

# TOWARD JUSTICE

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## MILLE LACS DOMESTIC VIOLENCE COURT (DVC)

### Taking Survivors from Fear to Brighter Futures

**R**ochelle Carson\* was 6 months pregnant, living in a tiny studio apartment with no car or telephone. Her 3-year-old twins were in the custody of her aunt – a deal she'd made to keep them out of foster care. Her ex-boyfriend was out on bail after violently attacking her, and she was very, very scared.

She received this letter in the mail:

*Dear Ms. Carson,  
My name is Colin Laffey and I am a lawyer with Legal Aid in St. Cloud. I do not work for the Mille Lacs County Attorney's Office or for Pearl Crisis Center, but I received your name because Mr. Smith's\* criminal case was assigned to the Mille Lacs Domestic Violence Court (DVC).*

The letter went on to explain that Rochelle was eligible for free legal assistance. Colin was available to help Rochelle with housing, custody, family law, or any other non-criminal legal problems she might have.

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“My role with DVC is unique because the services I offer are voluntary and proactive,” says Colin. “We contact the clients, rather than waiting for them to learn about us on their own.”

### Victim Advocacy

Established in January of 2016, the Mille Lacs DVC is modeled after the highly successful Stearns County DVC, founded 7 years ago by the Stearns County Attorney and MMLA’s St. Cloud office. The DVC partnerships include judges, probation officers, victim services, county law enforcement, and Legal Aid.

“The collaboration between Legal Aid and victim advocacy is extremely beneficial to the clients,” says Tracey Sundvall, victim advocate with Pearl Crisis Center. “Many victims do not feel comfortable with the idea of speaking with anyone involved in the court process. As an advocate, I can help bridge the trust between the attorneys and the victims so they feel comfortable getting help with legal concerns.”

Research shows that increasing access to civil legal aid is one of the most effective strategies to curb rates of domestic violence. Financial and logistical dependence on the abuser can make it difficult, if not impossible, for victims to move ahead on their own without comprehensive legal help to remove barriers to safety and independence.

Rochelle had been having nightmares at the thought of testifying against Mr. Smith in court, but she wanted to cooperate. “If I don’t do this, it will happen to someone else,” she said. “He needs to be behind bars.”

### Wraparound Services

“A designated victim attorney for Domestic Violence Court is invaluable,” says Brian Wold, the Assistant County Attorney with the DVC who works closely with Colin and Tracey. “The arrest of the attacker is often merely the beginning of a long and difficult process. The victims have both short-term and long-

“We contact the clients, rather than waiting for them to learn about us on their own.”

term needs that include significant concerns about safety, securing housing, and arranging child custody. The dedicated victim attorney provides another pillar of support during a traumatic time.”

Colin was drawn to the DVC position by the opportunity to be part of a team providing comprehensive support and services to survivors.

“I really like being able to help clients with a wide array of problems,” says Colin. “Domestic violence is often an undercurrent for my clients, constantly affecting the other challenges they face. We are trying to provide a safe path toward stability and control in their lives. We are here to help if they want the help.”

In Rochelle’s case, Colin began by helping her obtain an Order for Protection. Then he and others in the St. Cloud office worked with her on housing, health insurance, and regaining custody of the twins.

“Access to legal counsel instills a greater faith in the justice system,” says Brian. “The hope is – and we’re already seeing it in Mille Lacs County’s DVC – that it translates into greater victim cooperation with the prosecution of their offenders. The goal, obviously, is to cut recidivism. It all begins with supporting and protecting the victim, and the designated victim attorney is an essential component.”

*\*Name has been changed.*

## Every Dollar Helps

Your generous support makes it possible for MMLA to meet increasing demands and provide much needed assistance to vulnerable individuals and families in Minnesota. Your gift can change lives.

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# Forging a Path to Stability for Domestic Violence Victims

“At my first appointment, Betsy told me it was a safe place. ‘We’re here to help you,’ she said.”

**A**lejandra came to the U.S. as a child with her parents. When she met Juan, she was an adult supporting herself and her 10-year-old daughter.

At first, Juan was charming and thoughtful. He was generous with Alejandra and her daughter. When the lease on Juan’s apartment came up and he asked to move in, Alejandra agreed. His drinking and aggressive driving sometimes made her uneasy, but he would always apologize the next day.

Soon, Juan became controlling and violent. He hit Alejandra and threatened to kill her. She reached out for help, and a counselor helped her to make a police report. She and her daughter moved to a shelter. Juan begged for forgiveness, promising that he would never threaten or hit her again. That week, Alejandra realized she was pregnant. Juan was delighted, but Alejandra was confused and depressed. Juan stopped drinking and asked for another chance. She agreed.

## **A Cycle of Violence**

When the drinking and abuse began again, Juan was arrested and Alejandra moved. He called and texted constantly, and came looking for her at the homes of her mother and sister. Alejandra, under tremendous stress, required extensive medical care for her difficult pregnancy. When the baby was born, Juan promised again to change and begged for the chance to share the parenting of their child.

