legal process, the expectations for filing of paperwork and what occurs in a court hearing.
- Service of PPOs on respondents is also identified as an area of major concern. When a tribal court issues a PPO, typically tribal law enforcement will serve them. However, county law enforcement officers, as a general matter, do not typically serve PPOs. This presents a challenge to victims and survivors who may have difficulty finding someone who can properly serve the respondent.
- Travel and court time can create issues with representation of victims and survivors from the rural communities.

“Living in the UP means more travel versus living in a city where the courthouse is close. If reporting is done by caseload, attorneys working in the UP do not have the same caseload but they must travel further and more frequently because of the rural locations of victims and courts.”

- Transportation is an issue for clients.
 - Rural communities cannot always provide public transportation because of the distances required to be covered.
 - Clients do not always have their own transportation and rely on the service program or others to assist them with transportation.

Feedback on how programs utilize available resources

- Rural Communities continue to utilize program resources and local resources to assist victims and their families.
- The service providers continually seek additional resources through grants, fundraising, and collaboration with other stakeholders.
- Some advocates can help the victim or survivor with completing PPO paperwork, by printing and reading the forms with the survivor.
- There are divorce packets available in the office and an advocate is available to read the forms with the survivor, if needed.

Feedback on Technology

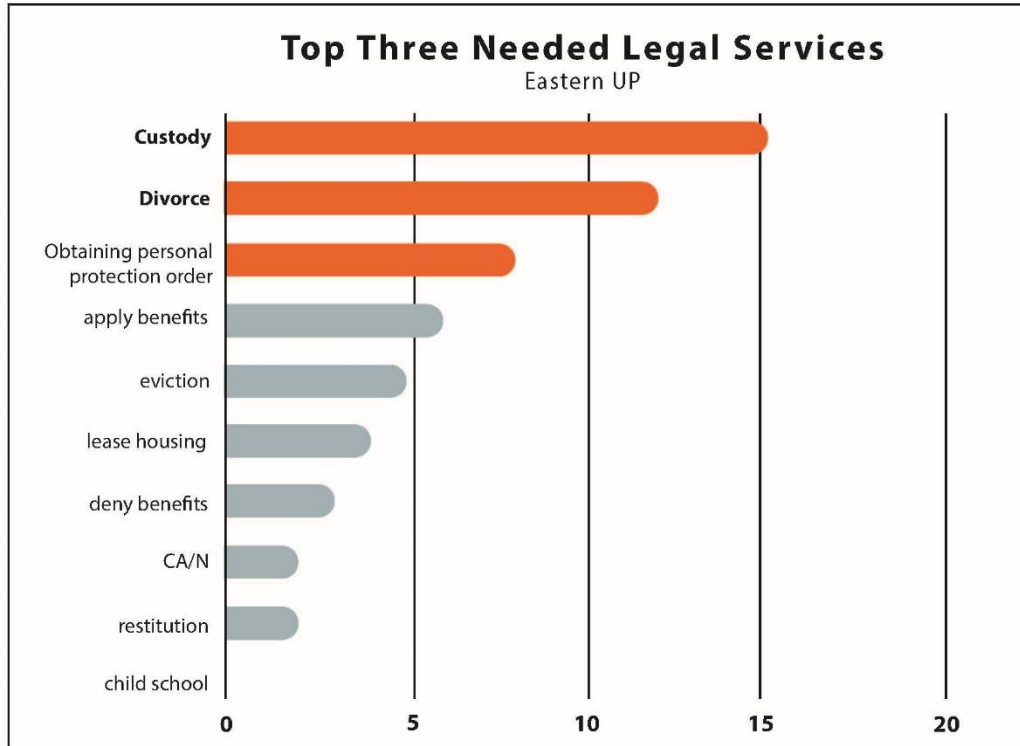
Not discussed in talking circles or listening sessions.

Feedback on collaboration in their community

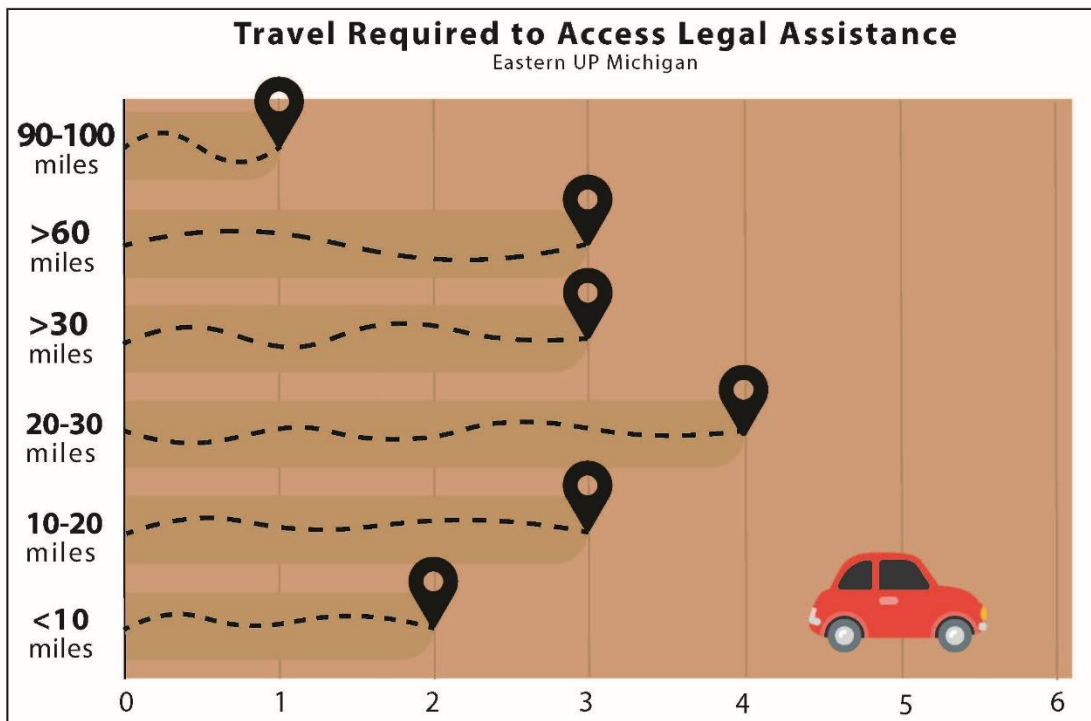
- There are multiple resources within the community, and victims may not be aware of them.
- Programs are not always up to date with what other service providers within the community are able to offer victims and survivors.
- Collaboration between rural community programs and tribal nations will enhance the awareness of services that may be available to victims and survivors. Knowing what each agency program can provide will create better access to services and allow for better use of resources.

Recommendations from Region 3

- Need to hire attorneys long term who can work with victims and survivors. Grant funding is short term and does not provide stability for victims and clients to meet their needs.
- Attorneys need training on how to work with DV clients in a trauma informed way.
- Provide funding for attorneys, training, and client needs. Attorneys can work collaboratively with client service providers to discuss and share the best approach to provide services. This will allow all service providers to understand the legal process and provide the best services for the client and their family.



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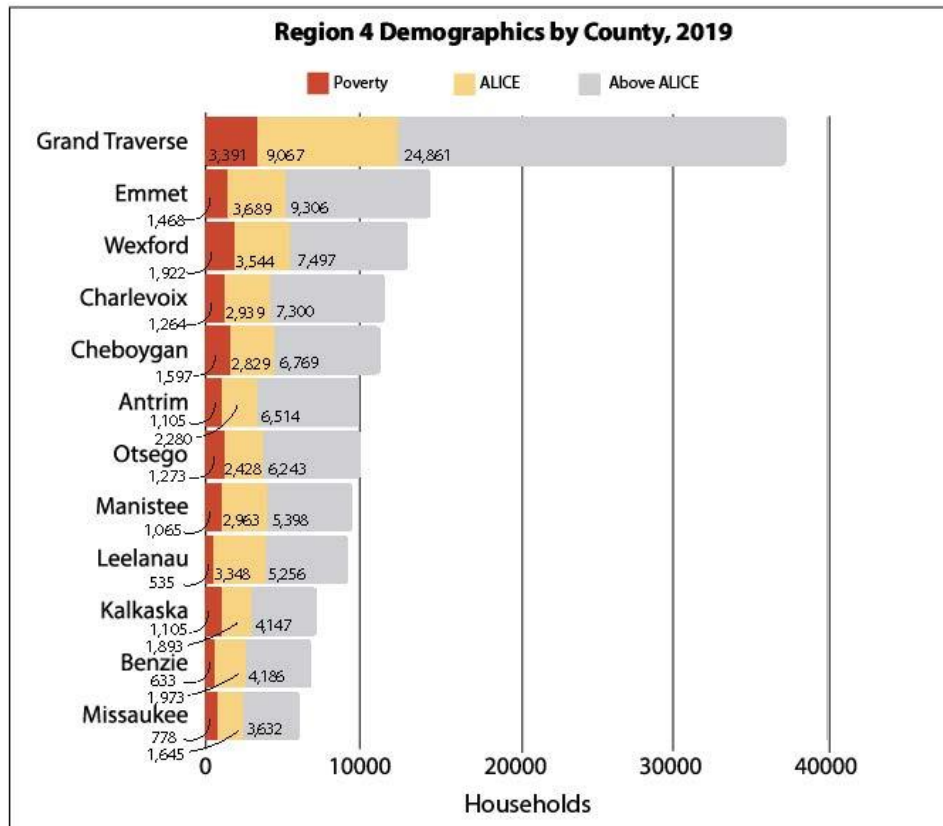
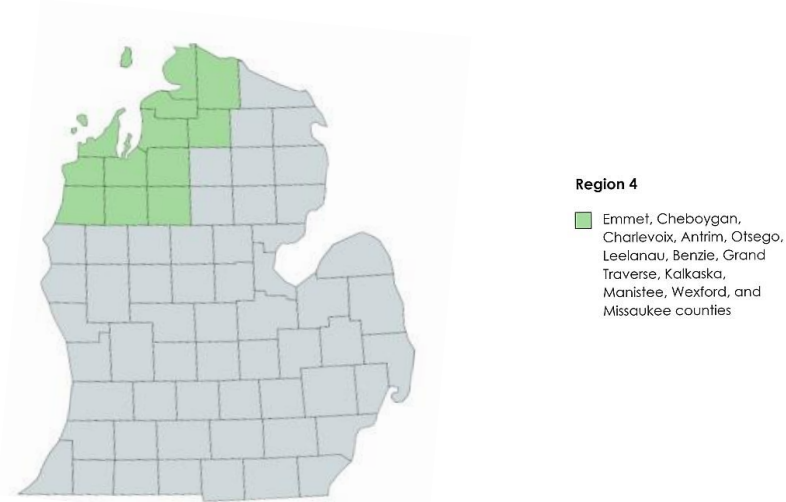
SVSL Stakeholder Survey 2022



SVSL Stakeholder Survey 2022

REGION 4

Region 4 (Northwestern Lower Michigan) includes the following counties: Antrim, Benzie, Charlevoix, Cheboygan, Emmett, Grand Traverse, Kalkaska, Leelanau, Manistee, Missaukee, Otsego, and Wexford.

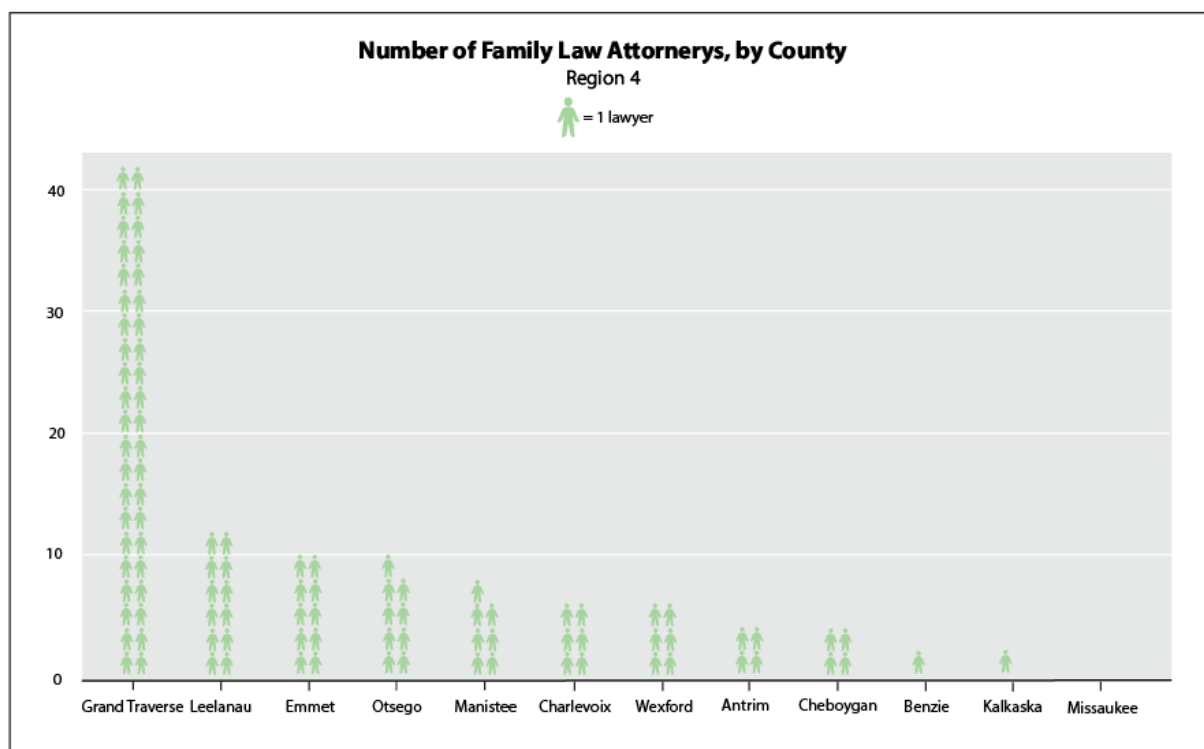


In all of these counties, at least one-third of households are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs. <https://www.unitedforalice.org/household-budgets/michigan>.

There are three (3) rural community-based programs serving Region 4, providing assistance and support to victims and survivors of domestic violence, sexual assault and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

All of these counties fall within the service delivery area of one of four tribal nations, the Grand Traverse Band of Ottawa & Chippewa Indians, the Little River Band of Ottawa Indians, the Little Traverse Bay Band of Ottawa Indians, and the Saginaw Chippewa Indian Tribe. Services may include financial assistance to purchase clothing, personal hygiene items, and other items, legal and medical advocacy, healthcare treatment, counseling, and assistance with securing emergency shelter.

Data from the State Bar of Michigan indicates that there were 105 active family law attorneys practicing in Region 4 in 2022. However, some counties (Benzie and Kalkaska) had only one, and one county (Missaukee) had none.



Section Demographics Family Lawyers (michbar.org)

Region 4 Participant feedback in listening sessions

Feedback on gaps and barriers for victims/survivors in accessing legal services.

The majority of rural community participants identified divorce, custody, and PPO's as the top 3 areas of need, followed by housing (evictions).

- The eligibility requirements for legal services can create issues for persons who need legal representation. The eligibility requirement is 125% of poverty level. For every one person that legal services accepts, 3 people are turned away. CVLAP attorneys have broader eligibility requirements which may better assist clients.
- Although legal services handle evictions, some community-based service providers are unsure of the parameters or how victims qualify for services.
- Legal Services does not have enough attorneys on staff to provide services to everyone that applies.
- Tribes have contracted with legal services to provide services but if the office has other priority cases, then legal services focuses on those cases; the victims from the tribal community may effectively lack legal representation even when there is a contract in place for those services.
- 2-year grants that provide for hiring of attorneys to represent victims do not work, because one first has to post the position, hire the attorney, and train the attorney - which takes up time. After taking on cases, the grant ends and other in-house attorneys have to take over the cases. This creates hardships for both the victim and the remaining attorney reassigned the cases.
- Lack of financial resources can prevent clients from hiring a private attorney to represent them.
- When there is a challenge to a PPO, legal services will represent clients but when there are violations to a PPO the prosecutor handles the violation and legal services is not able to assist.
- In rural communities, pro bono representation from private attorneys doesn't work well because attorneys may be conflicted out in future cases. There are fewer attorneys in some rural communities, therefore attorneys may represent many of the local community members.
- A prominent issue is the absence of immediate legal assistance for survivors with emergency needs. There is not a lot of legal support for survivors who need immediate legal assistance and advocates are not trained to provide legal help.
- Domestic Violence matters are complicated and attorneys need to be committed to hearing survivors out, providing guidance on legal matters and making appropriate referrals, and offering legal representation.
- Legal representation for undocumented immigrants is a crucial issue. The legal services program can choose guidelines for eligibility, currently it is at 200% with

some leeway. The issue for DV clients is the time for a work permit to be approved, it may take 18-21 months, so the victim returns to the abuser.

- One legal serviced program can assist clients with DV issues based on VAWA but can only provide general information on divorce issues and cannot represent them.
- Housing is an issue and when the victim cannot find temporary housing then returning to the abuser often becomes the only option.

