

From: MABS300@dshs.wa.gov
To: cwlap@live.com
CC: PAVI300@dshs.wa.gov
Subject: Info/Stats on cases referred
Date: Tue, 29 Jan 2013 17:20:29 +0000

Hi Lori –

Vikki passed along your email to me regarding gathering numbers on cases where we have referred family to legal aid to gain non parental custody. I think this is an excellent grant that can be very helpful!

I talked to my CPS staff who seem to do a majority of this and there is no real tracking system. I do not track it and they do not really keep track. Often times it's passed along as a general statement and the resource pamphlet for legal aid is handed out to many families.

CPS workers came to the conclusion that it's been about 20-25 in the last year. We don't always know if they follow up or not but they often pass along the information. Sometimes we refer the other parent as well if there is no parenting plan or custody.

I have an email in to our intake team as I was told they often tell families of this services and they can pursue non parental custody. I will get back to you with that.

information. I think the numbers will be very high when they get back to me.

I'm sorry we don't have a better way to track it and this seems like a ball park figure. Any ideas on that?
☺

Have a great day!

Stephanie

Stephanie Frost (Mabe)

Kelso Children's Administration - CPS Supervisor

711 Vine Street - PO Box 330

Kelso, WA 98626

360-501-2640

From: MABS300@dshs.wa.gov
To: cwlap@live.com
Subject: RE: Info/Stats on cases referred
Date: Wed, 30 Jan 2013 00:28:29 +0000

I think this is an excellent grant proposal and service and families often are in high need for this! The fee's and paper work are typically what seem to scare them away.

I did talk to Intake who stated they cover our entire state but they refer at least two calls a day per worker there (4 workers) to legal aid services. Another worker I talked to said in the last year she said it was about 25 families she referred.

So between CPS and Intake it seems to be a lot! 😊

I can write you a letter/note. How soon do you need it? and yes you can reference what my staff have said about numbers.

There is no public date base that I know of.

Thanks

Stephanie



CASA

Court Appointed Special Advocates
FOR CHILDREN

Cowlitz County CASA

Advocating for Abused & Neglected Children Every Day

1024 Broadway * Longview, WA 98632
Phone: (360) 414-5212 * Fax: (360) 425-6369

January 25, 2013

To whom it may concern,

It has come to my attention that Cowlitz-Wahkiakum Legal Aid is proposing a new program called the Self Help Plus Program. Within this program, attorney services will be provided for no charge to a person who is pursuing a Third-Party custody matter, with specific criteria.

CASA frequently receives phone calls from family members asking how they can get help with a custody action. The family members have often already gone through a lot of turmoil attempting to ensure the safety of the children involved. Typically the best advice we can offer is to see if they can get an attorney. Most often they indicate that they cannot afford and don't have any idea how to do the paperwork themselves. Although we do not track these calls, I would estimate that it is not unusual to receive 3-4 a month. I also participate in meeting at the Department of Children and Family Services (DCFS) where the option of doing a Third Party custody agreement is often brought up as an alternative to CPS involvement, if there is healthy support available for the children.

The current process for families going through this process usually involves the involvement of Child Protective Services. In these cases, a family member has become a positive potential placement for children who have been removed from their parental home. Many times, this family member is a grandmother with limited means or another close relative. The placement for the child is a good option with regard to health, safety and care. The legal process to establish custody for a third party, however, is extremely complex and a daunting task to take on for one of these clients. Typically, these clients face the preparation of hundred of pages of legal documents, multiple court appearances and correspondence between multiple agencies, parties and states. Many of the folks going through this process simply give up, unable to accomplish the complicated challenge.

Securing custody with a Third Party in these cases provides a safe, stable, loving environment for at-risk children with someone they already have a relationship with. Providing an attorney to help overcome the complicated legal process required can allow this custody to take place more effectively.

I support a program like this in our community. Please consider it in your funding decisions for 2013.

Sincerely,

Corie C. Dow, MA

Executive Director





STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
DIVISION OF CHILDREN & FAMILY SERVICES

711 Vine Street, P.O. Box 330, Kelso, Washington 98626
Voice -360/577-2372 Toll-Free- 800/281-2372 FAX -360/577-2382

February 4, 2013

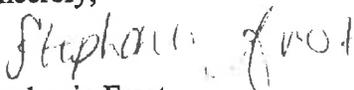
To whom it may concern,

It has come to my attention that Cowlitz-Wahkiakum Legal Aid is proposing a new program called the Self Help Plus Program. Within this program, attorney services will be provided for no charge to a person who is pursuing a Third-Party custody matter, with specific criteria.

I have been a social worker/supervisor within Children's Administration for 8 ½ years. I fully support this program and believe it can help benefit numerous families in the Cowlitz/Wahkiakum area. Currently, Intake social workers within DSHS refer families to legal aid on a daily basis in a variety of counties. Our local intake report that they refer at least one to two calls a day to legal aid services in a variety of counties to include our own. The Child Protection Investigative social workers report they refer about 25 families each a year to legal aid for third party custody/non parental custody. Often, many of our families are interested in pursuing third party custody but get discouraged by the paper work, lack of knowledge about the court system and/or fee's. The investigative team also includes this resource in their community resource packet of information.