It didn’t take long for the cycle to start again. After a devastatingly violent episode, Alejandra went to the police again. Juan was arrested and sentenced to a halfway house for several months. Fearful of his release, Alejandra fled the state with her infant son but she couldn’t stay long. She didn’t want to take her daughter out of school, and she was the primary caretaker for her mother.

Alejandra returned to Minnesota, frightened and discouraged. A friend told her that Legal Aid might help with her case.

## **Beyond Victimhood with Legal Aid**

“Alejandra did a good job of accessing resources,” says Betsy Parrell, staff attorney in the immigration unit. “She went to the police and got an Order for Protection. She found help from domestic violence advocates, and she found us – but she was still in a precarious situation, living on edge with constant fear. She told me that with all of her family responsibilities, she didn’t feel that moving was a viable choice and neither was living in a shelter.”

Alejandra was an immigrant without documentation, which made her situation even more insecure and limited her opportunities. Betsy requested a law enforcement certification from the police department so Alejandra could apply for a U-Visa and employment authorization. She also helped with safety planning support for Alejandra as they waited for the administrative wheels to turn.

“Stability is a key factor for someone in a domestic violence situation,” says Betsy. “Immigration benefits for a non-citizen can help to increase stability on so many fronts, potentially opening access to employment, housing, benefits, and health care. Security in each of these areas lends itself to greater safety.”

“I didn’t realize that Juan was bipolar and using drugs,” says Alejandra. “I was just so afraid. But Legal Aid helped me to feel that I was in a safe place and could move ahead.”

In November of 2016, Alejandra received a four-year U-Visa with a clear path to permanent resident status and citizenship.

“It’s a powerful thing we can do, to help someone who is in such a bad situation,” says Betsy. “Legal help can give a person a chance to start a new life.”

Juan passed away after a drug overdose. Alejandra is very sad, but is relieved to be living without fear and with legal standing in the United States.

“I don’t know what would have happened to me if I hadn’t found Legal Aid,” says Alejandra. “Other places you have to put money down for legal help and they won’t help you if you don’t pay. Everything I needed, Legal Aid was there for me.”

## SAFE AVENUES PARTNERSHIP

# Connecting Domestic Abuse Survivors to Legal Counsel

Tammy arrived at Safe Avenues shelter in a cab late at night with a toddler and a baby. Her abusive husband was still at work and did not know she had left. She was full of questions about the legality of her situation. The Safe Avenues staff welcomed her, got her settled, and two days later, Tammy had an appointment – at Safe Avenues – with a Legal Aid attorney.

Legal Aid’s Willmar office has a strong partnership with Safe Avenues, a local organization that provides advocacy, parenting time services and emergency shelter for victims of domestic and sexual violence. The two programs work closely together on behalf of their clients.



“The service Legal Aid provides is so important to our clients,” says Outreach Coordinator Dee Peterson. “When they first arrive here, everything feels chaotic and they’re quickly overwhelmed. Part of our intake process is an assessment of potential legal questions or difficulties.”

Tammy needed an Order for Protection (OFP) from her violent and controlling husband. She needed to consider her options for divorce, child custody, and housing. She had no transportation and little money.

“It’s huge to have Legal Aid meet with our clients here at the shelter,” says Safe Avenues Executive Director Jen Johnson. “We’re secluded, and it decreases their anxiety level to utilize the service here in the building, set up by advocates they trust. That leads to a more productive conversation with Legal Aid from the start.”

Legal Aid Supervising Attorney Dan Morris helped Tammy with her case. He and his colleagues have all been trained by Safe Avenues staff to understand the dynamics of domestic violence. This is key to the success of the partnership.

“So much of being an advocate is about credibility and connection,” says Dan. “Safe Avenues taught us how to ask the questions, and how to sit with someone who has been through trauma in an empathetic way. We are then better able to convert their experiences into legal arguments that will hopefully translate to those with power of decision over their safety and their children.”

“You see a huge change when the clients have representation at an OFP hearing,” says Jen. “Most of our clients don’t have any experience in court and it’s intimidating. It’s a tremendous relief to have someone who understands speak on their behalf.”

Dan worked with Tammy from start to finish through details of custody and visitation. Because he was familiar with Safe Avenues’ Harmony Visitation Center, he could help her to thoroughly understand the procedures and protections in place for Safe Avenues clients and their children.

“I could tell her details about the environment, right down to the specific toys on hand,” says Dan. “Because I could directly address Tammy’s fears, she trusted me a bit more as we problem-solved each step of her case.”

“Legal advice is often key in our clients’ decision-making,” says Jen. “Legal Aid gives them the facts and helps them fully understand the consequences of various decisions. They begin to take the critical steps from chaos to solutions. They can see a direction to go with their future.”

Tammy and her children are settled in a new apartment with the OFP in place. Tammy’s divorce is final and she’s on her way to rebuilding her life.