Feedback on how programs utilize available resources

- Programs have assisted clients when court has been held through Zoom. This has allowed training of attorneys in various counties since participation was through Zoom. This provided additional legal representation for victims.
- Staff provide support and will assist clients with accessing online legal documents from the legal help site and assisting them when filling out the paperwork. If clients have issues with reading, the DV/SA advocate will read the paperwork to the client. The office will print the documents for the client, if requested.

Feedback on Technology

- Technology has provided a way for victims to attend hearings and feel safe. There is a room in the legal services offices with a computer for the victim. This allows the attorney and victim to be in the same space but connected to the court through zoom.
- Technology such as zoom can be very helpful for court hearings because the victim/survivor is not required to be in the same room as the offending party. Virtual court proceedings also reduce the burden of transportation on survivors. During COVID, remote hearings were offered, and this might continue post-pandemic.
- Participants shared that in the last two years, especially after the advent of COVID-19, service providers utilized electronic and tele-services to engage with clients and survivors and ensure that they continued to receive services. However, there are instances where virtual services are difficult for victims and survivors to access, which impacts service quality.
- Limited broadband access, for example, is a major concern and poses barriers for victims and survivors if service providers primarily utilize electronic methods of communication for service provision. There is a need for reliable technology and infrastructure. Some programs have been able to address these needs by providing lending libraries for technology.
- Some clients come into the building and can be on Zoom for their meetings when they do not have internet service at home. Some programs provide a space for zoom court hearings and allow staff to be present, at the request of the victim, during court hearings.

- Having court held through Zoom has allowed Legal Services to attend hearings in various counties without having to drive to each courthouse. This makes it possible to provide additional representation for victims.

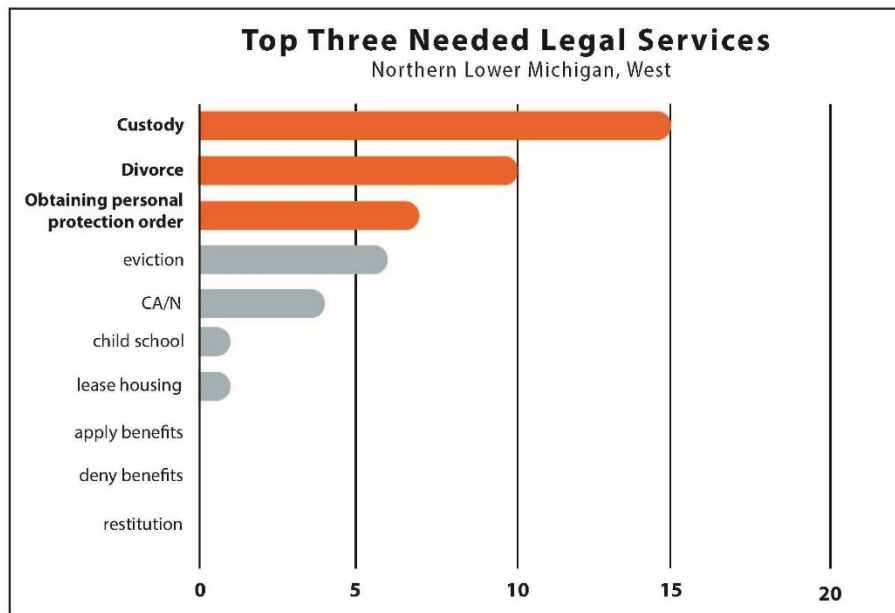
Feedback on collaboration in their community

- The participants noted that the relationship and collaboration between one tribe and other local programs/services continues to grow. The agencies share information and resources with each other, examples that were given included paying for the legal fees of referred clients or providing a list of attorneys. Overall, the collaboration between the various entities is working very well. Recently there was a meeting between the tribe and a local program to discuss client needs and referral portals which was very helpful.
- One program stated that collaboration between the rural community-based services provider and tribe works well, there is communication between the two and each has knowledge of the services provided to victims. This arrangement is informal (no MOU) but works well.

Recommendations from Region 4

- Create a 5-year grant cycle for hiring attorneys to represent victims. This would allow for adequate hiring, training, and job stability for attorneys who are working in rural communities. There could be a renewal process for another 5 years after an evaluation of the grant. This would ensure that attorneys have job stability, victims would receive representation, and would better fill gaps and meet needs.
- Develop relationships between law schools and rural community programs and create incentives for law students to work in those communities' post-graduation.
 - For example, create a program to pay student tuition, books, or fees while in law school while assisting the rural program and upon graduation they agree to work for the program for a few years. This program could operate similarly to the Peace Corp.
- Create a non-profit legal services agency that provides legal services to victims of crime, to assist the working poor who don't qualify for traditional legal services.
- Contract with one or two attorneys in the rural community to provide "Low Bono: representation (work at discounted or sliding scale rate). This provides steady income and allows the attorneys to qualify their work as pro bono.
- Allow undocumented workers access to state benefits while they await approval of the work permit. State benefits that would be accessible could include housing, driver's license and public assistance.

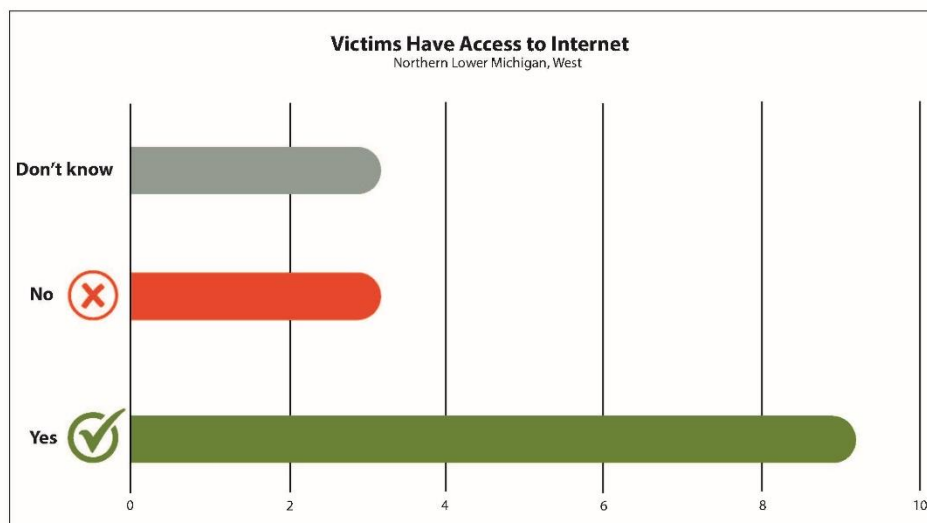
- Another option would be to hire an attorney in-house to represent victims or provide legal advice when needed.
- Ask local attorneys to take one pro bono case a year. This would provide a much-needed service and not over tax any attorney who provides pro bono work in their area.
- Coordinate with the Prosecuting Attorneys Association of Michigan to offer training for law enforcement, prosecutors, judges, legal advocates, and victim advocates, on sexual assault and working with victims of these crimes.



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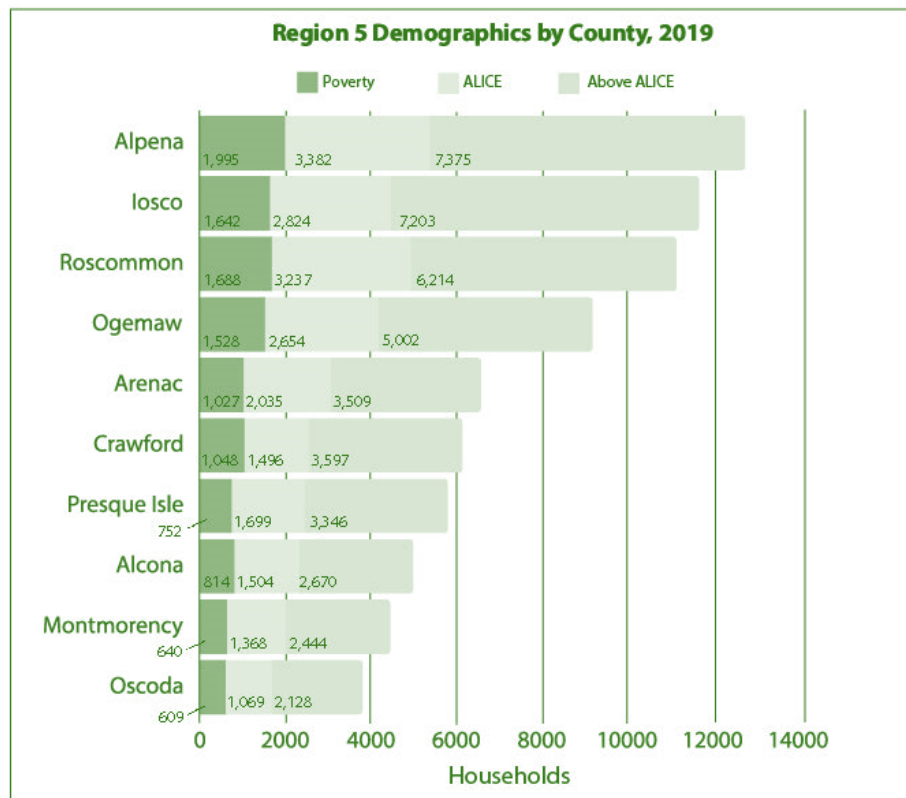
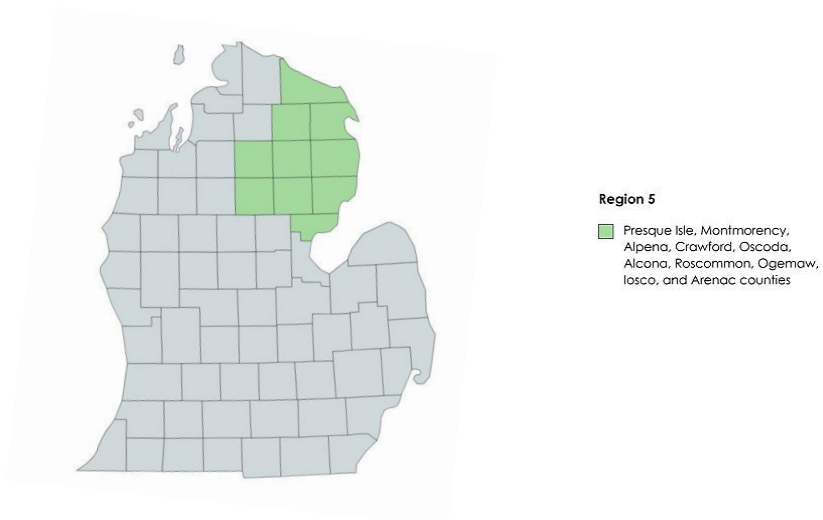
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Region 5

Region 5 (Northeast Lower Michigan) includes the following counties: Alpena, Alcona, Arenac, Crawford, Iosco, Montmorency, Ogemaw, Oscoda, Presque Isle, and Roscommon.



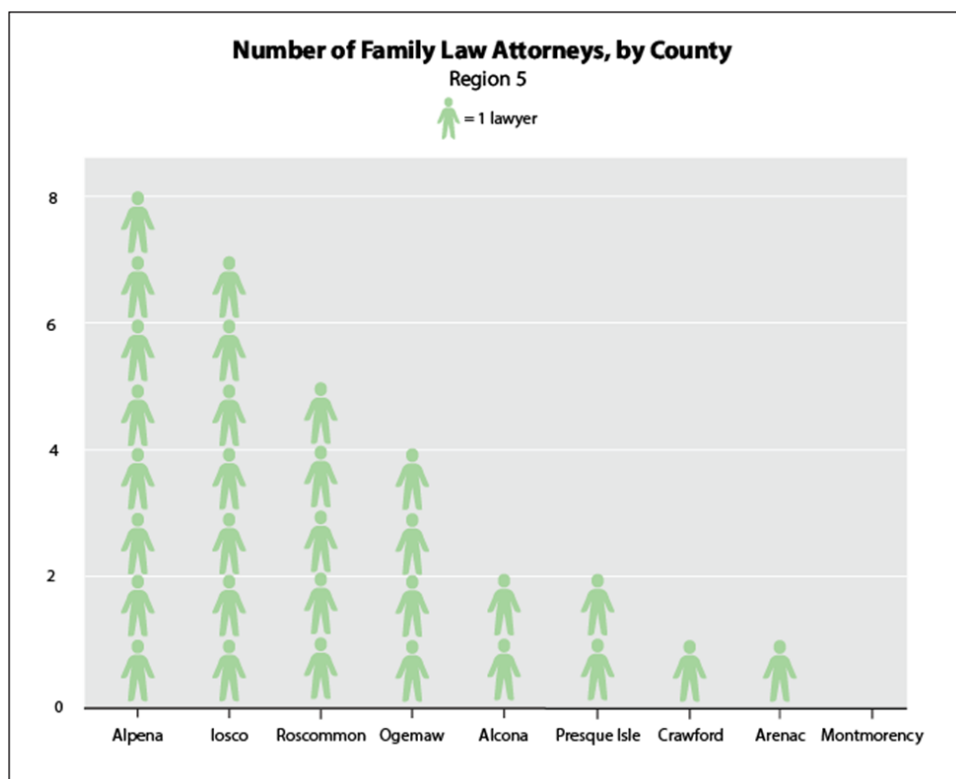
In all these counties, anywhere from one-third to almost one-half of households are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs.

<https://www.unitedforalice.org/household-budgets/michigan>

There are three (3) rural community-based programs serving Region 5, providing assistance and support to victims and survivors of domestic violence, sexual assault, and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

All these counties except Arenac fall within the service delivery area of one tribal nation, the Little Traverse Bay Bands of Odawa Indians. Arenac County falls within the service delivery area of the Saginaw Chippewa Indian Tribe. Services may include financial assistance to purchase clothing, personal hygiene items, and other items, legal and medical advocacy, healthcare treatment, counseling, and assistance with securing emergency shelter.

Data from the State Bar of Michigan indicates that there were 30 active family law attorneys practicing in Region 5 in 2022, with none in Arenac County and Montmorency County.



Demographics: Family Law (michbar.org)

Region 5 Participant feedback in listening sessions

Feedback on gaps and barriers for victims/survivors in accessing legal services

The majority of rural community participants stated that divorce, custody, and housing evictions are the top 3 areas of need.

- In the eastern UP there aren't many practicing attorneys. Those that are practicing in the area are aging out and retiring with no replacements because attorneys are not moving to the area.
- There is a need for attorneys to be trauma-informed so that they can better help clients address their trauma as they move through court proceedings. Attorneys who are trauma informed would better understand both how victims/survivors communicate, and their reactions to certain events or behavior throughout the court process. Survivors could build more trusting relationships with attorneys who respond appropriately to their needs, and could more effectively assist their attorney with their cases.
- Clients will also request the victim advocate to sit with them, clients have expressed that sometimes they don't feel savvy enough and need the extra support provided by the victim advocate.
- There is an eligibility gap for legal services due to income eligibility requirements. The income guidelines prohibit a certain segment of victims from receiving services. The "working poor" do not meet the criteria for legal services but are in need of legal representation. They cannot afford to pay out of pocket for their representation.
- Not all rural counties have public transportation and even if there is, there are limits on routes and hours of operation. If victims/survivors are working, have children in school, and have appointments, then public transportation may not adequately address their needs. This creates another barrier which can have a negative impact as they are working to rebuild their life.
- A significant gap is the need for more pro bono or "Low Bono" attorneys to assist victims. The cost of hiring an attorney is out of reach for most victims/survivors. Pro bono or Low Bono is useful and much needed. Rural communities may not benefit from pro bono or Low Bono, however, because of the insufficient number of attorneys in the rural communities.
- At one time VOCA dollars were being used to assist victims with divorce. The program would budget for the expense and contract with attorneys who would invoice the program. However, the attorneys were being paid at their full rate, and the program could not sustain payment at that level. That allowable cost was eventually eliminated from the grant.
- One issue that was identified where there is a lack of information is regarding visitation between children and an alleged perpetrator. There needs to be a safe place for children to get dropped off for visitation between parents. One victim/survivor uses a Meijer or Walmart parking lot since the court is not able to provide a safe exchange location.
- Arenac County is a rural area that is very underserved. There is no domestic violence or sexual assault program or homeless shelter located in Arenac County. Transportation within the community is an issue. There is no public transportation from Arenac to Bay County

which means survivors who are unable to drive to the Women's Center in Bay City cannot access services.

- The prosecutor office in Arenac County is part-time and there are only 3 attorneys throughout the county to provide services to survivors within the community. The state police do not have a post in the county. The community generally relies on the surrounding counties to provide services

Feedback on how programs utilize available resources

Although there are many gaps in providing adequate civil legal representation, rural communities have continued to utilize available resources to ensure victims receive offered services.