The current process for families going through this process usually involves the involvement of Child Protective Services. In these cases, a family member has become a positive potential placement for children who have been removed from their parental home. Many times, this family member is a grandmother with limited means or another close relative. The placement for the child is a good option with regard to health, safety and care. The legal process to establish custody for a third party, however, is extremely complex and a daunting task to take on for one of these clients. Typically, these clients face the preparation of hundreds of pages of legal documents, multiple court appearances and correspondence between multiple agencies, parties and states. Many of the folks going through this process simply give up, unable to accomplish the complicated challenge. Securing custody with a Third Party in these cases provides a safe, stable, loving environment for at-risk children. Providing an attorney to help overcome the complicated legal process required can allow this custody to take place more effectively. I support a program like this in our community. Please consider it in your funding decisions for 2013.

Sincerely,


Stephanie Frost
CPS Supervisor, Kelso DSHS

Lisa M. Waldvogel
2808 Cypress
Longview, WA 98632
February 3, 2013

RE: Letter in support of Cowlitz-Wahkiakum Legal Aid's City of Longview CDBG grant request

CDBG Review Team:

I am a lawyer practicing in Longview, Washington and I have been both a board member of Cowlitz-Wahkiakum Legal Aid and a volunteer since 2007. In that capacity I have learned that there just are not enough family law lawyers to go around. Family law cases, be they dissolutions of marriage, custody, paternity or non-parental custody, with or without domestic violence, are complex to handle and sometimes not possible to navigate when a person is representing themselves. Many litigants are disabled, have limited education or even have a primary language other than English. Litigating any type of court case, particularly one where personal details must be exposed to all is stressful and many self-represented persons flat out cannot handle it, and this is only worsened when there is an attorney or an abusive partner on the other side of the case. Our community has dedicated attorney volunteers and a dedicated legal services program, Northwest Justice Project, but there are still way too many persons who go unrepresented, who need counsel.

Consumer cases are also challenging to navigate without an attorney. Often, Longview residents either become overwhelmed or don't seek legal help because they do not realize there are legal protections to help them manage their debt dilemma. This can lead to the predictable cycle of going into further debt to pay off earlier debts, often jeopardizing housing security.

Finally, there is a dearth of resources available for local veterans. Many veterans become marginalized because they lack the proper status to obtain benefits. They lose their own quality of life and needlessly 'burden' local systems, because they aren't able to work their way through either the Veterans Benefits Administration or the Veterans Health Administration. There are not enough lawyers trained to assist so in some regards it is 'the blind leading the blind.' Hopefully as more lawyers realize the need for this service and develop the expertise, more veterans will get the help that they need.

I strongly urge you to consider Cowlitz-Wahkiakum Legal Aid in making grant decisions.

Sincerely



Lisa M. Waldvogel

INDEPENDENT CONTRACTOR AGREEMENT

Cowlitz Wahkiakum Legal Aid, a Washington non-profit corporation, and XX (the "Attorney") enter into the following Independent Contractor Agreement (the "Agreement").

Recitals

- A. Cowlitz Wahkiakum Legal Aid conducts several family law-related clinics for low-income citizens either residing in Cowlitz and Wahkiakum Counties, or citizens who have a legal matter filed in Cowlitz and Wahkiakum Counties. These clinics are conducted by volunteer attorneys who coach and advise our clients on how to represent themselves as Pro Se litigants. Clients will be identified during these clinics who may qualify for our Self Help Plus Program.
- B. Cowlitz Wahkiakum Legal Aid plans to conduct one legal clinic for Military Veterans seeking legal help every other month. These clinics will be conducted by volunteer attorneys who will coach and advise our clients on how to represent themselves as Pro se litigants. Clients will be identified during these clinics who may qualify for our Self Help Plus Program.
- C. Cowlitz Wahkiakum Legal Aid seeks to retain Attorney's services to provide legal representation to Cowlitz Wahkiakum Legal Aid for clients who qualify for the Self Help Plus Program.
- D. Attorney may perform the described work while retaining his or her independent private law practice.

Agreement

NOW, THEREFORE, in consideration of the mutual covenants contained herein, Cowlitz Wahkiakum Legal Aid and the Attorney agree as follows:

1. **Scope of Engagement.** Cowlitz Wahkiakum Legal Aid engages the Attorney to provide the following services on behalf of Cowlitz Wahkiakum Legal Aid:
 - a) Assist Cowlitz Wahkiakum Legal Aid with clinic development, planning, and execution;
 - b) Conduct and/or oversee client intake and eligibility screening;
 - c) Counsel and provide assistance to clinic clients including limited representation, as appropriate;
 - d) Assist Cowlitz Wahkiakum Legal Aid to identify and refer particularly needy clients for the Self Help Plus Program or other assistance.
 - e) Represent clients accepted into the Self Help Plus Program, up to 10 hours per month during the term of this contract.
 - f) Maintain client files using Legal Server or other case management software designated by Cowlitz Wahkiakum Legal Aid.

