Providing Legal Services to Youth and Young Adults Experiencing Homelessness: Lessons from the ABA Homeless Youth Legal Network Model Programs Pilot

In 2017, the American Bar Association selected 12 Model Programs across the country as part of its Homeless Youth Legal Network (HYLN) pilot initiative:

- Arizona Legal Women and Youth Services (ALWAYS), Arizona
- Bay Area Legal Aid, Youth Justice Project, California
- Center for Children’s Advocacy, Connecticut
- Community Legal Services of Philadelphia (CLS), Pennsylvania
- Family & Youth Law Center at Capital University School of Law, Ohio
- Homeless Persons Representation Project, Homeless Youth Initiative, Maryland
- Homeless Youth Legal Clinic, Utah
- Legal Counsel for Youth and Children (LCYC), Washington
- Mid-Minnesota Legal Aid, Youth Law Project, Minnesota
- Pegasus Legal Services for Children, New Mexico
- Peter Cicchino Youth Project, Urban Justice Center, New York
- Legal Services Center, The Door, New York

These pilot sites were chosen strategically to showcase not only individual programs that do important and valuable work in their own communities, but also to highlight the variety of models worthy of replication that exist across the country. Each program developed a narrative description of their work providing legal services to youth and young adults experiencing or at risk for homelessness (collected in the Appendix to this document). Those profiles, and the other information the Model Programs shared with the ABA as part of their engagement in the HYLN pilot initiative, illustrate numerous common challenges and successful strategies among the organizations, as well as some unique innovations.

Organizations interested in starting or growing a legal practice for youth experiencing homelessness can read through the “Starting a Legal Services Program for Youth and Young Adults Experiencing Homelessness” checklist contained in the Appendix to this publication, and use the work of the Model Programs to help guide decision-making and development of their own programs.
ABA Homeless Youth Legal Network
The American Bar Association launched the Homeless Youth Legal Network (HYLN) in 2017 to increase legal services for youth and young adults experiencing homelessness. The Network provides information and fosters collaboration in order to help attorneys and other advocates address existing gaps in legal services, and improve outcomes for homeless youth and young adults—including those transitioning from the child welfare system and exiting the juvenile justice system as well as overrepresented groups such as LGBTQ and youth of color. The Network’s focus includes civil legal matters, juvenile and criminal defense, and policy/systems change efforts for minors as well as young adults through at least age 25. HYLN also hosts an active listserv, offers free training and technical assistance, and maintains a directory of legal services providers for youth experiencing homelessness; all of these resources can be accessed at www.ambar.org/HYLN.

PROGRAM CHARACTERISTICS

Models of representation and organization size
The range of models used by the programs illustrate that there are many different ways to successfully represent youth experiencing homelessness. Several Model Programs are youth-specific projects or departments within larger general civil legal services organizations, while others are located within social services providers/homelessness programs. Others are housed within smaller legal organizations with a specific focus on children or homelessness, and one is part of a law school.

➔ Mid-Minnesota Legal Aid’s Youth Law Project believes that their effectiveness and stability stems in large part from being embedded in a larger legal services agency that gives them access to lawyers with expertise in a wide variety of subject matter areas including: immigration, housing, public benefits, family issues, consumer and tax, and special education. Partnering and consulting with those attorneys allows a relatively small unit to provide comprehensive wrap-around legal services for clients.

The size and scope of the Model Programs varies as well. Homeless Youth Legal Clinic (UT)’s only paid staffer is a third year law student who receives a stipend to help coordinate the work of the attorneys, all of whom volunteer. The Door’s Legal Services Center (NY) has a team of 15 full-time staff including a director, 11 attorneys, a social worker, a paralegal, and an administrative assistant. Most Model Programs have 1-3 full-time paid attorneys. Given the range in staffing, it is not surprising that there is a large range in the quantitative measures of legal services delivered. Most programs serve between 100 and 150 clients per year, many of whom have more than one discrete legal case. Only about half of the

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1 All Model Program examples reprinted/adapted from the ABA Homeless Youth Legal Network Model Program Profiles shared in the Appendix to this document.
2 As discussed in their Model Program Profile, The Door’s Legal Services Center serves 1,200 clients annually; approximately 10% reported being homeless or at risk of homelessness. However, Door staff believe that the data underreport the prevalence of housing instability among the LSC’s clients.
Model Programs track the number of hours spent on direct legal advocacy, with those numbers generally ranging from several hundred to 1,500 hours.