- The program serves almost all of the Upper Peninsula of Michigan, it is one of the only places where SANE services are available 24/7. The advocates provide support and assistance at the time of the SA exam. Advocates will ask adult clients if they are okay with their info being provided to a DV/SA program so that program can provide follow up care. The program will reach out to DV/SA to make sure they have advocates available for long term support.
- Currently one program has extra attorneys from CVLAP, this is supported by a statewide VOCA grant. A legal services program provides space to the CVLAP attorney. One attorney out of the Gaylord office does both elder abuse and DV. Clients from across northern Michigan are able to access the CVLAP attorney by using Zoom, the physical office is located in Gaylord. CVLAP doesn't have income restrictions so they can take cases that legal services cannot. Currently the attorney has about 20 cases. There are two more CVLAP attorneys located in the UP, one exclusively handles DV cases and the other one exclusively handles elder abuse. These kinds of roaming specialists for DV and EA are helpful, we are trying to use more.
- Legal Services has a small VOCA grant from child and family services through which Legal Services subcontracts with two attorneys at a reduced rate in our area to handle the kinds of DV cases that Legal Services cannot take because of income or because the DV is not recent and substantial — Legal Services tries to focus on the most significant. These contract attorneys can do about 30 cases in a year. Legal Services prefers to use attorneys that understand DV and be trauma informed.
- Divorce clinics were created because legal services cannot serve everyone who needs assistance. With the income guidelines, anyone above 187% of poverty level does not qualify for services, they are the working poor. The divorce clinics are held in communities where local attorneys are willing to come in for free to answer questions. The legal services runs "the class" and goes over the divorce documents and gives information on how to fill them out. Other courts have asked legal services to start a divorce clinic there and legal services will agree to do so if the court can arrange for pro bono attorneys to be present, because legal staff attorneys cannot answer legal questions and give advice or we would have to do the income eligibility

check. COVID caused us to suspend the monthly clinics but the plan is to continue when safe to do so.

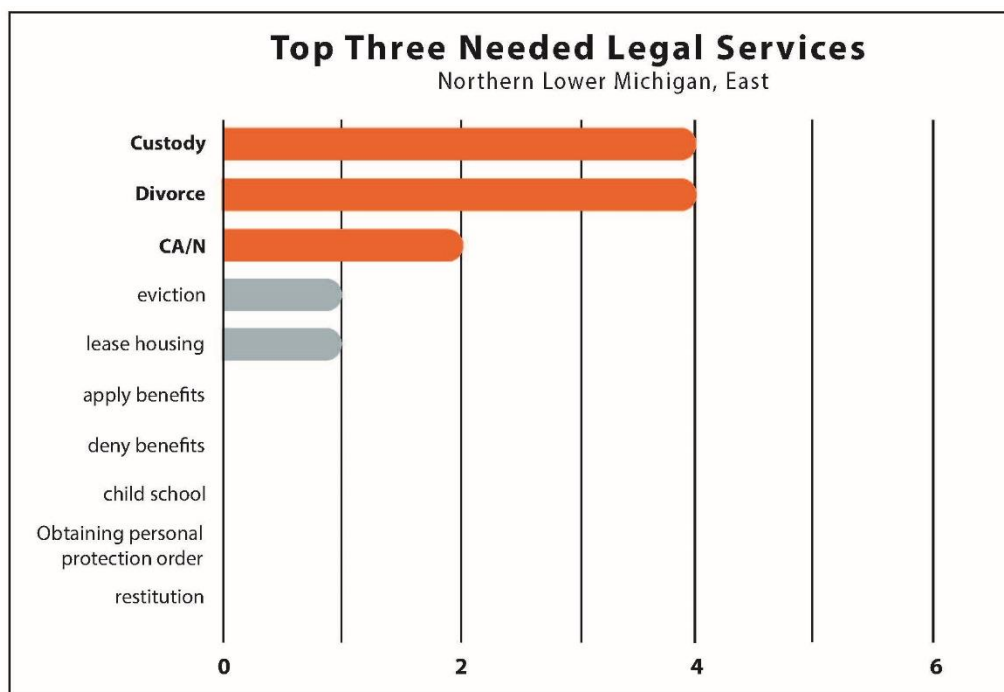
Feedback on Technology

- While having access to technology would benefit victims/survivors, there are infrastructure issues that also create barriers for victims/survivors. There are parts of Arenac County, for example, that do not have cellular service. In these instances, survivors are unable to access services, and this is not an issue that the agency can resolve. The internet service providers in the area are limited and internet connection is not consistent due to limited data packages and coverage issues.
- Most of the victims/survivors would be fine meeting and talking with an attorney over Zoom if they had the technical capabilities. Sometimes they want us to sit there with them as a support person.
- Clients require a computer or a smartphone to do Zoom and not all of the clients have that. The clients' access to technology and internet service can create a barrier to meeting an attorney via Zoom. There is also a potential safety issue in utilizing these methods if the client is still living with their abuser, they may not have the privacy to safely communicate with an attorney through electronic means.

Recommendations from Region 5

- Have an attorney who comes to the DV/SA Program office at least one day a month to answer questions or assist with legal forms. This would provide legal access to clients and serve many clients over a geographic location as the attorney could be on a rotating schedule.
- Everyone involved in the court should receive appropriate training on domestic violence, as well as training on trauma informed practices; this would increase understanding of the victim behavior and of the issues victims face while navigating the court process.
- Implement practices that some in other regions have created:
 - One local program has an attorney available to answer victims' questions or review forms for accuracy. The office has rotating attorneys who sign up for specific days and times.
 - One of the legal service agencies collaborated with Child & Family Services to contract with attorneys to provide Low-Bono work to assist clients. The contracted attorneys take the cases that Legal Services can't handle because it's beyond their scope. They are trained and accept cases that are referred (they choose the cases). VOCA funds are used to support this project. This may be a model for other programs seeking to expand legal resources for victims and survivors.
- Provide additional funding to legal services programs to hire an attorney to assist with victims' legal issues.
- Identify and secure additional office sites in strategic locations within Arenac County to improve visibility and service accessibility within the community. These offices should also be staffed accordingly.

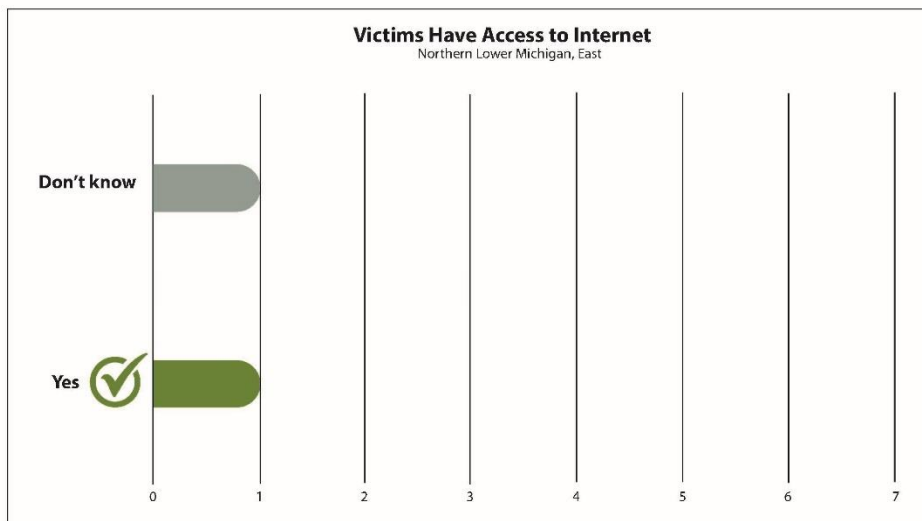
- Provide trauma informed training to attorneys, judges, and prosecutors in the legal system to better understand the needs of the victim.
- Provide training to court clerks on what legal advice is, some court clerks won't provide any information.
- Have legal services entities provide in-house training to program staff on services that legal services can provide to victims of DV, sexual assault, and stalking.



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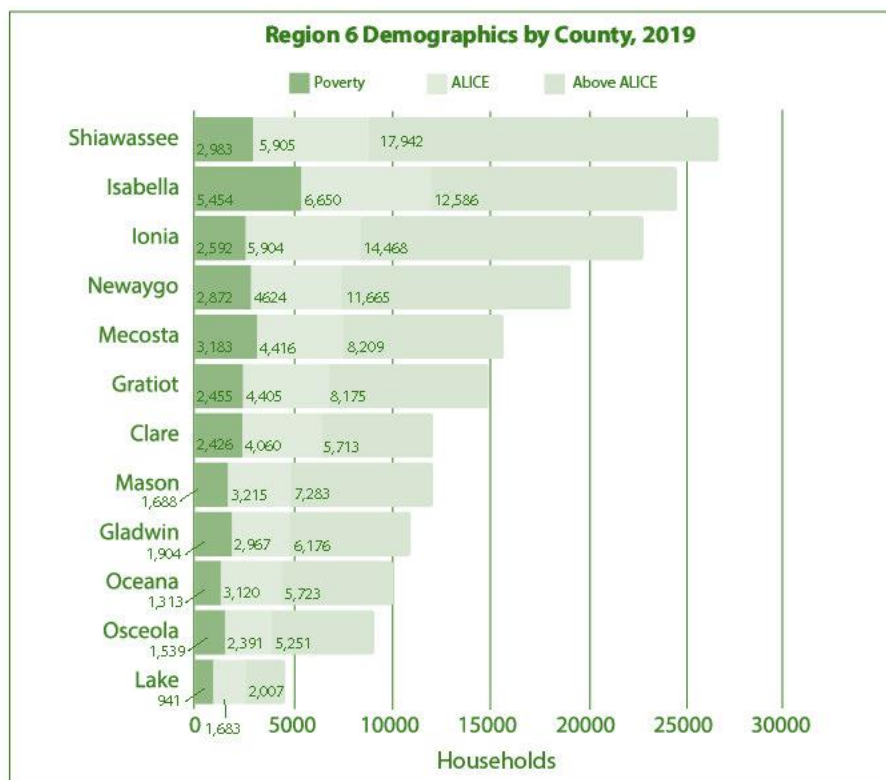
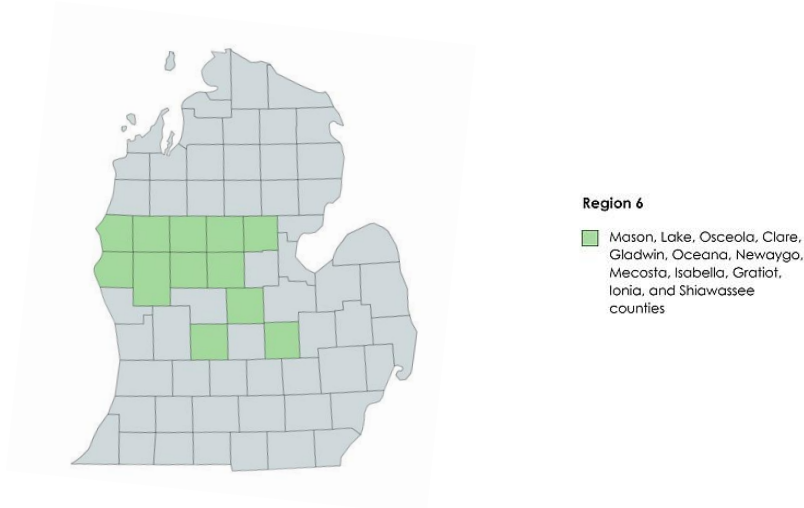
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Region 6

Region 6 (Central Lower Michigan) includes the following counties: Clare, Gladwin, Gratiot, Ionia, Isabella, Lake, Mason, Mecosta, Newaygo, Oceana, Osceola, and Shiawassee.



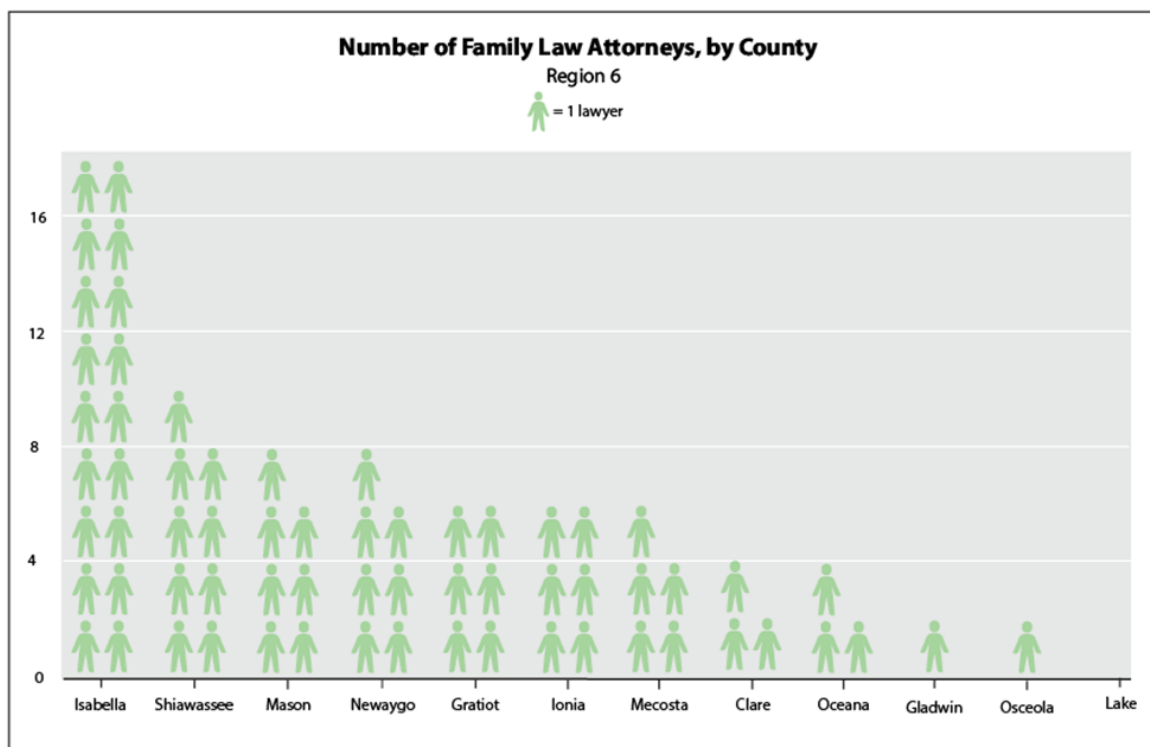
In all of these counties, anywhere from one-third to one-half of households are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs.

<https://www.unitedforalice.org/household-budgets/michigan>

There are four (4) rural community-based programs serving Region 6, providing assistance and support to victims and survivors of domestic violence, sexual assault and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

All but two (Ionia and Shiawassee) of these counties fall within the service delivery area of two tribal nations, either the Saginaw Chippewa Indian Tribe or the Little River Band of Ottawa Indians. Services may include financial assistance to purchase clothing, personal hygiene items, and other items, legal and medical advocacy, healthcare treatment, counseling, and assistance with securing emergency shelter.

Data from the State Bar of Michigan indicates that there were 66 active family law attorneys practicing in Region 6 in 2022. However, some counties had only one, and one county (Lake) had none.



Section Demographics: Family Law (michbar.org)

Region 6 Participant Feedback in Listening Sessions

Feedback on gaps and barriers for victims/survivors accessing legal services.

The majority of rural community participants stated that divorce, custody, and PPO's are the top three areas of need.

- Currently there are five practicing attorneys in one county, and two of those are part-time. With only five attorneys, there is potential for conflict of interest. If the attorney represents a victim, then the attorney could be conflicted out from representing other clients.
- Many victims do not meet the criteria for legal services. Legal services have one CVLAP funded DV attorney who is able to take clients regardless of income level as long as they are DV survivors, but generally speaking, legal services cannot help those with incomes over 200% of the federal poverty level. Legal Services can serve only 1/3 of qualifying applicants. That means for every 100 applicants, only 33 are served. That leaves many victims without legal representation.
- Legal services covers Gladwin County, but they have not represented many victims in court. They do not have enough attorneys to handle the caseload. Victims are able to call them for advice but there has been limited legal representation by the legal services program. They can also provide help with housing issues.
- There is a general lack/shortage of attorneys in the area and there is a specific dearth of attorneys that are knowledgeable about DV/SA and supportive in the language and approach to justice that the agency seeks for clients.
- The pool of pro-bono attorneys or low-bono attorneys is very limited.
- It is expensive to hire an attorney, it can be \$500 for an initial meeting and the majority of the clients are unable to afford it. Even when clients have the resources to pay for legal services, there are only a few attorneys who can offer legal assistance.
- Public transportation in a rural community may be non-existent or if available, be inadequate because of location of victim's residence or hours of operation.

Feedback on how programs utilize available resources

- Programs provide support to victims/survivors and have been able to assist some of the victims/survivors with legal representation under a legal services program that was created with COVID funds. There is a private attorney that assists with the program. A rubric is used to determine need and how the funds will be distributed. Victims and survivors can also call the private attorney to ask questions.

- Advocates and staff use legal forms from the Legal Help website. These forms are helpful for cases involving divorce, child custody, PPO's, fee waivers, and hearing request forms. The program uses the Michigan Legal Help website to assist clients in identifying the documents needed to file for their case and assists clients with navigating the filing process. When advocates are unable to identify the documents and assist clients using the Michigan Legal Help website, the program pays for clients to get an initial consultation with a lawyer to provide legal advice on how to proceed.
- Law enforcement provides the PPO service of process. There is no cost for service of process when the PPO involves victims of sexual assault or intimate partner violence. This provides one level of safety to the victim knowing the PPO has been served. This is not always the case in other areas of the state.
- At least one community-based services program also provides transportation assistance and court accompaniment for victims/survivors. If the client has access to a vehicle, the program will pay for a gas card.

