





The President's Evidence and Innovation Agenda

President Barack Obama's Inaugural Address, January 21, 2009

"The question we ask today is not whether our government is too big or too small, but whether it works -- whether it helps families find jobs at a decent wage, care they can afford, a retirement that is dignified. Where the answer is yes, we intend to move forward. Where the answer is no, programs will end."



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET WASHINGTON, D.C. 20503

May 5, 2014

M-14-07

MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES

FROM:

Brian C. Deese

Deputy Director

SUBJECT:

Fiscal Year 2016 Budget Guidance

The enactment of the Bipartisan Budget Act of 2013 (BBA) and the Consolidated Appropriations Act of 2014 were important first steps toward returning Washington to regular

Evidence and Evaluation. In the July 26, 2013 OMB memo, "Next Steps in the Evidence and Innovation Agenda" (M-13-17), OMB, the Council of Economic Advisers, the Domestic Policy Council, and the Office of Science and Technology Policy outlined a vision for advancing evidence-based policymaking by increasing access to administrative data, utilizing low-cost randomized trials, embedding evidence and evaluation in grant programs, and strengthening agencies' capacity to build and use evidence.

We appreciate agencies' participation in the wide range of ongoing efforts to strengthen the use of data and evidence to drive better decision making and achieve greater impact. Building on these efforts, key goals for this year's budget process are to: (1) support agency efforts to use evidence, evaluation, and data as tools to improve program outcomes and (2) support agencies in scaling up new approaches that have been tested and shown to work. To further these goals, budget submissions should include the following:

- Brief overview of agency or department progress and plans, covering the agency's:
 - Most significant accomplishments over the past year in building evidence or strengthening evidence-building capacity. Accomplishments could include specific evaluations or data collections completed in the last year that have actionable implications for budget, policy, or management; and
 - O Highest priorities in these areas for the coming year, including discussion of resources or authorities needed to accomplish these goals (which may include resubmissions or revisions of proposals included in the FY 2015 Budget).

Please provide at least two and up to five examples in each category.

• Plan for embedding evaluation and improvement in new (or existing) programs. For proposed new programs or major program changes, please include a discussion of: (1) how the proposal relates to the available evidence and (2) options for embedding an evaluation strategy to test whether the program is effective or which approaches within the program work best.

U.S. Department of Justice

FY 2016 PERFORMANCE BUDGET

OFFICE OF JUSTICE PROGRAMS



February 2015

Office of Justice Programs Summary of Changes FY 2014 - FY 2016 (dollars in thousands)

	FY 2014 Omnibus (P.L. 113-76)	FY 2015 Enacted (P.L. 113-235)	FY 2016 President's Budget Request	FY 2016 President's Budget vs. FY 2015 Enacted
Research, Evaluation, and Statistics				
Criminal Justice Statistics Programs	45,000	41,000	61,400	20,400
Indigent Defense Initiative National Survey of Public Defenders	[0]	[0]	[1,000]	[1,000]
Indigent Defense Initiative National Public Defenders Reporting Program: Design and Testing	[0]	[0]	[1,500]	[1,500]
NCVS Sample Boost for Subnational Estimates Program	[0]	[0]	[6,000]	[6,000]
Regional Information Sharing System (RISS)	30,000	30,000	25,000	(5,000)
Research, Development, and Evaluation Programs	40,000	36,000	52,500	16,500
Civil Legal Aid Research	[0]	[0]	[2,700]	[2,700]
Collecting Digital Evidence from Large-Scale Computer Systems and Networks	[0]	[0]	[5,000]	[5,000]

V. Program Increases by Item

Item Name: Civil Legal Aid Competitive Grant Program

Strategic Goals: DOJ Strategic Goal 3

OJP Strategic Goal 5

Strategic Objectives: DOJ Objective 3.1

OJP Objective 5.1

Budget Appropriation: State and Local Law Enforcement Assistance

Organizational Program: Bureau of Justice Assistance

Ranking: 34 of 38

Program Increase: Positions **0** FTE **0** Dollars +**\$5,000,000**

Description of Item

In FY 2016, the President's Budget requests \$5.0 million for a Civil Legal Aid Competitive Grant Program. This program, which will be administered by the Bureau of Justice Assistance (BJA) in collaboration with the Department's Access to Justice Initiative (ATJ), will provide funding, training, and technical assistance to incentivize civil legal aid planning processes and system improvements, supporting innovative efforts to improve and expand civil legal assistance services at the state, local, and tribal levels.

Support of the Department's Strategic Goals

This initiative will support DOJ's Strategic Goal 3: Ensure and support the fair, impartial, efficient, and transparent administration of justice at the federal, state, local, tribal, and international levels; DOJ Strategic Objective 3.1: Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders through innovative leadership and programs; OJP Strategic Goal 5: Support state, local, and tribal justice systems to ensure the fair and impartial administration of justice; and OJP Strategic Objective 5.1: Increase the Nation's capacity to prevent and control crime through support for the nation's law enforcement, criminal, and juvenile justice systems.