“When our clients arrive, they’ve been stripped of their identity and pretty much everything else,” says Dee. “They have no self-confidence. They don’t have the money, they don’t have the means, but the lawyers treat them with respect and give them answers. It’s a huge step in getting their self-respect back and it gives them hope.”

# Stearns County DVC: A Model for the Nation

**D**omestic violence thrives and expands in an environment of isolation and silence. Victims and children often depend on the abuser for financial stability, emotional connection, and security. The most dangerous time in the cycle of abuse is when the victim decides to leave the abuser. Reaching out for help can be very risky.

Since 1913, Legal Aid has been providing wraparound services for victims of domestic violence, helping them not only with family law issues and orders for protection, but also with food security, housing, health care, consumer protection, and emergency benefits. To access services, the victims had to come to a law office and tell their story to a stranger.

In recent years, Legal Aid has been forming partnerships that make access easier and safer. Collaborations with local government, shelters (like Safe Avenues), medical clinics and community organizations bring legal services into buildings that are already safe and familiar, with connections through trusted intermediaries.

## Stearns County DVC is Born

One of the strongest of these collaboration networks started in 2008 when Stearns County Attorney Janelle Kendall realized that 7 of the last 7 homicides in Stearns County were domestic violence related. Further research revealed that 85% of the repeat violence victims had children, creating generational issues.

Understanding the tremendous costs of domestic violence to the county – financial, emotional, and cultural – Kendall gathered 30-plus policy makers and began a conversation about the scourge of domestic violence. She asked Legal Aid's St. Cloud office to join her as a founding partner of the Stearns County Domestic Violence partnership. The partnership, which includes the local court, local law enforcement, probation officers, the jail, the public defender's office, and Anna Marie's Alliance women's shelter, now participates in and advises the Stearns County Felony Domestic Violence Court (DVC) – the first DVC in the country.

The DVC holds repeat felony-level domestic violence offenders strictly accountable. When offenders don't follow the rules of supervision required by the court, they are arrested on the spot and further court proceedings follow. But the DVC does not just focus on the offenders; a core element of the project is the provision of tailored services to keep victims and children safe and open their options.



“Before this project, the violent offender had a right to a public defender but the victims had no lawyer they could talk to about anything,” says Legal Aid Deputy Director Ann Cofell. “The DVC gives them that lawyer. It gives them a voice in the system.”

## Positive Economic Impact

The direct costs of domestic violence, estimated by the Center for Disease Control to exceed \$5.8 billion per year nationally, include medical care, property damage, social services, law enforcement, and court services. A recent report on the cost-effectiveness of legal aid in the state of Minnesota uses a conservative estimate of \$3,818 in avoided costs to the state for each incident of domestic violence.

Of offenders who have successfully completed the Stearns County DVC, only 13% committed new assaults. Prior to the project, defendants of this type averaged three felony arrests apiece per year.

## National Recognition

The DVC has garnered a number of state and national awards for its achievements. It was selected in 2014 by the U.S. Department of Justice as a Mentor Court, asked to help establish other such court projects around the country.

Legal Aid's work with the Stearns County DVC and the newly-established Mille Lacs County DVC, along with other partnerships and Legal Aid's more traditional work from its offices, helped over 470 client households obtain a successful result in legal cases involving a victim of abuse in 2016. Assuming each successful result prevented only one incident per household, Legal Aid's work in 2016 saved the state over \$1.8 million in domestic violence costs alone.

Perhaps the greatest savings of all – Stearns County has not had one intimate partner domestic violence homicide since the Domestic Violence Court began.



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Legal Aid has received the Charities Review Seal, given to nonprofits exemplifying quality, ethics, accountability and transparency.

## Dear Friends

In this newsletter, you'll read several stories about domestic violence. These are hard stories, but they're important and inspiring. Each of these survivors has taken bold and difficult steps at personal risk: speaking out, seeking help, and dismantling the culture that allows domestic violence to persist.



As you contemplate how Rochelle, Tammy, and Alejandra struggled to overcome great hardships, consider the role of Legal Aid and its partners in moving their narratives from despair to hope.

Legal Aid has helped victims of domestic violence to speak, act, and change their lives for more than 100 years. Our role is unique because we provide comprehensive legal services

which include not only orders for protection, dissolution, custody, and child support but also help with housing, food, health care, taxes, education, and immigration to achieve safety and independence.

It has been a great privilege to lead this organization and watch it grow and create more success stories like the ones you will read here. It is bittersweet to announce that this will be my last director's letter as I transition into retirement this summer. I have loved working with our extraordinary staff, clients, community partners, and supporters. Congratulations to Drew Schaffer who returns to Legal Aid this summer as the new Executive Director.

**THANK YOU FOR MAKING THIS WORK POSSIBLE**  
**You help us break the cycle of domestic violence and make our legal systems stronger, our communities safer, and our families healthier.**

*Cathy Haukedahl, Executive Director*