Feedback on Technology

- Internet is not always available in the region. In rural communities where internet is available, initial court hearings through Zoom work well, especially for those who don't live in cities or towns where the court is located. The program can provide office space for the victim in order to attend hearings.
- If a victim needs access to internet and computer for a PPO or divorce/custody, the program can offer access to victims. Phone, email and other electronic methods are useful when communicating with victims/clients in remote locations. The lack of internet access in rural areas is a barrier to utilizing this method of contact.

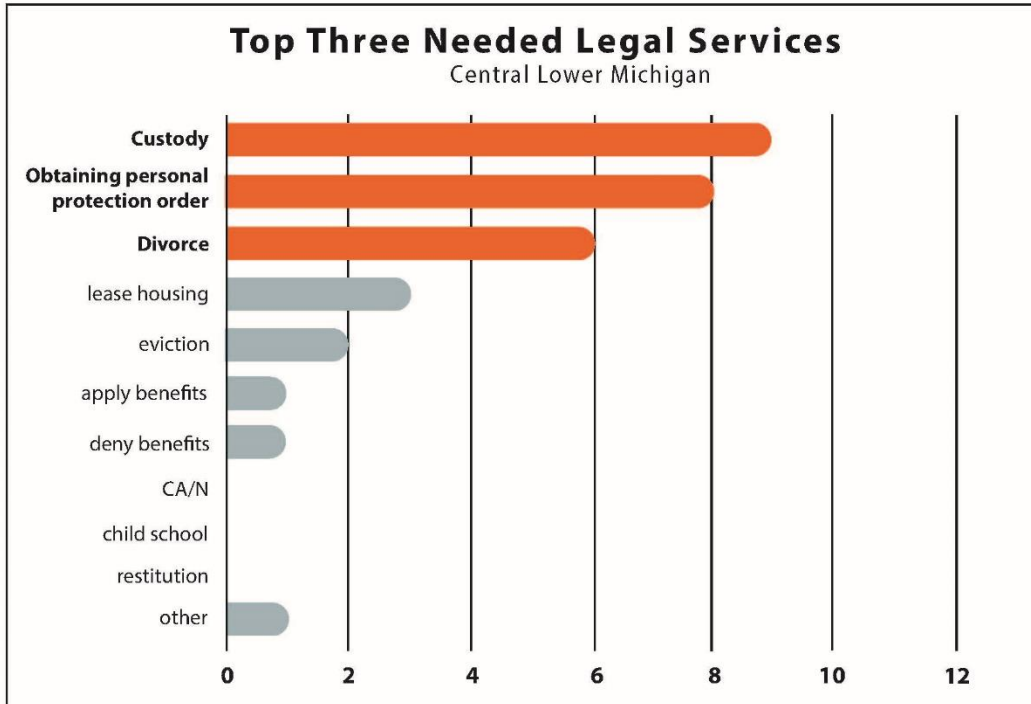
Feedback on collaboration in their community

- Some participants stated that collaboration is ongoing with the tribe. The program currently has a Memorandum of Understanding (MOU) with the one of the tribes and works closely with the Tribe sharing clients and resources. The MOU is renewed annually.
- Another rural community program would like to know more about the Tribe and learn more about services the Tribe provides in order to provide the best services to the victims.
- One rural community program frequently collaborates with a tribe. The tribe provides smudge kits, these kits include an abalone shell and sage that the program can give to victims/survivors. Efforts

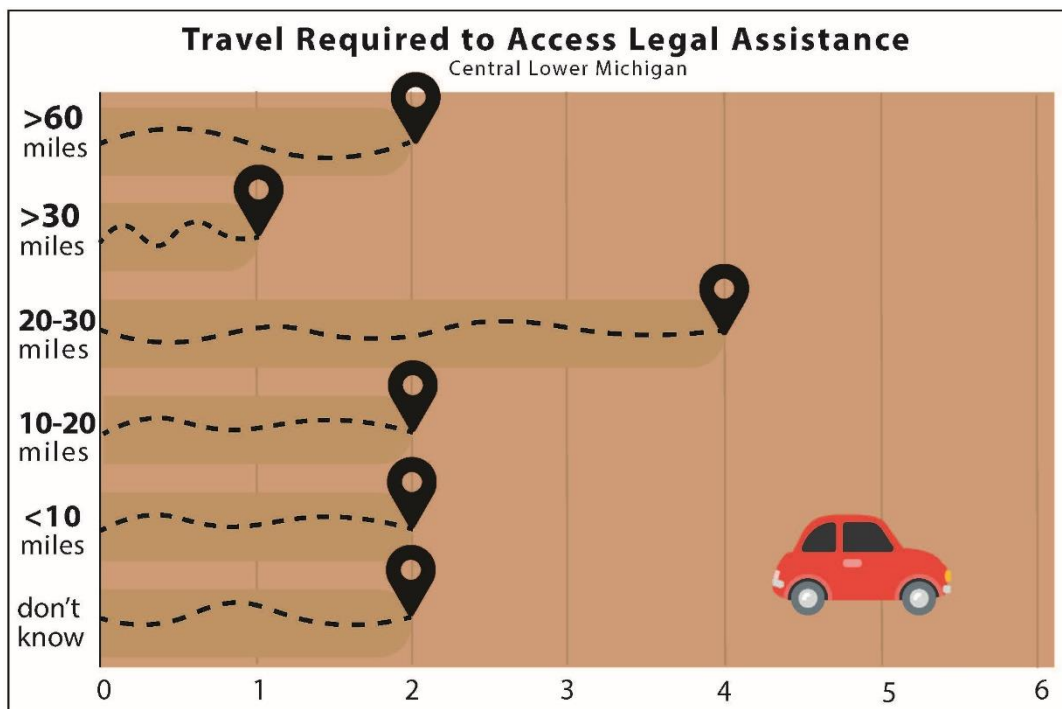
are made to honor the culture and this collaboration is working well.

Recommendations from Region 6

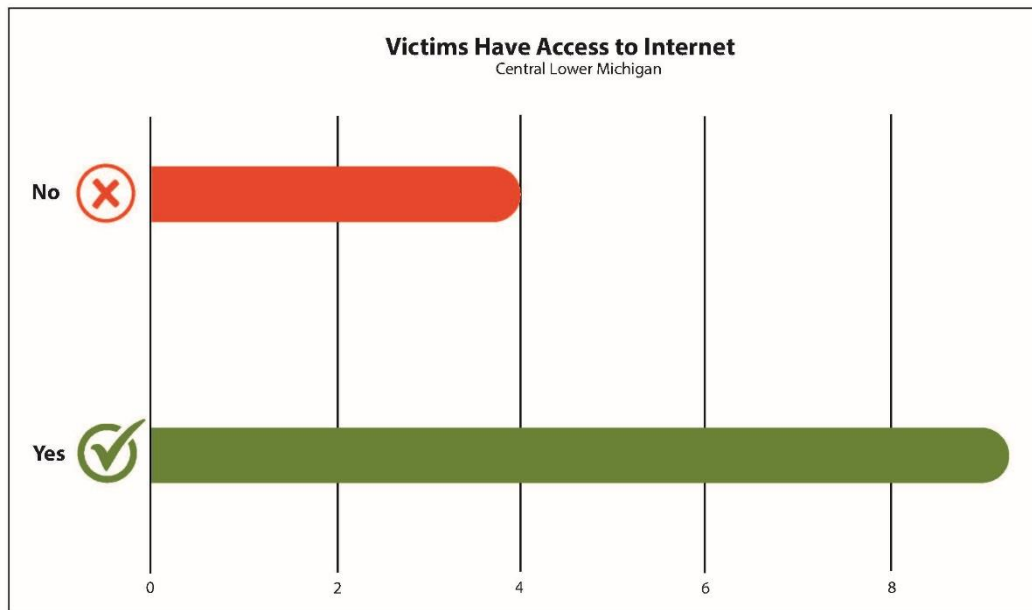
- Fund programs that hire private process servers who can do the service of process for PPO's. This could reduce barriers related to service of process, especially in jurisdictions where law enforcement officers will not serve PPOs.
- Providing supplemental funding for attorneys who agree to charge clients a reduced rate, i.e. partially subsidizing an attorney's fee with grant funding.
- Some counties have legal assistance centers, these are collaborative programs between Michigan Legal Help and another entity, typically a library, courthouse, etc, where clients can access computers and high-speed internet at no cost to address their legal needs.
<https://michiganlegalhelp.org/organizations-courts/self-help-centers>
- Contact the local bar association to make them aware of the need for attorneys and consider possible opportunities for collaboration with attorneys to provide pro-bono services or offer discounted fee rates for their services.
- Provide internet access to rural regions in Michigan. There are counties that currently do not have cell service or internet access, this prohibits victims and survivors from being able to attend Zoom hearings or being able to contact an attorney when needed. In these circumstances clients will often drive to a school or a library to use the internet. Providing virtual legal services to clients can be very beneficial such that clients can take meetings with attorneys who can provide legal advice and orientation on their case.



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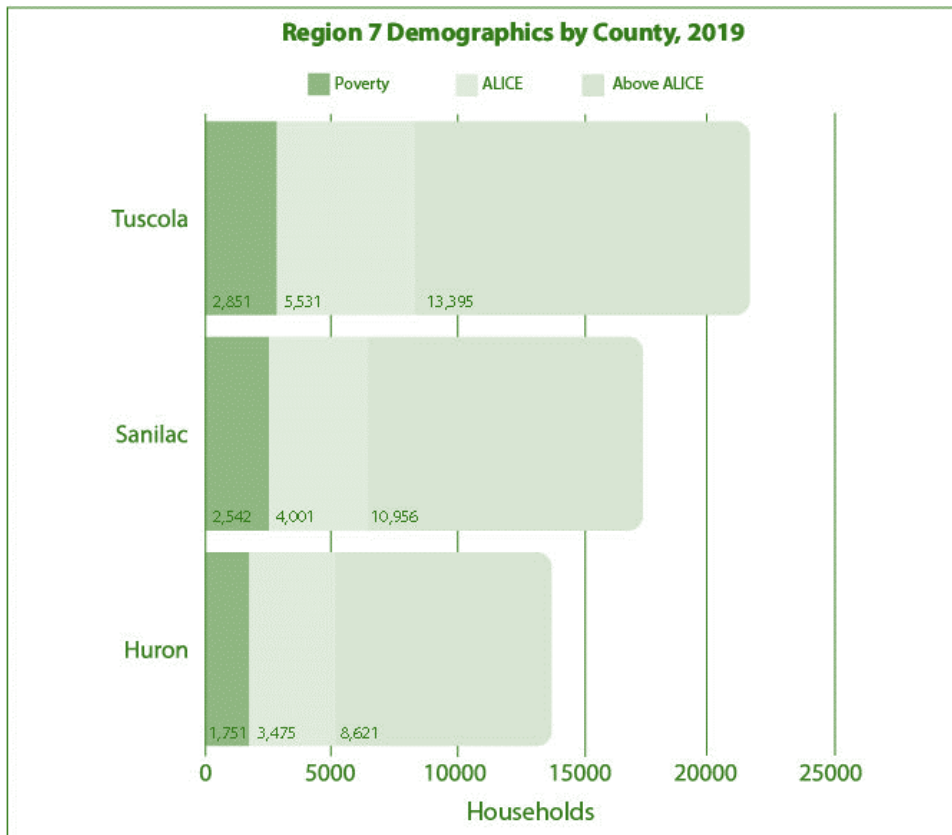
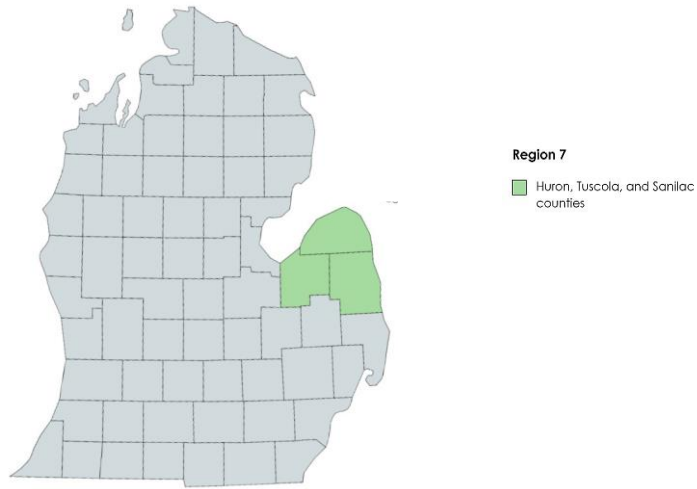
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Region 7

Region 7 (Thumb Area) includes the following counties: Huron, Sanilac, and Tuscola.



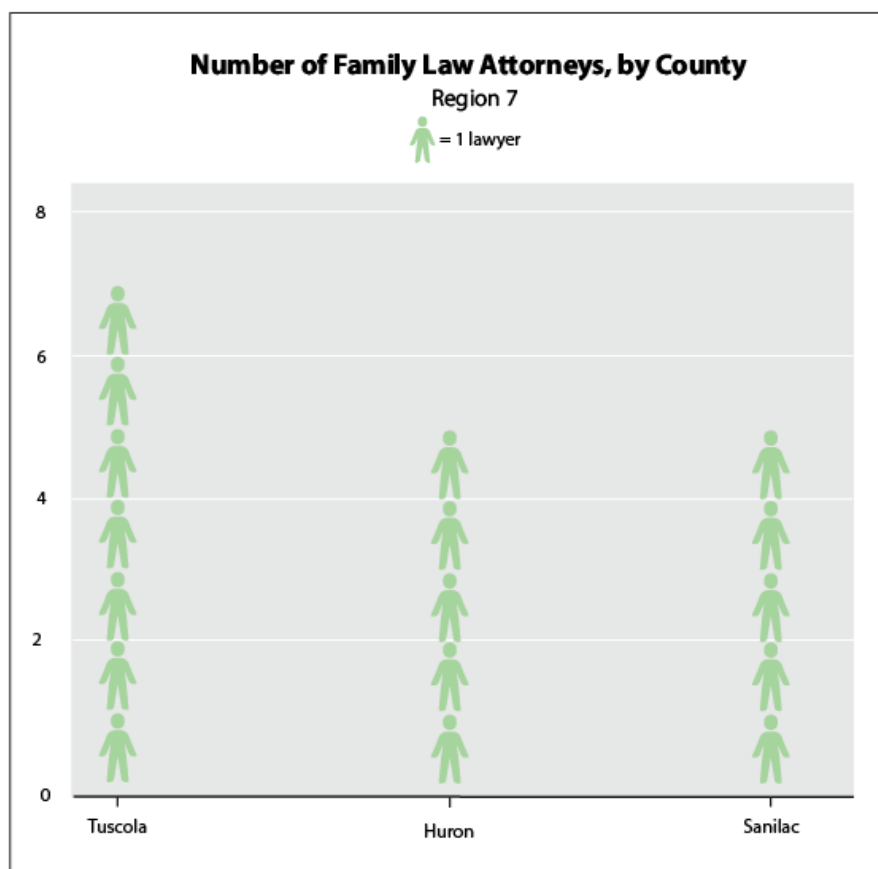
Approximately one-third of households in these counties are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs.

<https://www.unitedforalice.org/household-budgets/michigan>

There are two (2) rural community-based programs serving Region 7 which provide assistance and support to victims and survivors of domestic violence, sexual assault, and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

These three counties are not considered to be within the service delivery area of any of the 12 federally recognized tribes in Michigan.

Data from the State Bar of Michigan indicates that there were 7 active family law attorneys practicing in Region 7 in 2022.



Section Demographics: Family Law (michbar.org)

Region 7 Participant Feedback in Listening Sessions

Feedback on gaps and barriers for victims/survivors in accessing legal services.

The majority of rural community participants stated that survivors need support for securing Personal Protection Orders (PPOs), legal representation for custody cases, divorce cases, and property disputes. In the last quarter (of 2021), 54 out of 91 clients sought services at one program for DV-related cases. Ten 10 were sexual assault survivors, and one was stalking. About 50% of survivors are seeking legal representation for divorce and custody cases.

Victims/survivors often do not know how to proceed with divorce and child custody issues and need legal information and support.

- The free legal services (Lake Shore Legal Services and Legal Services of Eastern Michigan) in the area have not been able to take clientele for a long time (about 2 years) because they do not have the attorneys available to take on additional clients and are handling their current caseload. Even when they take on new cases, they rarely work on custody or divorce cases because these types of cases are time consuming and take longer than other types of court cases. They are more likely to take eviction cases due to the shorter timeline.
- When survivors cannot afford legal fees, they are most likely unable to access any legal services. These limitations result in many survivors having no way to get a divorce or initiate a child custody case except when they represent themselves, which can be difficult to get through.
- There are no in-house resources for victims and survivors that have child custody/divorce or any other civil/legal needs that arise from their victimization. This is a gap because many of the victims and survivors need assistance with legal matters after leaving an abusive relationship or having been a victim of sexual assault or stalking.