➔ Bay Area Legal Aid’s (BayLegal) Youth Justice Project began with one Skadden fellowship in 2007 and grew into an 11-person team that now provides a range of legal and social work services across the San Francisco Bay Area and frequently engages in national efforts as well as training and supporting programs in other regions. The Project’s dedicated work with youth experiencing homelessness began in 2011, through a foundation grant and the overwhelming dedication of a summer law clerk; it was later funded by a law firm for several years. Bay Area Legal Aid handles an estimated 300³ cases each year and provides over 4,500 hours of legal and related services annually.

Populations served
Most programs serve both minors, some as young as 10 or 12, and young adults, generally through their mid-twenties. Youth of color and lesbian, gay, bisexual, transgender and queer/questioning youth have a higher likelihood of experiencing homelessness, and most Model Programs report serving a higher proportion of youth in these populations.⁴ Several also note that they served many youth who’ve been involved with the foster care and/or justice system, and several said that a substantial portion of their clients have been victims of a crime.

➔ Peter Cicchino Youth Project at the Urban Justice Center will serve any homeless or street-involved youth in New York, but specializes in working with LGBTQQ-identified youth, who disproportionately experience homelessness.

➔ Arizona Legal Women and Youth Services (ALWAYS) offers free legal services for vulnerable children and youth (0-24 years old) impacted by abuse, homelessness, and the foster care system, and survivors of human trafficking of any age in Maricopa and Pima Counties in Arizona. Immigration is the primary legal issue for 45% of their clients.

Types of services offered
All of the Model Programs provide direct legal services, with many providing regular clinics at homeless youth programs. Types of services offered include full representation, brief advice and referral, and assistance with pro se representation, with most programs offering a mix of services depending on client needs.

The Model Programs all engage in systemic advocacy and/or legal education and outreach as well. This ranges from “know your rights” presentations to sitting on key advisory groups. Directly representing clients experiencing homelessness can help attorneys identify systemic issues, and help put into place practice or policy changes that can reduce the number of clients who are struggling with the same challenges over and over again.

³ BayLegal’s caseload has varied with staffing levels as it’s grown; 300 cases is an estimate based on current staffing levels.

⁴ Not all programs collect this demographic information.
Community Legal Services has worked with shelter providers and the District Attorney’s office to develop streamlined procedures to administratively recall open bench warrants—which otherwise would serve as a barrier to shelter.

Funding/Resources
Model Programs are supported by a range of funding sources including: private foundations, local/state bar associations, Legal Services Corporation funds, local government, and individual donations. As discussed below, several also use volunteer attorneys and/or fellows paid for by outside organizations/ foundations. Program budgets range from less than $15,000 to over $1.5 million.

CHALLENGES FACED

Resource constraints
Not surprisingly, nearly all of the Model Programs discuss challenges relating to generating sufficient resources to meet the legal needs of these youth. Several groups supplement their own staff capacity by working with pro bono lawyers, or by obtaining legal fellows through national or community foundations.

Bay Area Legal Aid, one of the largest Model Programs, finds that capturing the value of its legal services has been key to generating funding to support their work. Through their data collection and analysis, they can show the dollar amount of federal and other benefits recovered for their clients, as well as tracking other specific outcomes they obtained for their clients, such as a guardianship order or successful federal student financial aid application. (In total their program has recovered over $6 million worth of income, benefits, and services on behalf of clients who came to them through their homeless youth intake portals.)

Community Legal Services currently has a full-time Stoneleigh Emerging Leader Fellow working on systemic advocacy to stop the flow of youth into homelessness and to identify key barriers to youth leaving homelessness for good. Having this fellow has also increased CLS’ capacity to work with youth to tell their stories and become more engaged in advocacy efforts.

Maintaining contact
Programs also almost universally cite the challenges involved in keeping in contact with young people who are highly mobile and may not have regular access to a phone or computer. Several address this issue by collecting as much information as possible at intake, asking youth for multiple types of contact information, and then trying to use the form of communication the client finds most convenient and safe. Some programs use different forms of social media (e.g., Facebook, twitter) to check in with clients, as well as using texting tools that allow attorneys to text clients directly from their phones, laptops, or office computers.

