IOLTA Grantee Spotlight: Vermont’s Have Justice—Will Travel

by Wynona I. Ward

History
In the 1950’s, growing up in poverty on a rural back road in Vermont, family violence was an accepted way of life. When the neighbors heard screaming coming from our home, they turned their heads. When we heard screaming coming from the neighbor’s home, we turned our heads. When my mother asked the minister for help, the minister reminded her that marriage was for better or worse, “until death do you part.” The local doctor treated the “black and blues,” and never questioned where they came from. If my mother had chosen to use the legal system, she would have been told, “a man’s home is his castle,” we do not interfere there. Little did they realize that this “castle” was a prison for my mother and her children. There was no justice.

Over forty years later, as a student at Vermont Law School, I sat in a courthouse and read over 200 affidavits written by women requesting protective orders. These women were from the same county, some from the same town, where I grew up and they were being hit, kicked, punched and strangled the same as my mother. “This can’t still be happening!” I screamed. “Why isn’t the law protecting these women and children?” Where is the justice?”

In the courtroom, it was necessary for these women to litigate for their safety and their children’s safety against an experienced lawyer that the batterer, who usually controlled the purse strings, had hired. I saw that the women who were not returning to finalize their protective orders had no transportation to get there. Regularly, during a hearing, a victim was forced to sit a few feet from the man who had beaten her and threatened her with a gun only a few days before. If a protective order was granted, the batterer would continue to use the legal system to abuse her and the children. If no order was granted, then surely the abuse would be worse the next time. Whether it was a custody trial, a child support hearing, or a motion for visitation, the woman battled alone against an experienced attorney. Again, I asked, “Where is the justice?”

The nonprofit organization, Have Justice—Will Travel, Inc. (HJWT) was born to bring justice to rural battered women and their children.

Model
The HJWT model of providing free legal services, in-home consultations and transportation are all prevention strategies that work to stop the generational cycle of abuse. Few (less than 10%) of the women the attorneys work with return to, or go on to, abusive relationships.

HJWT attorneys provide free legal representation in the courtroom for women and children who are victims of domestic violence, sexual assault, stalking and child abuse. The in-office and on-the-road legal services provided by HJWT include initial client interviews, pretrial motions, filing for divorce or parentage, and establishing child support, custody, and visitation. HJWT also provides legal representation for protective orders, housing, landlord/tenant, wills, deeds, creditor, and other

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civil legal issues. The attorneys accompany victims during criminal trials where it may be necessary for them to testify. This is especially important in cases where the victim is a child.

By sitting in women’s kitchens, where they are at ease, HJWT attorneys talk with women as peers while assessing their legal issues and financial circumstance. They ascertain if the women understand generational abuse, the effect it is having on their children, and the services the family needs to address abuse issues. HJWT works closely with victim advocacy groups to provide safety planning and resource referrals.

HJWT maintains four offices in Vermont: Vershire, Brattleboro, Bennington, and Brownington. The two offices in Southern Vermont are funded by a grant from the US DOJ Violence Against Women Office. The Northeast Kingdom office was developed after an anonymous gift of property was received and is now supported by the Schultz-Blackwell Trust. Other operating costs are funded by private foundation grants and individual donations. An attorney and a paralegal/client service coordinator (CSC) staff each office. HJWT equips each attorney’s vehicle with mobile equipment including cellular phones, laptop computers, printers and mobile files.

The CSC in each office is responsible for completing initial intakes, assisting attorneys with preparation of court pleadings, attending court hearings, scheduling appointments, opening and maintaining client files, and conducting legal research. The CSC assists clients in obtaining social services such as housing, transportation, food stamps, education and job training. Multi-service follow-up for clients continues until the woman has achieved financial and emotional independence from her abuser.

HJWT accepts referrals from victim advocacy groups, courts, prosecuting state’s attorneys, homeless shelters, mental health organizations, doctors, nurses, law enforcement and private attorneys. One measure of the success of HJWT is that a number of referrals come from clients already served.

Legal Empowerment Assistance Program (LEAP)

As HJWT grew, it quickly became apparent that we were turning away many more women than we were able to accept as full-service clients. With IOLTA funding from the Vermont Bar Foundation (VBF), HJWT was able to institute the LEAP Program. The VBF’s understanding of and dedication to addressing the legal needs of those Vermonters who are unable to hire an attorney has allowed for the program to steadily expand its reach. LEAP allows HJWT to offer long-term services on a consulting basis to those pro se litigants who benefit from ongoing contact with HJWT during their legal case, but for whom we cannot provide attorney services.

Due to the VBF’s support of HJWT’s efforts to develop a program to meet the needs of these disadvantaged Vermonters, we have steadily been able to increase the hands-on HJWT legal services provided for LEAP clients. HJWT has done this by offering assistance with more complex legal issues, such as divorce, at the initial stage of our response to the call-in need. In addition to legal assistance, HJWT provides LEAP clients with access to the social services and referrals that they need to empower themselves emotionally and psychologically.

LEAP services also have a positive impact on the Vermont Family Court by complementing the pro se court training required by the courts. At one Vermont Bar Association conference recently, judges said they see a significant difference in how pro se litigants present their case in the courtroom when they have received legal advice from an attorney.

The continued funding from the VBF has given HJWT the opportunity to help call-in clients find strength, determination and resolve that leads to positive long-term changes in their lives and the lives of their children. The LEAP service HJWT provides is vital in allowing us to aid the hundreds of call-ins that we handle each year.

Spreading the Word

HJWT works in cooperation with community agencies throughout the state to develop education and prevention strategies directed toward domestic violence, dating violence, sexual assault, stalking and child abuse. Staff members often provide inspirational speeches, both in Vermont and nationally, in various forums including law schools, colleges, high schools, women’s groups, paralegal associations, medical organizations, hospitals, rotary clubs and community organizations. HJWT also uses the local and national print, radio, and television media to get out the message that domestic violence is no longer an acceptable way of life and that the generational cycle of abuse must end.

Wynona I. Ward, Esquire, is the founder and executive director of Have Justice—Will Travel. For more information about the organization, visit its website at www.havejusticewilltravel.org.