Feedback on how programs utilize available resources

- In one county there are good working relationships between law enforcement, the local prosecutor office and victim advocates. Open lines of communication have been very beneficial for ensuring successful criminal prosecution. Victim advocates provide information and support before trial, as requested by the victims or survivors. The police and sheriff's office provide victims/survivors with a victim's rights card and make appropriate referrals to the Women's Center and the MSP crime victim advocate.
- The Women's Center assists survivors who are applying for Personal Protection Orders (PPOs) to help them navigate that process. The Women's Center offers

support to victims/survivors throughout the PPO service process. Survivors can come into the office to complete paperwork to apply for the PPO. The agency then transports the paperwork to the court clerk's office and if the PPO is signed, the agency takes it over from the clerk's office to the Sheriff's office for service. When there is no address for the offender, it can get difficult as the responsibility is then placed on the survivor to find a process server because the sheriff's office will only attempt service three (3) times. The survivor is also sent a bill by private process servers for the fee of the service of the protection order.

- The shelter previously had a three-year contract with Lake Shore Legal Aid (Lake Shore had secured a grant) as the attorney on record for most of the divorce and child custody cases. This collaboration was across several counties and the project went well until COVID-19 disrupted the project. During the start of the pandemic, Lake Shore Legal Aid had a change in leadership and relinquished the service area to Legal Services of Eastern Michigan. Legal representation diminished, and the services provided by Legal Services of Eastern Michigan were inconsistent. They are only able to provide a limited scope of legal assistance, so they pick and choose the cases they take on.
- The state previously allowed community-based service providers to use VOCA funds to contract with or hire attorneys to provide legal assistance. The shelter hired an attorney who was able to provide legal assistance to clients who wanted legal support even when they did not want to access mainstream DV services. This was successful until the state stopped funding in-house attorneys for DV organizations.
- The shelter provides legal advocacy by directing victims/survivors to Michigan legal help website for relevant issues - the site is easy to navigate and understand.
- Law enforcement waives fees for service of process for clients located in the county. This resource alleviates a financial barrier for the victim/survivor.

Feedback on Technology

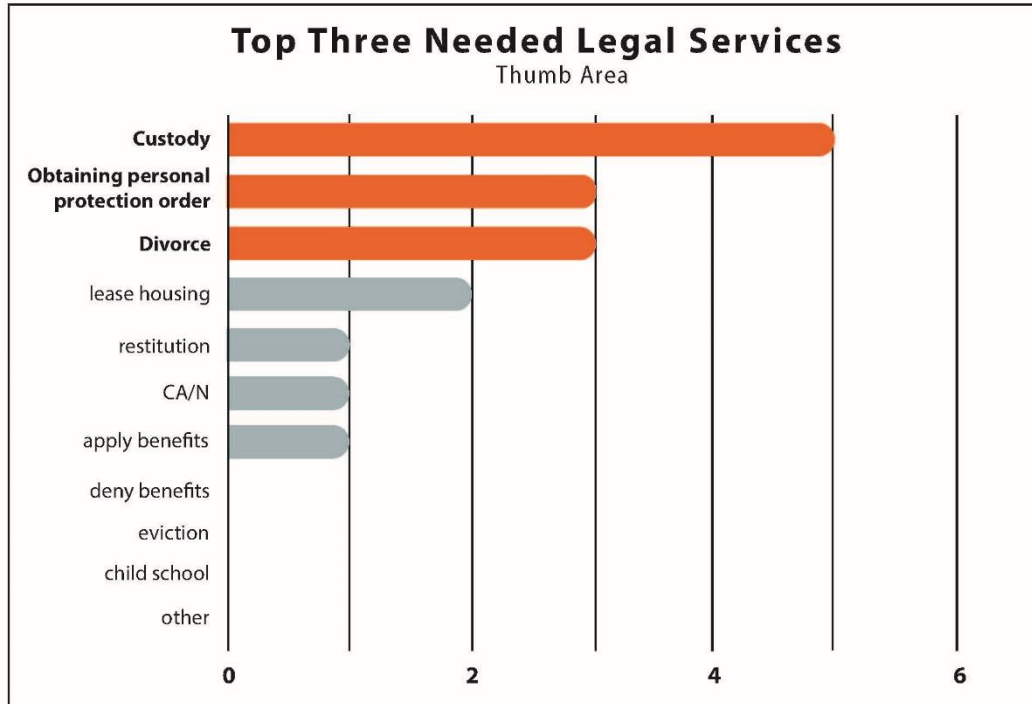
- Technology is useful in removing barriers in areas that have reliable internet access. Program staff directs victims/survivors to the Michigan Legal Help website for information on documents needed for their cases.
- There are many low-income families who do not have access to the internet and are unable to utilize this resource.
- Older clients who are not knowledgeable about using technology may face additional barriers to accessing services in remote or rural communities.
- Even when internet service is available in an area, many victims/survivors on fixed incomes cannot afford it. Many victims/survivors coming into shelter do not have working phones. Many victims/survivors also do not have access to a printer and so even when they are able to access legal documents online, they are unable to print them.

Feedback on collaboration in their community

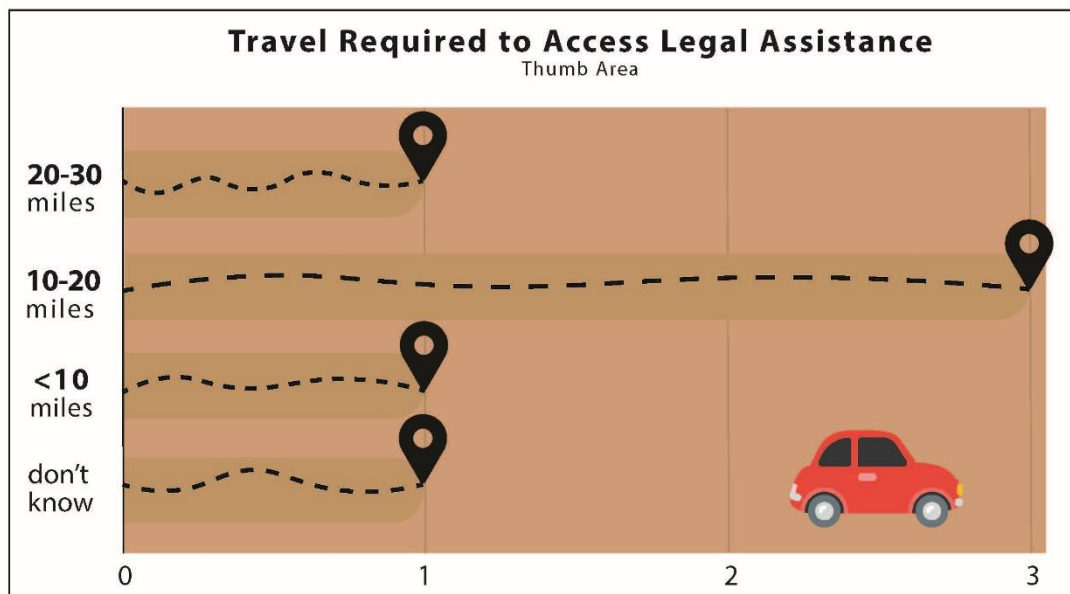
- Currently there is no collaboration between rural community-based service providers and tribes. Demographically, American Indians/Native Alaskans represent a small percentage of the population in these areas. The community-based programs are working to ensure inclusivity and understand the needs of diverse groups to be able to respond accordingly. Community service provider participants expressed being open to any resource for serving Native communities. If a Native victim/survivor seeks services from the program, the program will reach out to other organizations that have more experience serving Tribal communities.

Recommendations from Region 7

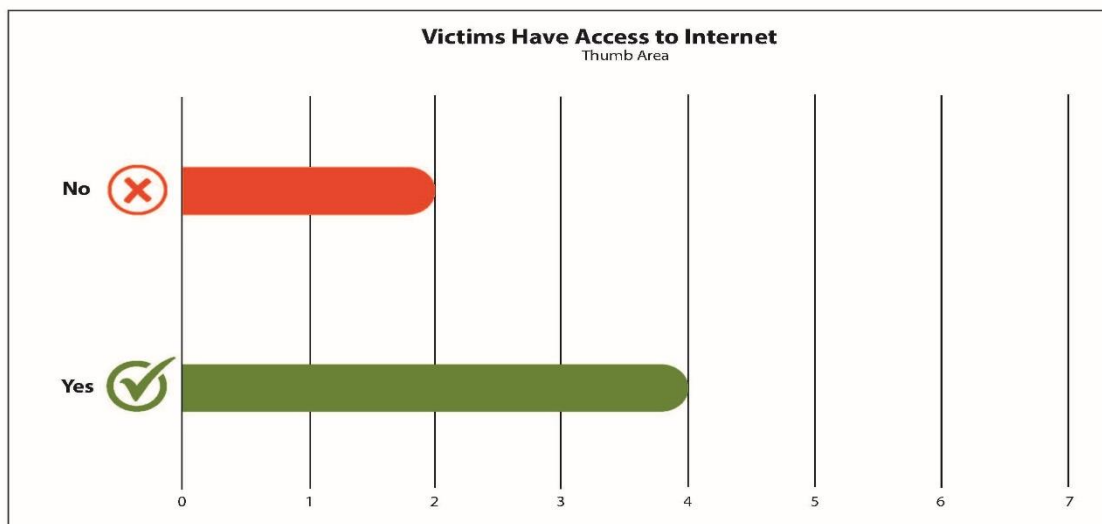
- Provide a legal service fund to help survivors pay for legal services.
- Increase funding for the Women's Center to hire full-time staff attorneys who would be readily available to provide legal services to survivors. Have designated staff attorneys within the agency provides stability for survivors and allows survivors the opportunity to develop trusting relationships with their legal representatives.
- Provide specialized training on domestic violence and sexual assault for attorneys working with victims/survivors. Attorneys should understand the dynamics of power and control, trauma-informed practices, etc.



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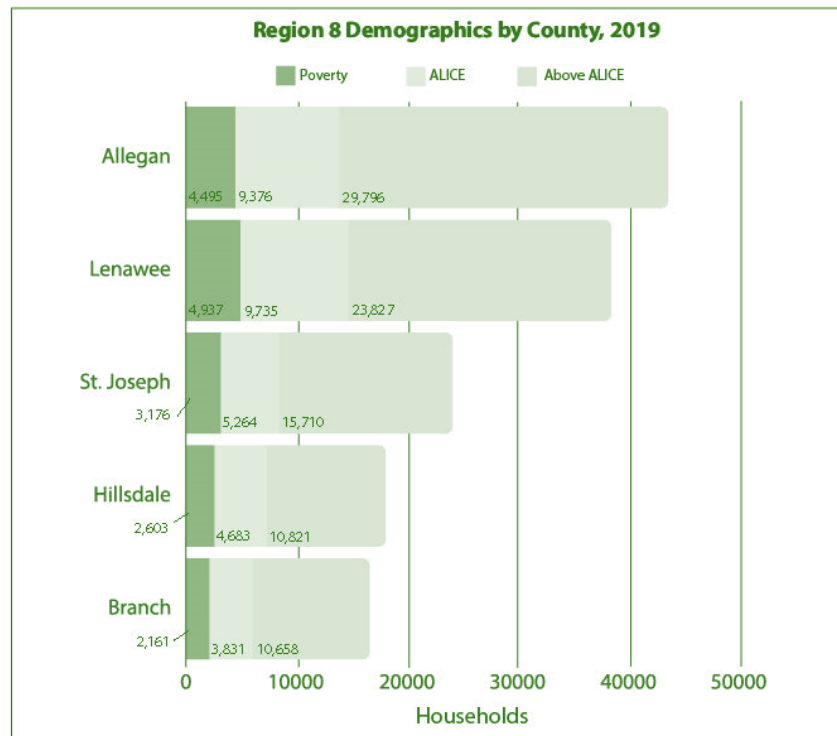
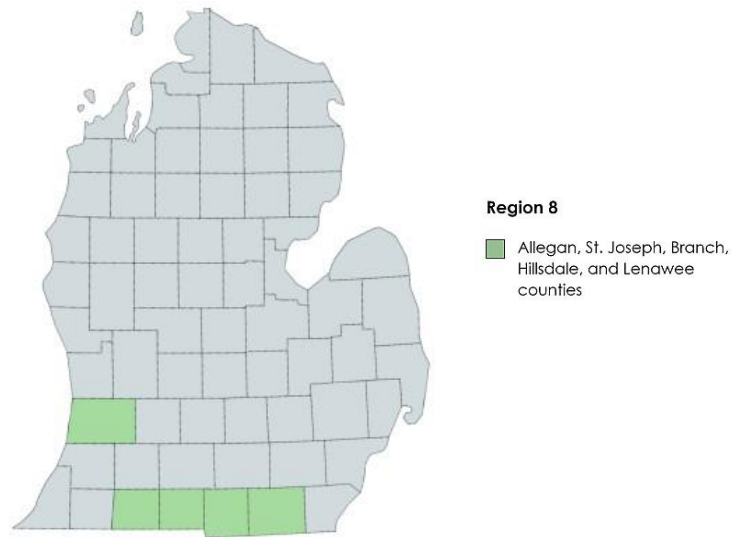


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Region 8

Region 8 (Southern Lower Michigan) includes the following counties: Allegan, Branch, Hillsdale, Lenawee, and St Joseph.

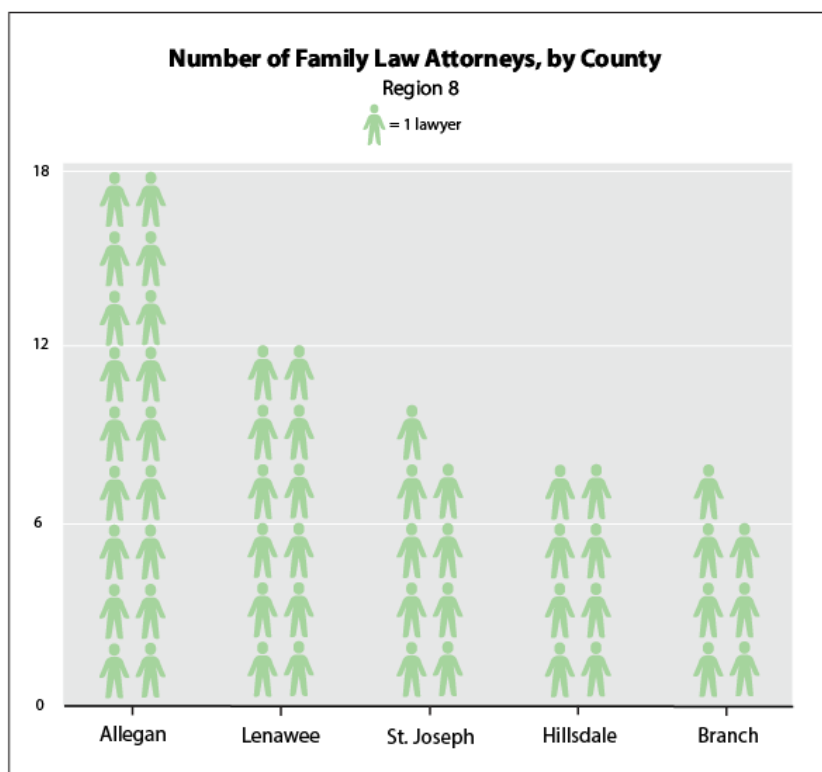


As with Region 7, approximately one-third of households in Region 8 counties are making either only enough (ALICE Household) or not enough (Poverty Household) to meet basic household needs. <https://www.unitedforalice.org/state-overview/michigan>

There are five (5) rural community-based programs serving Region 8 which provide assistance and support to victims and survivors of domestic violence, sexual assault, and stalking. Some of the services include emergency shelter, legal and medical advocacy, therapy and group counseling, community education and awareness, and support groups.

Two of the counties in Region 8 (Allegan County and Branch County) fall within the service delivery areas of three tribal nations – the Gun Lake Band/Match-E-Be-Nash-She-Wish Band of Potawatomi, the Pokagon Band of Potawatomi Indians, and the Huron Potawatomi/Nottawaseppi Huron Band of Potawatomi. Services may include financial assistance to purchase clothing, personal hygiene items, legal and medical advocacy, counseling, and assistance with locating emergency shelter.

Data from the State Bar of Michigan indicates that there were 54 active family law attorneys practicing in Region 8 in 2022.



Section Demographics: Family Law (michbar.org)

Region 8 Participant feedback in listening sessions

The majority of rural community participants stated that divorce, custody, and housing evictions are the top 3 areas of need. It was stated that 90% of domestic violence cases include elements of sexual assault and stalking.

Feedback on gaps and barriers for victims/survivors in accessing legal services.