BayLegal reports that capturing the value of federal funding streams for youth who were entitled to funds but would not have otherwise received them has been key to convincing local government to fund pieces of the work—including opening up the ability to bill healthcare funding and probation dollars to fund disability benefits work.
Bay Area Legal Aid raised funds to hire social workers both to support their attorneys in staying in touch with clients and to provide a more therapeutic approach that includes motivational interviewing and cognitive therapy. This creates a model that locates, engages, stabilizes, and maintains youth experiencing homelessness and thereby gives attorneys a better chance of maintaining contact with the client throughout the duration of the legal case.

Knowledge-building
Lack of education and awareness of the law, and of the civil and criminal legal systems are a common theme as well. Almost all of the Model Programs offer legal education, including offering “know your rights” sessions on criminal/juvenile law or health issues, publishing brochures and flyers explaining legal issues in an accessible way, and working with social services providers, schools, and others to educate young people and professionals on what the Model Program offers or how civil legal services can help youth experiencing homelessness.

Last year Pegasus Legal Services for Children trained more than 500 people (mostly through live, in-person training), and distributed 12,000 brochures on issues relevant to the legal needs/rights of children and youth.

COMMON STRENGTHS AND STRATEGIES

Relationships are essential
Many programs discuss their relationships with other programs as a key to their success. Youth experiencing homelessness have cross-cutting needs and therefore collaboration is essential to achieving positive outcomes. Along the same lines, many discuss how much their efforts to educate key partners, youth, and the larger community about legal issues make their work easier and more effective.

Arizona Legal Women and Youth Services (ALWAYS) has a Memorandum of Understanding with 5 other agencies serving homeless youth, as well as a domestic violence shelter. They also partner with local school districts, transitional living programs, and direct service agencies.

Connecting with highly mobile youth
All of the programs emphasize the importance of meeting youth where they are. This can mean having an office in a part of town that’s easily accessible, or holding clinics in places youth experiencing homelessness are already going (e.g., a meals program). Several programs also work hard to reach out to youth who may be not be well-connected to services and support systems.

The Center for Children’s Advocacy has a law office housed inside a customized van, which allows it to bring mobile legal services into the community, to locations frequented by homeless youth and young adults, so they are able to easily access legal services and meet with an attorney in a confidential, private setting.

Legal Counsel for Youth and Children created business cards that briefly explain the legal services they provide and the confidentiality of the conversations between a youth and their
attorney. The cards are printed in English and Spanish and are available at the juvenile court, schools, and shelters. Outreach staff from their partner homeless services agency also give cards to youth they meet on the street.

→ The Homeless Persons Representation Project's Homeless Youth Initiative ensures that it reaches youth with diverse needs and experiences by conducting “know your rights” workshops and intake at varied locations, such as family shelters, anti-trafficking programs, a support group for transgender women, and transitional housing for parenting youth experiencing homelessness.

→ Peter Cicchino Youth Project at the Urban Justice Center sends lawyers directly to the shelters and drop in centers where youth are already getting a bed, hot meals, medical and mental health care, and community. Even youth who do not have access to a phone or regular email access can stay engaged with their lawyers because they are consistently in the spaces where their other needs are met.

Utilizing pro bono support effectively
Several programs use volunteer attorneys to extend their program’s capacity to serve youth. This ranges from having volunteer attorneys support staff attorneys on cases with more unusual legal issues (e.g., estate law, federal litigation), to having pro bono lawyers staff clinics and provide brief consultation, to placing cases with volunteer lawyers for full representation.

→ Homeless Youth Legal Clinic (HYLC) is staffed completely by volunteer attorneys, and finds that while their attorneys generally have the substantive legal knowledge they need to represent youth, providing training and education on the culture, lifestyle, and common experiences of homeless youth is essential for building trusting attorney-client relationships. All HYLC’s volunteer attorneys receive training on trauma-informed advocacy and several other topics.

