

Session Descriptions

FRIDAY JUNE 14

12:30 PM – 1:45 PM

National Work on Debt Related Driver's License Suspensions

PINNACLE

Shannon Lucas, Anna Odegaard, Katherine Hollingsworth

This session will familiarize the attendee with the issues around license suspension for fees and fines. The session will then look at the national scene for making policy change in this area and how that plays out at the local level. Panelists will discuss states where this change has gone well and others where change was defeated or watered down. Attendees will leave with ideas that will help them take a look at the process in their states and make room for policy change and/or strategies for working within the systems in place now.

Nuts and Bolts of Bringing a 1983 Claim

THINK 1

Somil Trivedi

Section 1983 is a powerful tool to hold civil rights violators accountable. However, like Liam Neeson, it takes a particular set of skills. This panel will highlight the key considerations for litigators when bringing such a claim, including proper parties, venue, relief, and legal & practical obstacles.

Work in Progress: Developing Programs that Advocate for Lasting Impact

THINK 2

Michael Forton, Jeffrey Hearne, Lisa Krisher

This session is designed to empower legal professionals with the skills and knowledge needed to identify and manage cases that have the potential to effect widespread change. This training covers effective strategies for spotting impactful cases, the nuances of handling complex litigation, and the best practices for navigating the legal and procedural challenges that accompany such cases. Participants will gain valuable insights into building a case that not only succeeds on its own merits but also sets a precedent for future legal standards and reforms.

Neighborhood Advocacy

PATHWAYS

Peter Hoffman

The City of St. Louis is awash in vacant property. Almost 6% of housing stock - 7,663 buildings - is vacant. Add 12,524 vacant lots and St. Louis is third nationally in vacant property. Roughly 75% of these vacancies are situated in the region's poorest neighborhoods. Increasingly, the links between vacant properties and deleterious effects for neighboring residents have been documented: vacant properties increase opportunities for crime, make residents feel less safe, and negatively impact the health of neighbors. Conversely, rehabilitation of vacant property presents opportunities for improving economic conditions in low-income neighborhoods through job creation and increasing affordable housing opportunities at a time when St. Louis is facing a critical housing shortage.

Missouri law provides place-based nonprofit organizations, like neighborhood associations and community development corporations, a variety of legal tools to address problems associated with vacant nuisance property and to return abandoned parcels to productive use. As part of its strategic plan to improve the lives of low-income Missourians through direct and systemic legal advocacy, Legal Services created Neighborhood Advocacy in 2018 to bring vital legal resources to distressed neighborhoods to stabilize housing and return vacant property to productive use through targeted, place-based pro bono.

This CLE will share how a combination of litigation and transactional lawyering, focused at the neighborhood level, can empower neighborhoods to reverse decades-old disinvestment trends and create neighborhoods of economic opportunity that better serve the needs of the low-income residents who live there.

2:15 PM – 3:45 PM

Opening Plenary:

Advancing Diversity, Equity, and Inclusion within your Program, Legally **PINNACLE**

Jim Chosy, Jennifer Johnson, Vicky Slade

Many legal services organizations are interested in deepening their commitment to diversity, equity, and inclusion. This conversation will provide perspectives around best practices in this area from within the legal services community, highlight innovative programs and initiatives from the private sector, and discuss how organizations can continue to operationalize these principles after *Students for Fair Admissions v. Harvard*.

4:00 PM – 5:15 PM

Recent Developments: Advocating in an Anti DEI Climate **PINNACLE**

Steve Fischbach, Sophia Hall, Nicholas Espiritu

While racial justice litigation and advocacy has never been an easy undertaking, the work has become increasingly difficult because of last year's U.S. Supreme Court decision finding the use of certain race-conscious admissions policies in college admission decisions violates the Equal Protection Clause of the Fourteenth Amendment. Not only has this decision led states to ban DEI (Diversity, Equity, and Inclusion) initiatives from higher education, but even disparate impact regulations of federal agencies have come under attack by litigation and rule-making petitions filed by Attorney Generals of several "Red" states. This panel will cover some of these recent developments and discuss how they could affect litigation and non-litigation advocacy strategies on behalf of low income communities of color, as well as ongoing efforts to make legal aid workplaces more equitable and inclusive places to work.

Building Better Government Technology: What Advocates Should Know **THINK 1**

Julia Simon Mishel, Waldo Jaquith, Hannah Quay-de la Vallee

Building good technology to administer public benefits systems is HARD. Most government agencies are not adequately prepared to design and oversee these projects, or to even manage vendors in this space. This session will address some types of "good" technology and processes that government agencies should follow, and will address strategies that involve litigation leverage and more collegial relationship building. We will also discuss one of the newer technologies that has affected almost every system: digital identity verification.

Beyond Good Intentions: Psychological Barriers to Effective Legal Aid Work **THINK 2**

Michael Forton, Stacie Bosley

The session will focus on the psychological factors that can impede the effectiveness of legal aid, offering insights into how cognitive biases and decision-making processes affect client interactions and case outcomes. Participants will learn strategies to overcome these barriers, enabling them to provide more impactful legal support to those in need.