- The lack of Legal Aid and not having adequate resources to meet the needs of victims/survivors. The funding available is inadequate and the Legal Aid office often tries to make the funding go as far as possible, but this means that some cases must be prioritized over others. Ultimately, many victims and survivors go unserved.
- Not enough attorneys are willing to volunteer their time, and too many victims/survivors cannot afford attorneys. Legal representation is expensive, and the cost is a barrier to accessing legal representation, especially for survivors who are over the income limit but are still unable to pay for an attorney.
 - “The real gap is between the cases that Legal Aid can't take and private attorneys won't or don't have the time to take.”
- Other barriers are created when victims are unable to pay for legal services and decide to move on with their lives without getting legally divorced. This can create issues when those victims become involved with a new partner and have children in the new relationship but are still legally married to their ex-partner. The victims may also encounter issues when attempting to access resources such as housing because they are still legally married and may experience difficulties securing services.
- Victims do not have the financial resources to pay for legal support. For example, there might be a custody case where the victim needs to pay the attorney an initial retainer for legal fees. This can be a financial barrier for a victim because it may take a significant amount of time to come up with the funds to pay for the services which in turn creates delays in their case.
- While there are some funds available to provide legal support to victims, the criteria that victims must meet to qualify for services are inefficient. Many of the community residents are ALICE household. While their households earn above the Federal Poverty Level, their cost of living outweighs their earnings, and they struggle to meet basic needs. Income-based criteria for legal services which excludes individuals who earn above the Federal Poverty Level is harmful and causes many victims to fall through the cracks. Victims are left to decide between paying for legal services or paying for their basic needs (e.g., food, rent, utilities, etc.), which is an impossible choice to make.

- Some courts may require that proceedings related to domestic violence be held in-person, this can be a barrier for victims/survivors that do not have transportation.

Feedback on how programs utilize available resources.

- Programs provide support to victims/survivors by using the Legal Self-help Center at the court office which provides legal forms to victims/survivors.
- The court looks for opportunities within the allowances of the law to waive costs for survivors who cannot pay filing fees and there are a significant number of people who get their fees waived. The court also informs survivors of their right to request waivers of filing fees when they meet the requirements.
- The agency offers transportation services to victims. Victims often need help with transportation to attend court meetings and the agency provides vehicles and staff support to transport and accompany the victim. The agency will provide transportation to the hearing, wait until the hearing is concluded and take the victim back home. While the hearing is ongoing, childcare can also be provided if necessary. However, advance notice is needed to schedule transportation for the victim. If the agency does not receive advance notice from the victim, it may be difficult to arrange transport and provide staff support.

Feedback on technology

- Many survivors do not have access to internet technology. This negatively impacts the survivor's ability to communicate effectively with legal aid if they are not able to meet in person and access legal documents/information online.
- Agencies and service providers are committed to providing space and laptops to enable clients to access services via the internet. There is a need to further integrate internet and technological resources into legal services and ensure survivors have expanded access to laptops, phones with web function, and internet access.
- Survivors may not be able to afford cell phones and wi-fi. Survivors still have a difficult time paying for cellular service; even with the availability of COVID-related discount programs. Wi-fi is not considered an essential utility, so programs which can provide funding for utilities may not be used for wi-fi/internet services for survivors.

Feedback on collaboration in their community

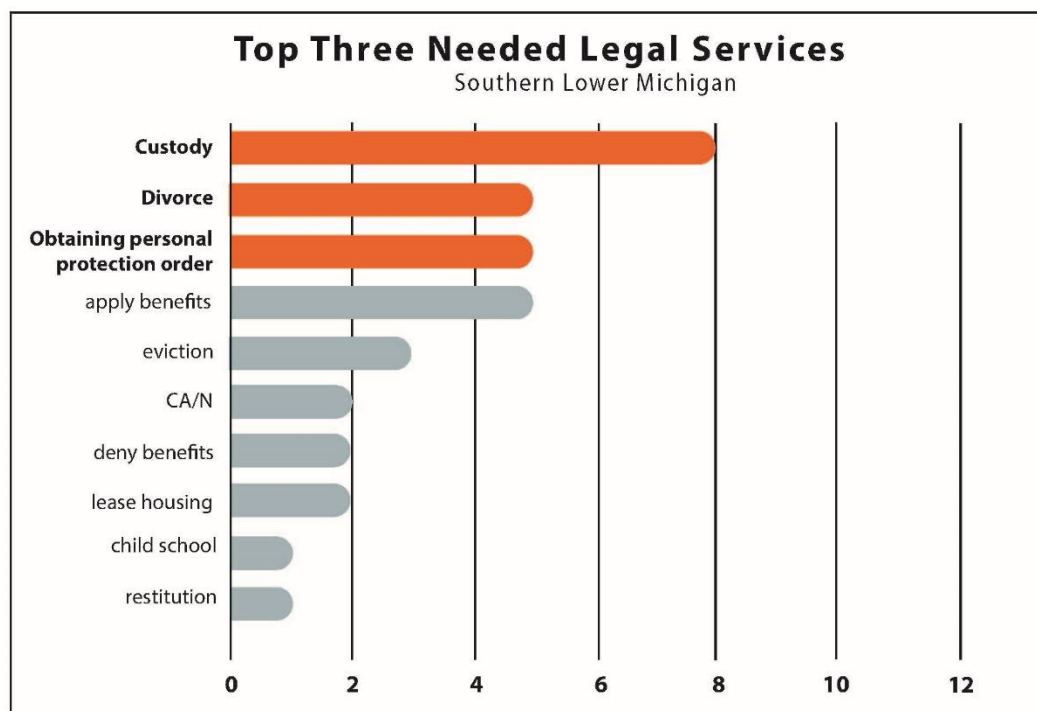
- The participants stated that collaboration between the tribe and county occurs with the SANE program services because tribe does not have a SANE program.

- The tribal social worker is part of the Allegan County Coalition and another coalition, they have good working relationships with victim services providers. There is collaboration happening within the community between the court system and non-profit organizations to meet the legal needs of survivors.
- The Tribe predominantly provides all victim services in-house. However, they often work with local domestic violence shelters, but it is rare for Native American survivors to seek services from the non-tribal programs. Survivors that have tribal affiliation are more interested in seeking services from the tribal program instead of going to mainstream services because of the built-in trust (i.e., they are already familiar with the tribe). The tribal program also has more resources to assist Native American victims and their families. The tribe also refers survivors to support groups and legal services provided by community-based domestic violence programs (e.g., in instances where there is a conflict of interest).
- The tribal program is a member of the CASS county family violence task force and actively works with the shelter in Berrien County.

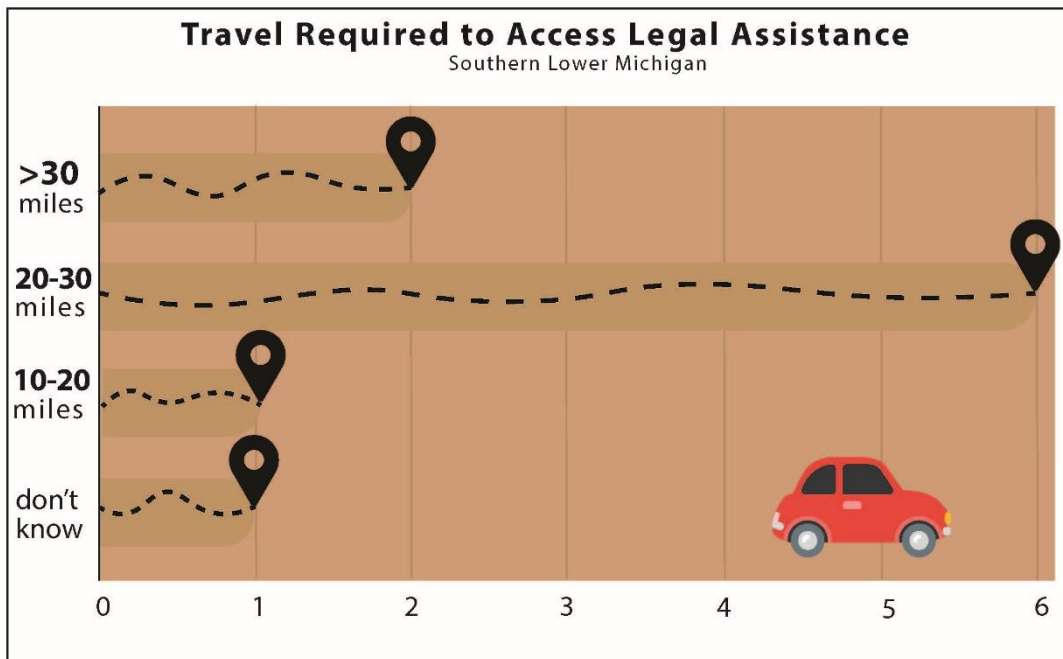
Recommendations from Region 8

- There should be significant increases in legal services funding for court legal help and non-profit legal aid services.
- More funding needs to be available to pay for retainer fees in private attorney cases, especially with child custody and divorce cases where attorneys tend to charge higher retainer fees.
- Develop a volunteer lawyer network for attorneys to provide pro-bono work. The network would serve as a funneling system to directly connect victims/survivors with attorneys who can provide low-cost or free services.
- Ensure that everyone within the system (Judges, attorneys, law enforcement, etc.) receives trauma informed DV/SA training and have foundational working knowledge of working with victims/survivors.
- Establish an office with staff attorneys/legal representatives who are trained on providing trauma-informed legal services to provide walk-in services to victims. Hire staff attorneys and provide competitive salary and benefits. Victims will be able to speak with an attorney about their case and undergo intake, get legal advice and support as needed. In the instances where the staff attorneys are unable to provide legal assistance due to a conflict of interest, the victim will be referred to other lawyers for support. The victim will also be connected to advocates to provide any additional services needed (e.g., housing, counseling, etc.).
- Set up a legal hotline for victims to call in and speak with an attorney to get legal advice and be connected to legal aid as needed. This could supplement the legal self-help website and provide support to victims and survivors. Attorneys could use this to meet their recommended Pro Bono hours of service.

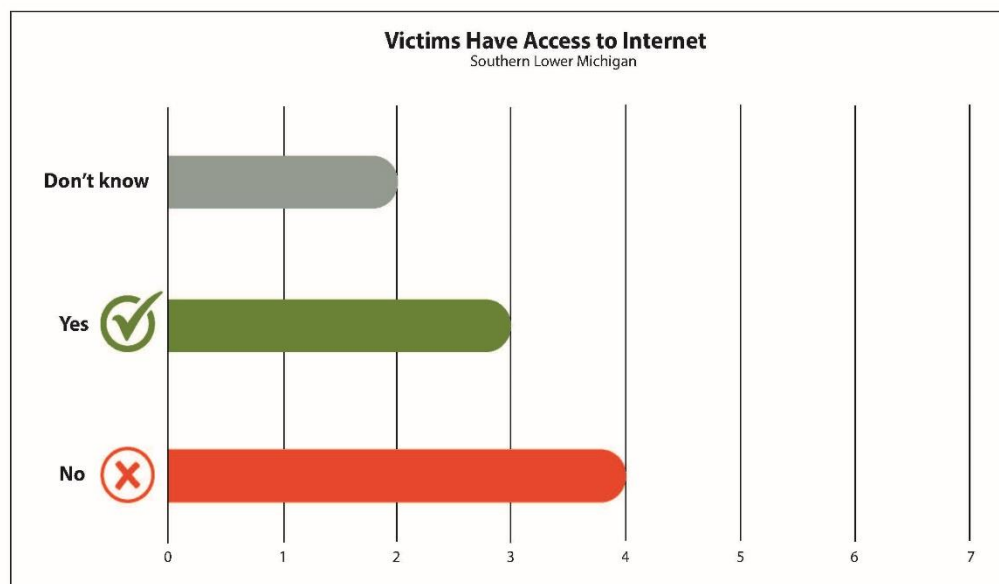
- Operate a legal clinic where attorneys can go to different office locations within the communities on specific days of the week to provide legal services to residents. This would allow attorneys to be present for longer periods of time and provide structure for handling cases in an efficient manner.
- Ensure that every victim has a choice when seeking legal services. Victims will be able to select the attorney they want for their case and be empowered to make decisions about their legal defense instead of being assigned to who is available.
- There isn't a legal aid physical presence, an office, in our county. In other counties someone from legal aid comes once a week. That is something that would be helpful in our county, if we could have an attorney who was devoted to being at our office one day a week or met with survivors at community library.
- Hire legal-aid attorneys based on the county where the program is located based on client needs.



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Tribes of Michigan

Representatives from 9 of the 12 federally recognized tribes participated in talking circles facilitated by the Liaison during this project. Although the following sections are broken out by the regions previously identified, the information in each section should be read with the understanding that many of these regions fall within the service area of more than one tribe.

Tribes located in Michigan are sovereign nations and are an integral part of the communities where they are located. Tribes participated in and provided valuable information during the listening sessions and talking circles

REGION 1

Service area of the Keewanaw Bay Indian Community and the Lac Vieux Desert Band of Lake Superior Chippewa Indians.

Participant feedback in talking circles

Feedback on gaps and barriers for victims/survivors in accessing legal services.

Tribal participants identified divorce and PPO's as the primary areas of need for tribal victims.

- For victims in the tribal community, during holidays and weekends the tribal offices are closed. Victims and survivors are unable to get a PPO and must wait until the next business day. This leaves the victims and survivors and their family vulnerable.
- Unless there is an ongoing case, there is no attorney to provide legal advice to survivors. Victims and survivors often have legal questions but may not have retained any attorney. Having access to an attorney would be helpful in order to address initial questions or concerns that clients may have.
- The program is unable to provide legal representation on child custody cases when the victim or survivor is a tribal member resides out-of-state because of jurisdiction restrictions. Not all tribal citizens live within the tribal reservation and those who don't live inside the reservation area may not qualify for programs.
- Victims/survivors who do not meet the income eligibility guidelines are unable to access legal representation through legal services. Income eligibility affects

not only rural community programs but also tribal citizens living on the reservation. ALICE clients are not eligible for services which creates a gap in victims receiving adequate civil legal representation.

- When victims/survivors are unable to find legal representation, they often represent themselves in tribal court. Victims and survivors have experienced a traumatic event and are not always able to comprehend the court process and procedure. This may leave the victim and survivors at a disadvantage in legal proceedings.
- Housing is very scarce. There is limited availability of housing which is problematic for victims and survivors who are housing unstable or homeless. When a victim or survivor has decided to leave the relationship, housing is an important component in maintaining security. When housing isn't available then a victim or survivor has to determine how they will establish it.

Feedback on how programs utilize available resources

- The tribe continues to research grant opportunities as well collaborate with other agencies.
- Legal advocates and victim advocates work with victims and survivors to help them understand the paperwork for PPOs and how to file for them.
- The tribal program provides legal representation for child custody cases and accepts anyone that is a federally recognized tribe member. This is an exceptional program and supports victims with custody issues that most victims and survivors have during a divorce.
- Survivors can access legal representation and work with an attorney if they are income eligible based on the restrictions of grant funding.
- The program has a working relationship with a local university social work program where students are taught courses on topics related to domestic violence and sexual assault. Students from the social work degree program are placed as interns within the Tribal program. This provides another resource to victims/survivors and the community, who understand the issues of domestic violence, sexual assault and stalking. This can make the victim and survivor feel supported as they navigate the emotional, legal, and personal changes happening in their life.

Feedback on Technology

- Because of COVID-19, many services are being offered virtually. Many victims/survivors who receive legal support from the program are comfortable using computers to hold zoom meetings with attorneys. Victims/survivors who are imprisoned are also able to use virtual technology for court hearings which is helpful.

- However, there are still limitations because not all clients have access to technology and the lack of physical communication between the client and attorney can negatively impact the ability of victims/survivors to build trust with the attorney.

Participant feedback on collaboration in their community

- The tribe collaborates with the shelter (e.g., Marquette Women's Shelter) and legal services programs and is open to more collaborations with service agencies.

Recommendations from Tribes serving Region 1

- Victims/survivors should be able to get legal assistance regardless of the state in which they reside as long as they are tribal members. Create a federally recognized network to provide legal help to victims/survivors who are Tribal members residing in other states.
- There should be a structure in place for the tribal courts to ensure that victims/survivors can get a PPO in emergency situations. This can be accomplished by a meeting with court personnel, victim services personnel, and administration to discuss the need and possible solutions.
- Provide funding to hire a staff attorney on a full-time basis to provide legal services to victims/survivors. The attorney would be able to travel to different communities on rotation. One attorney could work for multiple tribal communities and be in the office one day each week, this would provide victims and survivors with legal advice and representation in tribal court when necessary.
- Courts, prosecutors, and attorneys working with victims/survivors should receive specific training on domestic violence and how to work with survivors as clients. The trauma survivors have experienced can affect their relationships with those who work in the legal system.
- State agencies, service providers, and attorneys may not have experience with tribal government operations and tribal court procedures. The court should set up an orientation program for attorneys and outside agencies, to provide information on tribal services, court processes and. This type of engagement will also enhance relationships between attorneys, state and tribal agencies, which will benefit victims and survivors.
- Provide resources and support to establish a collaborative project between the tribal community college where the college offers courses, trainings, and certifications on topics related to domestic violence and sexual assault. This will further enhance relationships between service providers, the legal community, law enforcement, court personnel, and state agencies.

REGIONS 2 and 3

Overlapping service areas of the Keewanaw Bay Indian Community, Hannahville Indian Community, Little Traverse Bay Bands of Odawa Indians (LTBB), Bay Mills Indian Community, and the Sault Ste. Marie Tribe of Chippewa Indians.