→ At Pegasus Legal Services for Children, volunteer attorneys conduct telephone consultations with youth twice weekly. These volunteers are frequently able to provide the necessary advice to resolve the youth’s issue. They also gather information to forward to the Pegasus attorney when further representation is necessary. In addition to expanding Pegasus’ capacity to serve more youth generally, these phone consultations allow the program to serve youth in rural areas.

→ The Door’s Legal Services Center utilizes pro bono attorneys in all areas, particularly with cases for Special Immigrant Juvenile Status. Two local firms send them new associates to work full-time at The Door for three to 18 months, and they have about ten additional pro bono partner law firms.

Learning from youth
A number of programs also highlight the value of youth input to their work. Beyond simply directing their own representation, as all clients do, youth can help shape a program and can make a huge difference in systemic advocacy.

→ The Center for Children’s Advocacy worked with youth from the Youth Advisory Board of a local youth-serving agency to create a design and mural for the exterior of their Mobile Law Office’s van that would draw in and be welcoming to homeless youth. Youth who were homeless
helped the Center plan the project’s social media and online outreach strategies, and helped develop a teen-friendly website and social media pages by advising the Center on terms used, selecting the website logo and providing suggestions about presentation.

→ **Homeless Persons Representation Project’s** Homeless Youth Initiative engages clients and other youth experiencing homelessness in systemic advocacy in several ways. Their advocacy agenda is informed by trends identified in individual legal cases and by asking youth about their priorities. They also survey youth about specific systemic issues and collect their stories, provide workshops on the state legislative process and lobbying, solicit youth input on bill drafting and other substantive decisions, and take youth to their state capital to meet with elected officials and testify on legislation.

**Leadership is key**

Key leaders are essential to the success of many Model Programs. For some, it is because of their long history of work on these issues, for others it is their own personal lived experiences, and for many it is because of the relationships the project’s leadership had with other area agencies.

→ **Homeless Youth Legal Clinic's** (HYLC) program director experienced homelessness as a teenager and went through many of the same things as the clients HYLC serves. Her leadership has helped create a strong program targeted at the legal needs homeless youth face, and continues to ensure that clients feel comfortable coming to the HYLC.

→ **Mid-Minnesota Legal Aid’s** Youth Law Project is led by an attorney with 27 years of experience representing youth and young adults and advocating for their rights in the systems that impact their lives. She also has deep connections to other child-serving agencies, who speak highly of her program and frequently refer young people for legal services.

**Meeting all needs experienced by clients**

Several programs also emphasize the importance of holistic advocacy and expansive advocacy, so that attorneys can help the youth resolve not only the legal issue that brought the youth to them, but other challenges in the youth’s life that may not be able to be resolved with legal assistance. Programs that do not have the in-house capacity to meet every legal need presented have developed a good network for referrals, to ensure that youth receive the right services. Numerous programs have social workers on staff, and those that don’t often partner with social services agencies that provide case management support. One program mentioned that sending lawyers with different legal knowledge impacts what needs they identify and address for young people. For example, a benefits attorney at a homelessness program will find that a lot of young people need assistance with benefits, while a family law attorney may find civil harassment or restraining order cases. A former BayLegal attorney said, “the needs are so great and so multifaceted, it is important to listen, learn, respond, and then repeat.”

→ At the **Family & Youth Law Center at Capital University School of Law** (FYLaw), clinical attorneys and student clinicians assess for legal issues, but also for needed resources and services, such as domestic violence referrals or public benefits eligibility. FYLaw’s staff social worker works with the clinical team to identify specific supports and appropriate referrals.
Arizona Legal Women and Youth Services (ALWAYS) believes their strong relationships with partner agencies, especially with programs where case managers are involved, are vital in screening clients, obtaining referrals, and leading youth to safety, stability, and self-sufficiency.

There is no one right way to serve youth experiencing homelessness, but the Model Programs discussed here illustrate that lawyers, working in collaboration with youth and other service providers, can resolve many of the issues that lead youth to become homeless, or prevent them from overcoming homelessness. The initiatives selected by the ABA as Model Programs provide examples of models and methods to start and grow a legal services practice for homeless youth, and the ABA Homeless Youth Legal Network is available to support attorneys and organizations who want to engage in this work. Learn more at www.ambar.org/HYLN.
APPENDIX

Starting a Legal Services Program for Youth and Young Adults Experiencing Homelessness

Developing a legal services program for youth and young adults experiencing homelessness is a significant—but important—undertaking. If you are considering starting a new program, here is a list of decisions you will need to make and questions you will need to answer.