Cross-Cutting Issues on Representing Diverse Older Adult Clients **PATHWAYS**

Alice Bers, Carol Wong, Barbara Willeto

Medicare has a robust home health benefit for qualified individuals that includes skilled care as well as aides for personal care activities. But the reality on the ground paints a different picture, particularly for beneficiaries with long-term disabilities. The inability of older, disabled adults to access Medicare-covered home health services affects individuals who are more likely to be members of a racial or ethnic minority group, to have lower incomes, and to be in poorer overall health compared to people without disabilities. This presentation will discuss advocacy efforts to ensure that people with long-term disabilities can access the home health benefits that Medicare promises.

SATURDAY JUNE 15

9:00 AM – 10:15 AM

Anatomy of a Medicaid Case: Building with Partners **MERIDIAN 1**

Sarah Somers, Miriam Delaney Heard

Join us for discussion on crafting enforcement strategies in partnership with local legal services organizations. We will focus on current Medicaid cases brought by legal services organizations as part of our Health Law Partnership project, highlighting cutting-edge issues in federal enforcement.

Martin and Grants Pass and the "Ghost of Tom Joad" **MERIDIAN 2**

Howard Belodoff, Scott Crain

This session will cover case law developments and litigation strategies to combat the criminalization of unhoused persons for the status of being homeless.

Leveraging the Budget Process to Advance Advocate Reforms

MERIDIAN 3

Lillian Patil

A public budget is much more than dollars and cents; it is the concrete manifestation of a jurisdiction's values, that can be used as a powerful tool to understand how different public services, policies, and populations are prioritized (or deprioritized), and to push for policy change. This session will explore how budgets map and shape policy, and will go through each step of a standard state or local budget cycle, identifying opportunities and tools for advocacy and engagement at each step.

The Overlap Between Right to Counsel Work and Strategic Litigation

MERIDIAN 4

Somil Trivedi, John Pollock

The right to counsel in civil cases is both a matter to be litigated and creates opportunities for additional strategic litigation and advocacy. This panel will discuss the opportunities for and obstacles to those efforts, from both a theoretical and practical lens.

10:30 AM – 11:45 AM

Litigating Trans Rights in State and Federal Court

MERIDIAN 1

Howard Belodoff, Megan Stuart

This session will cover the procedural and substantive developments in transgender advocacy including pursuing claims under the Equal Protection Clause and the Medicaid Act in federal and state courts. The discussion will cover topics such as medical care, name changes, and school and bathroom issues. The session will also cover the strategic elements in these cases, such as whether to pursue a case in state or federal court, whether to build a case with an individual or multiple plaintiffs, and other questions.

Protecting Immigrant Workers: New Deferred Action

Process Provides Removal, Work Permits During Labor Disputes

MERIDIAN 2

Jessie Hahn, Blanca Rodriguez, Kara Moberg

On January 13, 2023, the Department of Homeland Security (DHS) announced a new process by which immigrant workers asserting their rights against abusive employers could access temporary protection from deportation (in the form of deferred action) and work authorization. In conjunction with companion policies announced by the National Labor Relations Board (NLRB), the U.S. Department of Labor (DOL), and the Equal Employment Opportunity Commission (EEOC) in the last two years, these new protections are a huge step forward in ensuring that immigrant workers can speak up about labor violations. This panel will provide an overview of this new process, share examples of successful cases, and discuss ways to expand capacity for both LSC and non-LSC programs to support this work.

Outreach, Organizing, and Impact: Representing Groups as an LSC Grantee

MERIDIAN 3

Chris Buerger, Somil Trivedi, Anne Sweeney

This session will explore some of the challenges and opportunities of representing groups when you work at a legal aid program which receives LSC funds. The session will discuss feature a

discussion of LSC regulations on solicitation (1638), class actions (1617), and financial eligibility (1611) while also addressing how to balance program priorities, have a program that is active in the community, and decide whether or not to accept a group as client.

Changing Court Rules as an Advocacy Strategy

MERIDIAN 4

Shannon Lucas, Karen Tjapkes

This session will look at how legal services agencies have used Court Rule changes post pandemic to reform eviction work. By discussing strategy behind the work, attendees should be able to craft a plan to replicate this in other areas. Speakers will elaborate on the process in Michigan, LSC restrictions, and working with partners to get your message out.

1:30 PM – 3:00 PM

Plenary: Judiciary Trends and Your Advocacy

Megan Stuart, Jim Kowalski, Arthur Ago

Changes across the federal bench and the U.S. Supreme Court in particular have required advocates to adjust their approaches for achieving successful outcomes through litigation. The panel will discuss these changes, and feature advocacy leaders with decades of experience who will share strategies and tactics for litigating in federal and state courts where judicial ideologies may not initially align with the interests of your clients.

3:15 PM – 4:30 PM

Organizing and Advocacy in the Government Tech Space

MERIDIAN 1

Julia Simon Mishel, Emily Paul, Rebecca Vallas

Federal, state and local government are updating and replacing aging technology systems and advocates are working together to ensure the new systems improve equitable access for our clients and other underserved populations. Areas of focus will include unemployment, SNAP, Medicaid, and SSI/SSDI.