Participant feedback in talking circles¹⁸

Divorce, child custody and child support, housing (evictions), and restitution were identified in the talking circles as the primary areas where survivors need legal assistance.

Feedback on gaps and barriers for victims/survivors in accessing legal services

- There is a lack of attorneys in the community available and interested in providing legal help to victims and survivors. Across the community, there are probably only four attorneys who would be involved in domestic violence cases. The lack of attorneys is reflective of a larger issue around the shortage of professionals in the area. Michigan Bar Association membership statewide is in decline as many attorneys are retiring or taking other positions and not being replaced. Attorneys are also hesitant to move into the area because of the location.
- One of the biggest issues that survivors and victims' face is financial instability. There are a lot of expenses survivors incur when trying to leave abusive situations. Leaving an abusive situation can be a financial hardship for victims and having to hire an attorney for custody or divorce-related proceedings can be a source of concern.
- Victims may not have money to pay for filing the divorce paperwork. While victim service agencies may be able to access grants that could be used to cover some victim-related costs such as transportation and transitional housing, victim service agencies may not be able to provide financial support for legal needs if this is not specified within the grant. For example, if a victim comes in and needed \$50 for filing fees for a divorce and \$50 to put gas in their car, the grant may only allow the agency to pay for gas and not the fees associated with the divorce filing.
- No public transportation system is available to victims. Some victim service agencies are located in areas that are withing walking distance of housing centers. Victim services can provide transportation for clients. However, due

¹⁸ In addition to what is reflected in talking circles for Region 1, this section reflects combined feedback and recommendations from the four additional tribes whose service areas include Regions 2 and 3 .

to the increased workload and staffing issues, advocates are not always available to provide transportation services. In such instances, victim services may provide vouchers/financial support for victims to utilize rideshare options.

- Victim services program is unable to pay for home-based internet access for clients because the cost of this service is not considered a basic utility. Clients are responsible for paying for internet, which they may not be able to afford.
- Housing evictions: DV victims are being evicted and do not have legal representation.
- Custody cases (child support, custody): DV victims are being charged with abuse/neglect in tribal court and may have child issues in state court.
- Restitution issues: There are no standard forms for tribal court, victims use state court forms when filing for restitution through small claims.
- Competing services and resources – tribal and state services. There are multiple resources and victims may not be aware of what's available and program are not always up to date with what each may provide.
- A legal services attorney position remains vacant because of low wages and remote location , which creates issues for victims as representation is difficult enough. Legal Services is supposed to have an office in Marquette, but it has not been able to hire and sustain attorneys. This could be attributable to wage, location, case load, large service area, etc.
- Living in the Upper Peninsula means more travel vs living in city where courthouse is close. If reporting is done by caseload, attorney's working in the UP do not have same caseload but attorney travel further and more frequently because the rural locations of victims and courts.
- PPO service of process issue: when court issues PPO, then the tribal police serves it because the county does not provide service of PPO.
- Legal services program:
 - It has not been able to represent victims in tribal court.
 - Native victims can be reluctant to work with attorneys.
 - The intake and screening process can rule out representation for victims with extensive issues.

FParticipant feedback on how programs utilize available resources, and on technology

- The National Tribal Trial College (NTTC) offers a 20-week free certificate training program for tribal advocates through the University of Wisconsin Law School. The program trains advocates on advocacy for civil cases. Participating in this training allows advocates to gain relevant skills to help with personal protection orders (PPO), custody and divorce cases, etc. This can be a great resource for tribal communities where non-attorney advocates are allowed to practice in court.

- Victim services program has been able to help clients get mobile devices that can access the internet. This allows survivors and victims' to access information about resources and services that may be available to them without having to travel to a physical location
- The agency also has spare laptops available to survivors — survivors can come into the agency to use the laptops to access the internet and apply for programs (e.g., food stamps). However, the capacity to provide these services is limited.

Recommendations from Regions 2 and 3

- To address the financial problems survivors encounter related to legal services, the state could allocate funding for victim services program to hire a staff attorney to provide legal assistance to victims.
- Offer incentives or higher salary for attorneys working in rural UP, in order to both hire and retain attorneys.
- Provide funding to support bringing in an attorney on a consistent basis to meet with tribal members and answer any questions regarding the legal process(es) that they might have.
- When possible, hold virtual meetings between the attorney and victim which will lessen travel time for the attorney and create more flexibility in setting appointments.
- Provide support for the development of an independent website/webpage that will serve as a central platform for tribes and local programs to share information and resources. The site should also include educational materials and information on victims' rights.
- Provide support for the digitization of service forms.
- Courts – not victims -- should be responsible for arranging service of PPOs.
- Increase funding and support for DV service programs to hire additional personnel to physically transport survivors and provide funds to survivors to assist with the cost of gas and car insurance. Expand existing transportation services to include service areas that cover multiple towns and surrounding areas.
- Increase funding and support for programs to offer childcare support to survivors who need to attend meetings, court hearings, etc. Provide funding and support for tribal communities to explore options for providing licensed daycare programs in the area.
- Provide funding to increase the capacity of community-based programs to provide phones with prepaid internet access to survivors.
- Victim services from state and tribal organizations could be organized by one person. It would be helpful if there was an updated list of services for victims to ensure they are aware of all available services.
- Transportation assistance would be helpful for rural areas in the UP. Providing transportation assistance to victims for appointments and hearings would greatly reduce barriers that victims face in utilizing available services.

- Supportive services could offer off-site services in rural areas; example, offer treatment courts or services at other locations within communities (examples: schools, local administrative offices, or vacant office space).
- Providing legal assistance to victims in child welfare proceedings in instances where the victim is not the offending parent, to address custody and parenting time issues that are outside the scope of the child welfare proceeding.

REGIONS 4 and 5

Participant feedback in talking circles¹⁹

Feedback on gaps and barriers for victims/survivors in accessing legal services

- One tribe stated that victims who request services are 75% DV victims, 15% sexual assault, 5% stalking, and 5% dating violence.
- For victims in the tribal community, there are PPO issues which can have a negative impact for victims/survivors. There are certain state/county courts that are not recognizing tribal court PPO's or do not enforce them; this is an issue that should be addressed with the State Court Administrative Offices.
- There are two contract attorneys that practice in tribal court and frequently get conflicted out because they represent people in several areas: ICWA, civil, and criminal cases.
- Tribal victims may not always be aware of what services tribal members can access. Tribal members who live outside the tribe's service area may not be aware of what programs they qualify for. It would be helpful to have a concise guide of services they may qualify for through a local rural community program. State agencies may not be aware of what services the tribe offers to tribal members. Knowing what services are available may assist tribal victims when they contact state agencies.
- Most victims/survivors are unable to access legal representation. With the limited number of attorneys who practice in tribal court, there is a lack of access to attorney representation. Even if attorneys practice in tribal court, they cannot represent every victim because of the lack of financial resources, cost, and conflicts.
- Most victims/survivors are unable to access legal representation.

¹⁹ Feedback from the Little Traverse Bay Bands of Odawa Indians is reflected here, but should also be considered as applicable to the counties in the UP that are also part of its service area..

- One tribe has not had a contract with an attorney since September. The attorney the program is currently working with is unable to take on many cases given the low hourly federal pay rate of 81.25/hour.
- While the 4-year grant for legal services (see next section) is helpful, it has some limitations. Specifically, if the other party does not have an attorney, the victim/survivor will not be eligible for legal representation.

Feedback on how programs utilize available resources

- The Anishinaabek Family Services (AFS) program can contract with an attorney for victims of DV to assist with PPO's, Divorce, and Child custody issues. AFS can also assist victims and families with culturally based services through parenting classes, traditional healers, ceremonies, and education courses.
- Another tribal community has funds to offer attorney services to victims/survivors through a 4-year JFF grant from the DOJ — there are restrictions on the fund such that the case has to be related to sexual assault or DV and is only available to non-offending parents in the matter of civil protection orders, custody or divorce, where the other party is represented by counsel.
- One Tribal court has a visitation room. If a court orders supervision in a child custody manner, and DHHS does not provide supervised visitation, the visitation room can be used and allow parenting time to occur in a safe environment. As well there are safety protocols for the drop-off and exchange process. A camera will also be installed in the room to ensure child safety. Any tribal member from a Federally recognized tribe will be able to access this service. The program also includes a plan to re-vamp a meeting room where parents who have court hearings can drop off their children for childcare.
- Law enforcement typically assists with PPO service of process. There is no cost for service of process. This is critical to victims/survivors who cannot afford to pay for process of service.
- One tribal community is working to develop a training program for attorneys. The training will be informed by a PowerPoint training resource provided by Uniting Three Fires and other relevant resources.
- Another tribe has updated PPO forms as fillable PDFs on the website which allows victims/survivors to complete and send in forms electronically. This will make it easier to complete the forms and submit them to the court.

Feedback on Technology

- Most service providers are able to provide a computer and space for victims to use, this makes it a safe place to complete the legal documents.

Recommendations from Regions 4 and 5 Tribes

- Recruiting attorneys to practice in tribal court is needed to ensure victims/survivors have civil legal representation.
- Provide funding for (1) a victim advocate that works in the tribal court with the victims, (2) an attorney that assists the victims in tribal court, and (3) the hiring of transporters to provide transportation to the victim and children so they can access services. Some tribes currently have medical transporters, so a transportation program would not be unusual for tribes to implement
- Collaboration with state law enforcement agencies to educate law enforcement agencies on tribal jurisdiction, relevant laws, and discussion on issues that affect all agencies.
- Host social gatherings, formal event, training between tribal law enforcement and state & local law enforcement agencies.
- Providing jurisdictional training to educate law enforcement agencies on the jurisdictional and enforcement issues in Indian country (similar to training that the US Attorney's office previously provided).
- State agencies, Federal agencies, sheriffs' associations should require training on tribal court civil and criminal jurisdiction.
- Create a mechanism that allows general knowledge of services for victims of crime from both the State and tribes

REGIONS 6 and 7

Tribes whose service delivery area include Region 6 did not engage in talking circles. There are no tribes with a service delivery area in Region 7.

REGION 8

Overlapping service areas of the Gun Lake Band/Match-E-Be-Nash-She-Wish Band of Potawatomi, the Huron Potawatomi/Nottawaseppi Huron Band of Potawatomi, and the Pokagon Band of Potawatomi Indians. Two of these tribes engaged in talking circles.

Participant feedback in talking circles

Participants shared that the top areas of need for tribal victims are PPOs and child custody. A majority (99%) of the cases are related to DV. However, about 1% of DV survivors indicate experiencing sexual violence.

Feedback on gaps and barriers for victims/survivors in accessing legal services.

- One major gap is that most legal aid has income limits for representation, and most of the people that the social worker works with would not qualify. MILS has an income limitation as well.
- In some instances, attorneys do not understand the nature and context of domestic violence, nor do they understand the nuances around the client's cultural identity. This creates barriers in the representation process and can negatively impact the trust between attorneys and clients.
- The current legal support structures are overwhelmed. About 80% of clients need legal services/advice and there is a limited capacity of organizations to provide support to them on legal matters.
- Another problem is when clients encounter issues in the legal system but have no understanding of the charges, processes, or fees. The legal processes and documentation can be complex, and a lot of time is spent explaining the legal proceedings to clients.
- There is also a lack of adequate funding to cover the legal fees of clients. Michigan does not have a structure where the service of personal protection orders (PPOs) is initiated by law enforcement, so organizations cover these costs for survivors. Covering the cost of service is one of the critical components included in the grants received by organizations. However, the existence, continuance and reliability of these funds are not guaranteed given the nature of grant funding. As such, for tribes that do not have capacity within their own budgets, it becomes extremely difficult to cover fees for clients in the absence of grant funds.
- Participants also highlighted the complex interaction between housing and legal issues for survivors. Many survivors are dealing with legal issues over shared housing spaces with abusive partners they were living with.
- There is a lot of unemployment fraud, tax fraud, etc. that survivors are also dealing with and need legal assistance to resolve.
- There are a lot of bureaucratic challenges encountered by attorneys at private firms seeking to take on pro-bono cases. The delay in the internal review and approval process at law firms impact the ability of attorneys to provide timely services to victims.

Feedback on how programs utilize available resources

- The tribe continues to help with legal services and shelters, organizations who have been able to pay for, file and serve legal paperwork (e.g., in divorce cases). Tribal social workers can provide resources for transportation, which helps reduce barriers to accessing services.
- Victim service organizations have also established networks/partnerships with attorneys who periodically provide pro-

bono legal representation to clients. In addition to individual partnerships with attorneys, organizations also collaborate with legal service agencies to secure pro-bono legal representation for clients.

- The Tribal program has an existing relationship with Michigan Indian Legal Services to provide legal representation to survivors. The program also provides support to survivors for filing PPOs. Victims and survivors need support and programs are better apt to understand their needs.
- The program is currently working to hire an attorney to work with indigenous survivors. Having an attorney on staff will provide a much-needed service. The ability to have a consistent attorney will help in establishing the trust relationship between the attorney and client, as well as understand the needs of the victim and survivors.
- Tribal police handle service of process for PPOs at no cost to the survivor. However, outside of tribal police, the program relies on certified mail or someone familiar with the party involved to serve PPOs on the opposing party.
- Clients have used Michigan Legal Help to access legal aid or fill out paperwork for filing PPOs in cases where they do not have access to an attorney. The program has also used the PPO portion of Michigan Legal Help and finds it to be helpful and user-friendly.
- One tribe has resources for transportation, so that has not been an issue.
- Victim service organizations have also established networks/partnerships with attorneys who periodically provide pro-bono legal representation to clients. In addition to individual partnerships with attorneys, organizations also collaborate with legal service agencies to secure pro-bono legal representation for clients.
- With the help of legal services and shelters, organizations have been able to pay for, file and serve legal paperwork (e.g., in divorce cases).

Feedback on Technology

- Most of the survivors with whom we work would rather sit face-to-face with an attorney instead of meeting virtually, as in-person interactions are more comfortable.
- There is a need to further integrate internet and technological resources into legal services and ensure survivors have access to laptops, phones with web function, and internet access.
- Many survivors do not have access to Internet technology. This negatively impacts the survivor's ability to communicate effectively with legal aid if they are not able to meet in person and access legal documents/information online.

Feedback on Collaboration

- The tribe's social worker can work with county programs to provide the sexual assault medical forensic exam services, because the tribe does not have its own SANE program.
- The tribal social worker sits on two communities' coordinating councils, and has a good relationship with the community-based victim services program.

