

**AMERICAN BAR ASSOCIATION
COMMISSION ON HOMELESSNESS AND POVERTY**

**INFORMATIONAL REPORT TO THE
HOUSE OF DELEGATES**

The ABA first addressed legal issues affecting homeless people in 1986 when the House of Delegates adopted policy opposing bias against homeless individuals and urging lawyers to donate legal services to homeless clients. Under the aegis of its Section of Individual Rights and Responsibilities, the Association created the Representation of the Homeless Project to give technical assistance to pro bono legal programs addressing this national crisis. Within a few years, the Board of Governors restructured the Project as a Commission on Homelessness and Poverty and charged it with addressing the legal concerns of homeless and impoverished people by (1) promoting the development of pro bono programs; (2) educating the profession about the problems of poor and homeless people and the ways in which lawyers can play a role in solving or ameliorating them; (3) developing policy and advocacy strategies within and outside the ABA on substantive issues related to the poor and homeless; and (4) facilitating access to justice pursuant to ABA Goal I.

Since the Commission on Homelessness and Poverty's last report to the House of Delegates in August 2003, the Commission has continued its advocacy and ongoing examination of homelessness and poverty issues and submitted a policy recommendation concerning Section 8 Low-Income Housing Vouchers that was approved by the House of Delegates. The Commission has also sponsored numerous training sessions concerning the criminalization of homelessness, the Homeless Court Program, the Community Reinvestment Act, and the education rights of homeless children and youth. The Commission continues to meet with national, state and local advocates for homeless people regarding the promotion and development of pro bono programs. The Commission continues to respond to high demand for their successful publications, and conducted two business meetings.

Advocacy on behalf of Homeless and Impoverished People

The Commission continues its work with the Governmental Affairs Office (GAO) to monitor legislative activity on legal services for the poor, welfare and related benefits, low-income housing, the digital divide, predatory lending and other similar issues, and to respond as necessary. The Commission submitted a policy recommendation opposing the replacement of the Section 8 low-income housing voucher program with a state-administered block grant system at the 2003 Annual Meeting, which was approved by the House of Delegates. In addition, the Commission is working on a policy recommendation regarding the definition of "awaiting foster care placement" under the McKinney-Vento Act, as well as a recommendation regarding the reauthorization of the Individuals with Disabilities Education Act.

Examination and Education Concerning Homelessness and Poverty

The Commission sponsored numerous educational activities this fall. Homeless Court Program presentations and training sessions occurred at the Arizona Coalition to End Homelessness Conference and the Arkansas Interagency Council for the Homeless Annual Statewide Homeless Conference, as well as the National Coalition for the Homeless Annual Conference. The

Commission also held Homeless Court Program CLE Training at the NLADA Annual Conference in Seattle.

The Commission is also seeking to increase awareness about homelessness and poverty within the ABA. At the Annual Meeting in August, it co-sponsored a Presidential CLE Program based on the publication *Educating Children Without Housing*. It has also worked to reach out to other entities such as the Judicial Division and the Young Lawyer's Division in an effort to work with these groups to introduce and further the reach of its programs. The Commission plans to raise awareness at the Midyear Meeting through a paper sack campaign encouraging different types of donations towards homeless shelters, as well as encouraging extra food donations to area shelters during ABA meetings.

The Commission continues to plan educational programs and presentations for upcoming national conferences including the 2004 ABA Midyear Meeting, the 2004 ABA/NLADA Equal Justice Conference, the 2004 ABA Center on Children and the Law Conference, and the National Coalition for Homeless Veterans Annual Spring Conference. Additionally, the Commission is planning a one-day symposium on the Homeless Court Program to be held in San Diego in the fall of 2004.

Publications

The Commission collaborated with the Steering Committee on the Unmet Legal Needs of Children to publish *Educating Children Without Housing: A Primer on Legal Requirements and Implementation Strategies for Educators, Advocates and Policymakers* in December 2002. This publication has proven to be a tremendous asset to the State coordinators for the education of homeless children and youth who are charged with implementing the recently reauthorized McKinney-Vento Act, necessitating a second printing in March of 2003. . There continues to be great demand for this publication, as well as the numerous other publications offered by the Commission. In addition, the Commission is co-sponsoring a revised and updated version of *A Legal Guide to Microenterprise Development* to be released in January 2004.

John J. Curtin, Jr. Fellowship

The Commission administered and awarded four fellowships for the 2003 John J. Curtin, Jr. Fellowship Program. The following law students received \$2,500 stipends to facilitate their summer internships at an organization that provides desperately needed legal services to homeless and/or impoverished people: Rasheedah Carraway of Howard University School of Law interned at the New York Legal Aid Society, working on a variety of civil legal matters including housing, community development, domestic violence issues and public benefits; Meghan Garvey of Tulane University Law School interned at the Homeless Legal Advocacy Project of Southeast Louisiana Legal Services where she assisted attorneys in challenging the systemic practice of arrests and incarceration of homeless people without probable cause; Andreea Szabo of University of Washington School of Law interned at the Seattle Youth Legal Advocates of Washington where she provided community outreach to homeless street youth and assist in their legal representation; and Amy Zarembo of the American University Washington College of Law interned at the Georgia Justice Project, a unique organization that takes a holistic approach to ensuring justice and success for the indigent criminally accused. The Curtin

recipients received valuable training and had positive experiences, and the organizations they worked for all spoke very highly of the interns and their various contributions.

Business Meetings

Since its last report, the Commission will have held two business meetings. The Commission met on August 9, 2003 during the Annual Meeting in San Francisco, California. It held its Fall Business Meeting on October 25, 2003 in Washington, D.C., discussing future policy recommendations, planning events and listening to a guest speaker address issues in foster care funding.

Respectfully submitted,

William H. Hoch, Chair

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