Ethics of Remote Advocacy: Considerations for Legal Aid Attorneys & Staff

MERIDIAN 2

Anne Sweeney, Bill Hooks

Using interactive scenarios, this session will address ethical considerations for legal aid supervisors whose offices have remote work options for their attorneys. The session will focus on issues unique to legal aid attorneys, such as how to meet the ethical obligation of communication with remote or transient clients. The session will also explore how the ABA Standards for the Provision of Civil Legal Aid provide guidance to managers of attorneys who practice remotely.

Protecting Plyler v. Doe and DACA in Uncertain Times

MERIDIAN 3

Ignacia Rodriguez Kmec, Karen Reyes Lozana, Berenice Oliva

The landmark decision Plyler v. Doe and historical Deferred Action for Childhood Arrivals (DACA) program have deeply shaped the lives of immigrant communities by providing access to education and, in the case of DACA, work authorization and protection from deportation. However, now more than ever Plyler v. Doe and DACA are under attack leading to grave uncertainty and possible consequences for those who have reaped its benefits. Despite the resilience of beneficiaries, immigrant youth and children are vulnerable to discriminatory attacks. It is important to continue advocating against the challenges to Plyler and DACA. In this session, we will discuss how to best be prepared, as an advocate, when there are threats or challenges, as well as how to help immigrant youth/children.

Successful Strategies for Representing Tenant Groups

MERIDIAN 4

Jeffrey Hearne, Eric Dunn, Chhaya Kotwani

This panel will highlight why legal services' organizations should be representing tenant organizations, with a focus on public housing resident councils, HUD tenant organizations, and other tenant groups which play a crucial role in advocating for tenants' rights. Participants will learn about the legal frameworks for these organizations and successful outcomes that tenant organizations can achieve. The panel will also discuss the challenges attorneys face when they represent tenant groups, as well as the best practices for effective group representation to ensure meaningful outcomes.

SUNDAY JUNE 16

9:00 AM – 10:15 AM

Lessons from Emerging Advocacy Leaders

MERIDIAN 1

Farah Majid, Michelle Trunkett, Daniel Lindsey

This session will cover the lessons learned by three new leaders in advocacy as they answer the following questions: * How did you understand your role before and after taking your new role? * What challenges did you encounter early in your time as a new leader? * How was your position different than you expected? * Where did you look for answers to problems you encounters (other than senior staff in your program)?

Getting useful data from your case management system: it's a process!

MERIDIAN 2

Susan Vincent, Sonia Lopez, Nicholas Whitaker

Our case management systems are treasure troves of information. However, identifying meaningful data points and making use of them isn't a button that you can push or a feature you can add. Instead, it requires an investment in understanding and improving your case management processes that can have big payoffs in the long run. This session will cover what advocacy leaders need to know about the case data lifecycle and give examples of how case management system data can be used to strengthen advocacy efforts.

Sexual Harassment and Criminal justice Issues under the Fair Housing Act: Recent Developments from the Department of Justice **MERIDIAN 3**

Timothy Moran

In this session, attendees will hear from the Department of Justice Civil Rights Division, Housing and Civil Enforcement. A member of the division will provide updates about the work being done at the federal level in this area of law, major cases and policy changes, and how that could impact legal services and low income individuals generally.

10:30 AM – 11:45 AM

Actually, You CAN do that! A Conversation on LSC Regulations, which Activities they Cover and which Activities they don't **MERIDIAN 1**

Chris Buerger, Julia Simon Mishel

This session will give an overview of some of the most often discussed LSC regulations and prohibitions, broadly covering topics such as lobbying (1612), solicitation (1638), class actions (1617), and others. It aims to inform participants that as restrictive as some of the regulations are, there are still a plethora of aggressive advocacy options and tools available to LSC grantees that too often go unused.

The Arc of the Moral Universe is Indeed Long: What it takes to change 172-year-old laws that protect the landed gentry **MERIDIAN 2**

Lisa Hollingsworth, Luke Grundman

This session will summarize the changes to landlord/tenant law in Minnesota in the past few years, including significant statutory reforms in areas of pre-eviction notice, right to counsel, expungements, motions to vacate, and various other changes.

How to use Data in Advocacy (litigation and otherwise) **MERIDIAN 3**

Steve Fischbach, Farah Majid, Susan Vincent

Advances in technology and the public posting of data sets have increased the public's access to information that can provide advocates with information that buttresses litigation and non-litigation advocacy efforts and assist programs with decision-making involving the allocation of scarce legal aid resources and obtaining grant funding. This panel will describe the different ways legal aid organizations can access data, including data maintained in case management systems, and discuss the challenges and limitations in using these data sources. Panelists will provide examples of their use of data in their work, such as identifying gaps in the provision of legal services and using court data to inform and buttress advocacy efforts. Regarding the latter, opportunities for obtaining of civil court data offered by the Civil Court Data Initiative, a project recently created by the Legal Services Corporation that increases the availability of data and analytics to legal aid organizations will be discussed.