- **Who will you serve?**
  - Ages (e.g., minor, young adults, both)
  - Focus populations (e.g., LGBTQ youth, crime victims, youth involved with child welfare and/or juvenile justice)
  - Any restrictions (e.g., immigration status, income level)
  - Geographic region (where will you have offices/programming, and will clients be required to be residents of a particular city/county)

- **Where will your program be housed?**
  - In a larger legal services organization
  - In a homelessness service provider
  - As a stand-alone entity
  - In University/Law School
  - Other:

- **What are the most needed legal services among youth experiencing homelessness in your jurisdiction? Which will you address?**
  - Public benefits
  - Landlord/tenant, other housing
  - Seal/expunge records, court fines/fees, warrants, sex offender registration issues
  - Domestic violence/protective orders
  - Credit/debt/identity theft issues
  - Accessing child welfare system and/or extended foster care
  - Child custody, child support, parenting plans other services for relating to the youth’s child(ren), including CPS defense
  - Obtaining identification documents
  - Changing name and/or gender marker on identification documents
  - Immigration
  - Education
  - Emancipation

- **What level of services will you offer?**
  - Brief advice/consultation on a range of issues
  - Limited representation to address a specific issue (e.g., expungement clinic)
  - Support/assistance for pro se representation
  - Full representation on specific legal issues (e.g., only public benefits or educational advocacy)
  - Full representation on any legal issue the youth faces
  - Systemic/policy advocacy and coalition-building
Where will you serve youth? (Note that it’s essential to “meet youth where they are” but this will mean different things in different jurisdictions)
- In your legal office (Is location accessible to youth?)
- At homelessness programs
- At schools
- At other social service providers
- By phone/virtually
- Other (e.g., mobile legal office, meeting clients at a park or library)

When will you serve youth?
- Limited drop in/intake hours:
- 24/7 intake
- All standard business hours (e.g., whenever your offices are normally open)

How will you engage youth to help plan and develop your program?

Who will you partner with? (Develop a list of organizations within each category; note that many of these will be informal, but some may require contracts/MOUs)
- Homelessness service providers:
- Civil legal services providers:
- Criminal/juvenile defense and prosecutors:
- Child welfare attorneys/GALs:
- Court administration:
- Bar Associations:
- Private bar:
- Schools:
- Health providers:
- Other social services providers:
- Advocacy groups:
- Youth groups:

How will you fund your work?
- Private foundations
- Bar association funding (state/local)
- State/county/city grants or contracts
- Individual donations
- Legal Services Corporation/other federal funding
- Court-related funding
- In-kind support (e.g., staffing through a fellowship, donated office space)

What is your target budget for your first two years?

How will that budget be allocated? (This includes determining your ideal staffing)
- Staffing (including benefits):
  - Attorneys (full-time/part time):
  - Fellows/interns:
  - Social workers:
  - Administrative staff/other:
- Infrastructure/communications (office space, computers, internet, printing, etc.)
- Other

How will you get the word out about your services?
- Spending time at homelessness service providers
Flyers/business cards shared at locations frequented by youth experiencing homelessness
Outreach to case managers, homelessness program staff, teachers, etc.
Social media

How will you use volunteers in your work? (Note that you will need to develop a separate plan for recruiting, vetting, training and supervising volunteers)
- To staff clinics/provide brief consultation/representation
- To take on cases for full representation
- To support program attorneys in less commonly used areas of law
- To assist with non-legal needs (e.g., fundraising, development of materials, administrative support)

How will ensure quality and sustainability of your program?
- Develop and carry out plan for collecting, analyzing and using relevant data
- Use an advisory board or similar group (including youth and young adults, and community partners)
- Engage with and learn from other groups doing similar work (such as through the ABA Homeless Youth Legal Network)

The Profiles for each Model Program provide more details on how others have successfully developed their initiatives, and the ABA Homeless Youth Legal Network (www.ambar.org/HYLN) is available to support you in your efforts!