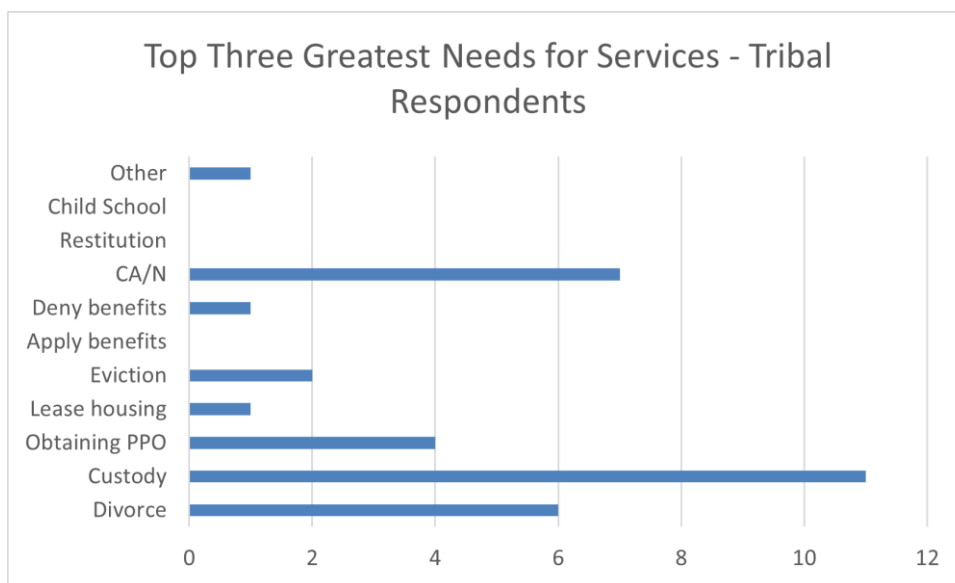
Recommendations from Region 8 Tribes

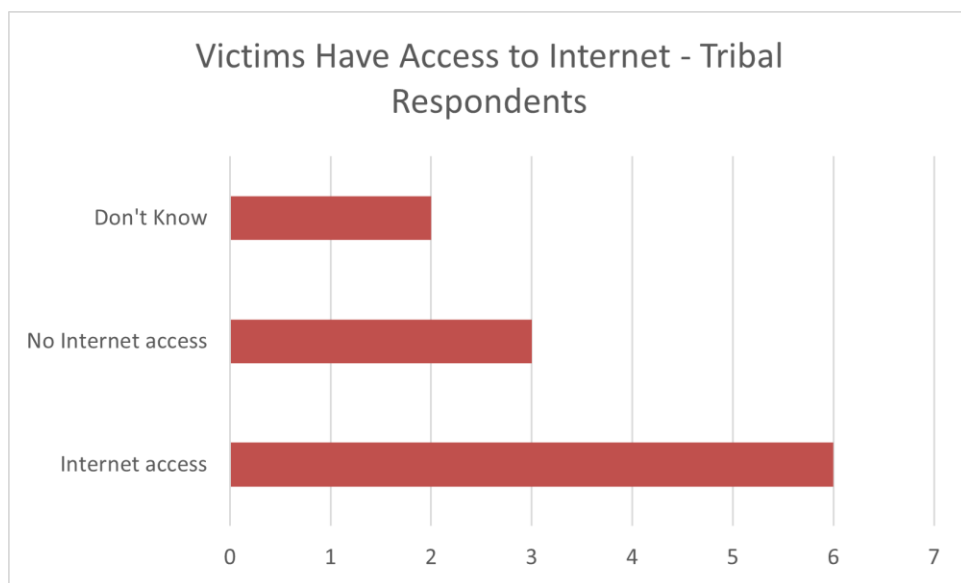
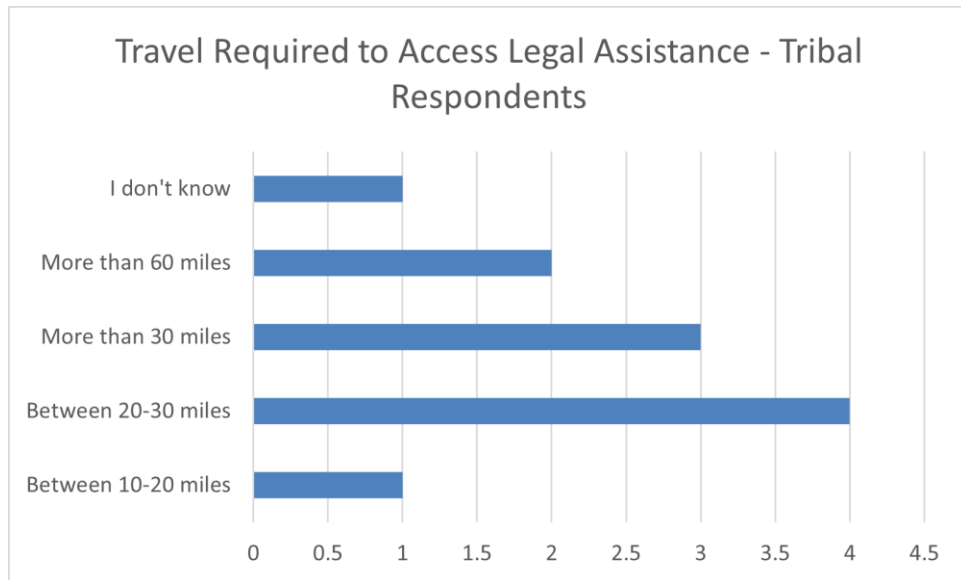
- Make sure there are no income limitations in order to get legal assistance. Many of the clients have income that would be over the threshold, but have housing, food, childcare and other expenses, and cannot afford an attorney.
- Provide support for the development and management of a pro-bono attorney network where attorneys can be recruited to take on a few cases a year.
- Provide resources to support the hiring of staff attorneys/in-house counsel to take on time-intensive cases that pro-bono attorneys are unable to take on.
- Provide funding, training, and technical support for the development of a legal aid clinic where attorneys can provide legal advice, take on minor needs, and consult with clients on their cases.
- Establish a fund to reimburse attorneys for the economic loss they incur when taking on pro-bono cases related to their time spent providing legal services to survivors. Stipends should also be provided to pro-bono attorneys who participate in DV training opportunities.
- Attorneys providing legal support to victims should receive training in the tribal and state court systems. The training should be tailored to the context of the tribes they are working with.
- There are new tribal attorneys coming out of law school that want to provide services to tribal communities. The state could provide funding support to create a program for traveling attorneys that specifically serve underserved rural populations, including reservations. In this program, support should be provided for attorneys to travel from one location to another to work with tribal clients, listen to their needs and provide legal support on their cases.
- Provide funding and resources to support hiring an attorney that will work for the region and comes to the tribe a couple of times a week to provide legal support to survivors. The attorney should have experience working in the area of family law.
- Provide support to have an attorney to help survivors with securing PPOs.
- Make sure there are no income limitations to get legal assistance. Many of the clients have income that would be over the threshold, but they have housing and food and childcare and other expenses and cannot afford an attorney.
- Recruit tribal attorneys who understand and honor tribal culture to work with clients in a culturally appropriate manner (listen and be respectful), which will contribute to improving client outcomes.

PROJECT SURVEY RESPONSES FROM TRIBAL-AFFILIATED PARTICIPANTS

The project survey responses from individuals affiliated with tribes are not broken out by region or by specific tribal nations.

Survey responses placed child abuse and neglect, along with divorce and custody, as the top three areas where survivors need legal assistance. PPOs were ranked 4th in terms of need.





RESPONSES FROM MICHIGAN INDIAN LEGAL SERVICES 2022 TRIBAL SURVEY

In addition to the project survey conducted by this project, DVS was provided with the report from Michigan Indian Legal Services 2022 Tribal Survey. Responses to that survey were in alignment with the findings from this project, that divorce, custody and child support are areas where legal assistance is important.

Divorce/custody/child support (non-tribal court)		
	Not at all important/Not so important	Very important/Somewhat important
UP	7.21%	82.88%
Northern - LP	5.71%	81.90%
Western	3.80%	78.48%
Eastern	10.71%	78.57%
Southcentral	2.50%	90.00%
Lakeshore	4.55%	79.55%

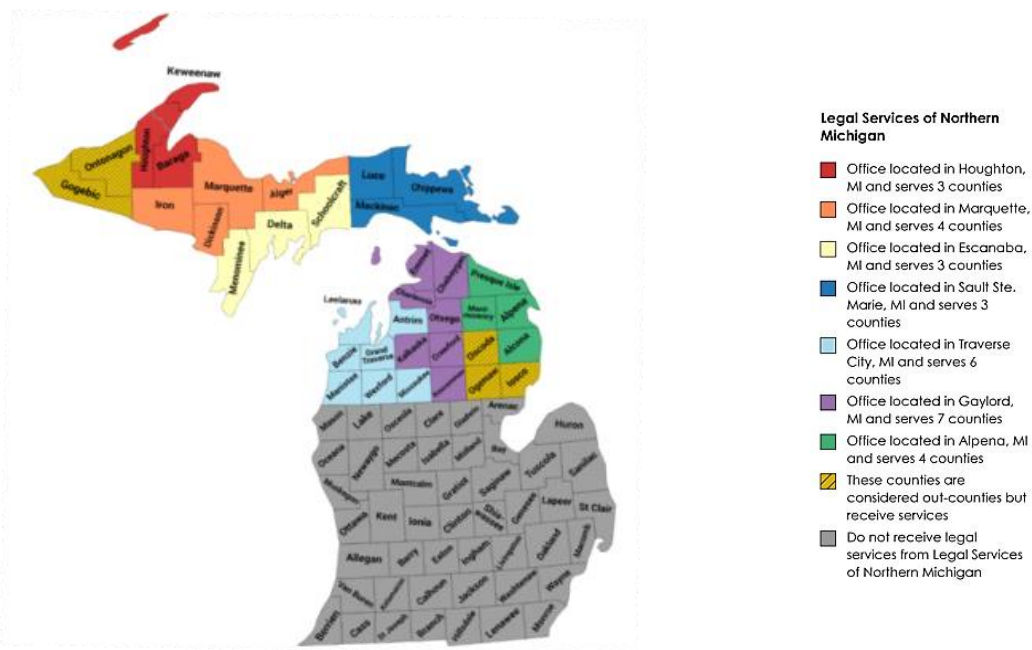
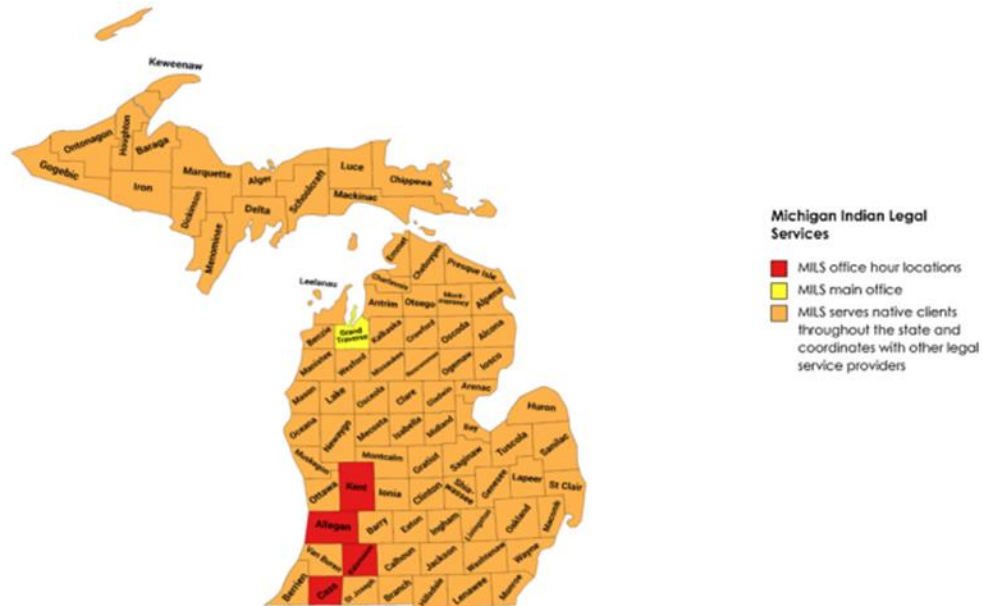
Michigan Indian Legal Services Tribal Survey, 2022

Tribal housing issues		
	Not at all important/Not so important	Very important/Somewhat important
UP	3.67%	83.49%
Northern - LP	7.55%	75.47%
Western	3.14%	73.58%
Eastern	4.00%	84.00%
Southcentral	7.32%	70.73%
Lakeshore	4.76%	76.19%

Michigan Indian Legal Services Tribal Survey, 2022

Legal Services

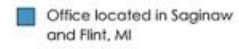
The following maps show which legal services programs serve the rural and tribal communities in this project.





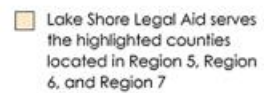
Legal Services of Eastern Michigan

Office located in Saginaw and Flint, MI



Lake Shore Legal Aid

Lake Shore Legal Aid serves the highlighted counties located in Region 5, Region 6, and Region 7





Legal Aid of Western Michigan

- Office located in Muskegon, MI and serves 6 counties
- Office located in Grand Rapids, MI and serves 4 counties
- Office located in Holland, MI and serves 2 counties
- Office located in Kalamazoo, MI and serves 4 counties



Legal Services of South Central Michigan

- Offices located in Battle Creek, Monroe, Lansing, and Jackson, MI that serve the 4 highlighted counties

Participant feedback in listening session

Legal Services program staff who participated in the listening session identified divorce and custody as the main needs, along with housing issues and public benefits.

Feedback on gaps and barriers for victims/survivors in accessing legal services

- Northern Michigan Legal Services (“NMLS”) criteria for eligibility is slim so not all victims qualify for services. Northern only takes serious physical DV cases. Therefore, it's difficult for a victim to receive services. MILS has made several referrals and to the best of MILS' knowledge, not one referral has been accepted by NMLS. When MILS speaks to clients who it has referred to NMLS, they are often told by the clients that Northern was unable to help, or they never received a call back from Northern.
- Some Legal Service programs tell clients who are Native American to call MILS for services. However, MILS has been unable to provide DV assistance because of priorities established by the Board of Directors.
- There are no supervised parenting time programs in our community. If a survivor doesn't have a family member willing to do this, then the court won't even consider it. It is a major problem for some of the clients. A victim needs to feel secure and safe when visitation is ordered by the court -- if there isn't a safe place then it can create additional stress on the victim.
- State Bar of Michigan every year publishes data on membership, there are only 600 attorneys in the entire UP while Oakland County in lower Michigan alone has 13,000.²⁰
- Tribal attorneys also tend to be tribal judges, tribal prosecutors, or in-house counsel for tribes; this further limits the number of available attorneys, especially attorneys who have knowledge about tribal law.
- Our program covers the northern 35 counties in Michigan, and the CVLAP in northern lower Michigan covers 18 counties. If we had to drive to court instead of Zoom, that can limit how many cases that attorney can take. We have two attorneys in the UP, and one exclusively deals with elder cases and one deals exclusively with DV.
- There is a disconnect with CVLAP and the CVLAP attorney stationed in another legal services program. The CVLAP attorney is not always clear on the intake, eligibility, and oversight process.

²⁰ Data provided by the participant was as of the time of the listening session. Since then, per that participant, there has been further lawyer attrition in the Upper Peninsula, which now has 436 total attorneys compared to 11,347 in Oakland County.

- The understanding was that CVLAP would address the family law issues while MILS would provide answers on jurisdictional issues or tribal law issues. CVLAP hasn't always been available to answer questions. On a few occasions, the supervising attorney could not answer the question and MILS attorneys would step in and assist. CVLAP counted the cases, but MILS did the actual casework in many instances.
- Also, non-bar licensed attorneys can't file or be attorney of record, this creates additional work for MILS attorneys.

Feedback on how programs utilize available resources

- We host a CVLAP attorney, which that helps us because the CVLAP attorney can represent someone whose income is higher than the limit required by legal services funding.
- Each program has established eligibility requirements that individuals are required to meet in order to access services.
- Some legal services are able to represent more victims, but the need is always greater than the requests being submitted.
- Another legal service program is providing assistance to divorce clients and working with local judges and attorneys to make that happen.
- Other programs have received grant funding and are able to contract with local attorneys to provide legal assistance to victims. Although this work is vital and necessary, there is room for improvement and legal service programs are willing to do what they can to ensure civil legal representation for victims.

Feedback on Technology

- The availability of virtual hearings via Zoom or other service has reduced the barriers some clients face in attending court, but many clients don't have the equipment or technology to use Zoom. We need to find the balance that fits the needs of the client.

Feedback on collaboration

- Michigan Indian Legal Services (MILS) assists clients with various legal needs but does not represent victims of domestic violence. MILS will refer victims and work with other legal services to assist victims.
- Legal services programs will refer victims to the local legal services provider and collaborate to ensure someone communicates with the victim although not every person receives legal representation, legal service providers will do what they can.
- [Michiganlegalhelp.org](https://michiganlegalhelp.org) can help, but the clients have some barriers in utilizing this resource because many of the clients lack the knowledge to use this resource independently.

Recommendations from Legal Services Participants

- Consider incentives to attract attorneys to the rural communities in Michigan. This might include student loan forgiveness, could be a short-term commitment (2 year). For example, when another state did not have enough attorneys, the State Bar Foundation paid for their law school education if the student agreed to work for a certain number of years in the state.
- Create a position that assists the attorneys and provides clients with a person who will help shepherd them through the system (communicate information, be available to answer questions, assist the client with getting information the attorney needs on the case). This would allow the attorneys to focus on the legal issues of the case, while still providing the additional support the client needs.
- Legal Service programs could share their eligibility requirements and intake process so when clients are referred the legal service program can refer to the appropriate agency.
- Create a better system to monitor attorneys working under CVLAP and how referrals are made to legal service programs. Either the programs receive their own direct funding from MDHHS (or the Feds), or the programs could be subgrantees of MAP. The on-site attorneys would then be employees of the programs - making the line of supervision clear. It would also be clear what set of personnel policies, holidays, vacation schedules, etc, apply. The programs would then be able to set their own requirements for the attorneys and be able to advertise the positions in order to recruit individuals that fit the needs of their programs and communities.
- Fund MILS to employ at least two or three attorneys that specialize in on-reservation DV services (ideally, one for the UP, one for northern Michigan, and one for central/southern Michigan). MILS has experience working with the tribes in a similar structure and holding rotating on-site office hours using tribal facilities. MILS is the only legal aid program that regularly appears in the tribal courts and works routinely with members of the native communities.
- Create a set aside for the statewide resource center (MAP), agricultural workers (MIRC-MAP), and on-reservation Native Americans (MILS) at around 30% of the funding (split three ways). The remaining 70% would then be split between the regional programs based upon poverty population numbers. This is consistent with the way LSC and the State Bar Foundation fund the legal aid programs in the state.
- Create a fellowship program as one way of recruiting new attorneys to work in a legal services positions. There are a variety of existing fellowship models. Some common elements include: an immersive experience, short-term commitment (i.e.

two-year commitment), student loan forgiveness package. These programs ideally result in someone staying well past their commitment because they become invested in the work.

- One legal services program contracted with two attorneys, using a Child and Family Services (CFS) grant. The grant covered malpractice insurance and training in DV and trauma-informed practice. The attorneys bill the legal services program and bills are reviewed prior to being sent to CFS for payment. The program has been doing this since 2009 or 2010. This grant has allowed for the expansion of services, addressing the income gap, and allow legal services staff attorneys to focus on other cases and projects.