- g) As is appropriate and useful to the Attorney, assist Cowlitz Wahkiakum Legal Aid to identify, recruit, and retain attorneys, paralegal, students, and others volunteers to assist the clinic, as appropriate, under the Attorney's supervision;
- h) Provide all requested information and assistance to Cowlitz Wahkiakum Legal Aid to ensure proper grant administration and reporting;
- i) Provide all other necessary and appropriate services consistent with the requirements of grants and the goals of the Self Help Plus program;
2. **Status of the Parties.** Cowlitz Wahkiakum Legal Aid and the Attorney agree that Attorney is an independent contractor and is not an employee of Cowlitz Wahkiakum Legal Aid. It is understood and agreed that, with the exceptions noted herein, Cowlitz Wahkiakum Legal Aid shall have no responsibility now or in the future for withholding, reporting or paying Attorney's federal, state or local taxes (including but not limited to Federal Income Tax, Social Security and unemployment taxes or insurance) all of which shall be the Attorney's sole responsibility.
3. **Compensation.** The Attorney shall be compensated eight hundred dollars (\$800) per month for rendering legal services at clinics, hearings and scheduled court appearances, and for related administrative tasks. In addition, the Attorney will be compensated at the rate of one hundred dollars (\$100) per hour for legal services provided outside of scheduled office hours and expressly authorized, in advance, by the president of the board.
4. **Malpractice Insurance.** Cowlitz Wahkiakum Legal Aid shall provide coverage to the Attorney with professional liability insurance for work performed on Cowlitz Wahkiakum Legal Aids' behalf during the term of this Agreement as set forth in Cowlitz Wahkiakum Legal Aids' policy.
5. **Term of Contract.** Cowlitz Wahkiakum Legal Aid and the Attorney understand that because Cowlitz Wahkiakum Legal Aid cannot guarantee its funding, in the event that funding for the program is terminated or cannot be secured, Cowlitz Wahkiakum Legal Aid has to right to terminate this agreement upon 30 days written notice. In all other circumstances, this Contract can be terminated by either party upon 60 days written notice.
- 6 **Work Quality.** The Attorney shall be responsible for complying with all Rules of Professional Conduct in carrying out his or her work for Cowlitz Wahkiakum Legal Aid and shall do all work at or above the standard of practice for practitioners in Cowlitz and Wahkiakum Counties. Work shall

be completed in accordance with the terms of current Cowlitz Wahkiakum Legal Aids' policies and procedures. .

7. **Bar Member in Good Standing.** The Attorney shall be responsible for maintaining his or her status as an active attorney admitted to practice law in the State of Washington.
8. **Other Work.** Cowlitz Wahkiakum Legal Aid acknowledges that the Attorney may maintain a private practice that shall be kept separate and apart from his or her work under this Agreement. The Attorney shall take the steps necessary to avoid client conflicts between his or her private work, his or her spouse's work, and his or her work under this Agreement. Cowlitz Wahkiakum Legal Aid shall provide the client information necessary to assist the Attorney with conflict checks.

9. **Dispute Resolution.** In the event of any dispute between the parties regarding any matter arising out of or relating to this Agreement, which cannot be resolved by mutual agreement, they shall, within fifteen (15) days of any party giving the other notice of intent to mediate ("Notice"), designate a neutral third party ("Mediator") to facilitate an agreement. If the parties cannot agree on a Mediator within such fifteen (15) day period, each party shall designate a mediator and the mediators so chosen shall designate the Mediator, who shall facilitate discussions between the parties in an effort to reach a mutually acceptable agreement. Each party shall pay the cost of their own mediator, and shall share equally the cost of the Mediator.

If the parties are unable to reach an agreement for whatever reason within sixty (60) days following the giving of the Notice (the "Mediation Period"), the parties shall proceed to binding arbitration. If the parties cannot agree on a single arbitrator (the "Arbitrator") within fifteen days (15) of the end of the Mediation Period, they shall each choose their own arbitrator, and those arbitrators shall, within thirty (30) days of the end of the Mediation Period, designate the Arbitrator. The parties shall each bear the cost of their own arbitrator and shall share equally the cost of the Arbitrator. Such arbitration shall be conducted in accordance with the rules then pertaining of the American Arbitration Association. The Federal Rules of Civil Procedure regarding discovery and joinder of parties shall apply to the extent permitted and interpreted by the Arbitrator. The decision of the Arbitrator shall be final and binding on the parties and may be entered as a judgment in any court of competent jurisdiction.

DATED this ___ day of _____ 20__.

Cowlitz Wahkiakum Legal Aid

By: _____

XX

DRAFT NOT FINALIZED