Justification

Many Americans who appear in court to address significant life-altering events — such as

Justification

Many Americans who appear in court to address significant life-altering events — such as foreclosure proceedings, child custody cases, or immigration hearings — do so without a lawyer. Although more than 50 million Americans technically qualify for federally funded legal assistance, over half of those who seek such assistance are turned away due to lack of funding. The cost of quality legal representation in civil cases and the lack of funding for civil legal assistance create a substantial "justice gap" for low- and moderate-income people in civil court proceedings.

Studies conducted by the Legal Services Corporation and other legal services organizations demonstrate that current federal funding for civil legal aid programs allows most of them to meet

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Program Increases by Item

only 20 percent of the civil legal needs of low-income Americans. Furthermore, these statistics describe only those below the poverty line and do not reflect the tens of millions of moderate income Americans who also cannot afford a lawyer. These findings are reinforced by the findings of an American Bar Foundation study, *Access Across America*, which concludes no state has a truly integrated civil legal assistance "system" capable of helping all relevant legal services providers to coordinate their client intake and services.

2014 VAWA Reauthorization includes expanded application of legal services

U.S. Department of Justice

Office on Violence Against Women (OVW)



(Purpose area 6) Civil legal assistance: Provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to (a) victims of domestic violence; and (b) nonoffending parents in matters that involve allegations of child sexual abuse; that relate to family matters, including civil protection orders, custody, and divorce; and in which the other parent is represented by counsel.

U.S. Department of Justice
Office on Violence Against Women (OVW)



Delivery of Legal Assistance

Any grantee or subgrantee providing legal assistance with funds awarded under this program shall certify in writing that:

OVW Fiscal Year 2015 Rural Sexual Assault, Domestic Violence, Dating Violence and Stalkin Program

Solicitation

Solicitation Release Date

This solicitation was released on or about January 21, 2015.

- 1. any person providing legal assistance with funds through this program
 - A. has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

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Civil Legal Aid 101

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LEGAL AID INTERAGENCY ROUNDTABLE TOOLKIT



WELCOME MESSAGE FROM THE ATTORNEY GENERAL AND DIRECTOR OF THE WHITE HOUSE DOMESTIC POLICY COUNCIL



Message from Attorney General Eric Holder and Director of the Domestic Policy Council Cecilia Muñoz



Civil legal aid providers can make a substantial difference when it comes to preventing veterans from experiencing homelessness, or helping children graduate from school, but many social service providers and government policymakers are not aware of their potential positive impact.



Studies suggest that access to legal services can be a critical tool in helping domestic violence victims escape from abusive relationships and that access to counsel has helped to

decrease the number of victims by as much as 21%

Amy Farmer and Jill Tiefenthaler, Explaining the Recent Decline in Domestic Violence, 21 Contemp. Econ. Pol'y. 158 (April 2003).



PREVENT DOMESTIC VIOLENCE

U.S. DEPARTMENT OF JUSTICE ACCESS TO JUSTICE INITIATIVE • http://www.justice.gov/atj/legalaid • APRIL 2014

Research tells us that EFFECTIVE LEGAL REPRESENTATION is the SINGLE MOST IMPORTANT FACTOR in whether victims are able TO ESCAPE THIS DOMESTIC VIOLENCE CYCLE.

Yet, studies estimate that less than 1 in 5 low-income victims of domestic violence ever get to see a lawyer.

~ Vice President Joe Biden

Commemorating Domestic Violence Awareness Month (October 27, 2010)

HHS-funded pilot Medical-Legal Partnership study concludes:



"...civil legal aid services can positively impact individual and population health," including "significant reduction in stress and improvement in health and wellbeing after receiving [legal] services" such as for housing, public and disability benefits, employment, and debt collection problems. Researchers also found integrating legal services into the healthcare setting "drives down healthcare costs."

Atkins, D., Mace Heller, S., DeBartolo, E., Sandel, M., *Medical-Legal Partnerships and Healthy Start: Integrating Civil Legal Aid Services into Public Health Advocacy*, Journal of Legal Medicine, 2014 Vol. 35, No. 1, pgs. 195-209.



ACCESS HEALTH CARE

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http://www.justice.gov/sites/default/files/atj/legacy/2014/04/16/health-care-case-study.pdf



"Of the more than 500 adults with criminal records served by our Parent Success Initiative Program in 2012 and 2013, nearly 80% required legal assistance to help them overcome or mitigate the stigma of their criminal convictions. Legal services are critical even for participants who successfully complete work readiness training and a transitional job experience."

- Dr. Marsha Weissman, Executive Director, Center for Community Alternatives – New York, and Department of Labor grantee



SUCCESSFUL REENTRY

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http://www.justice.gov/sites/default/files/atj/pages/attachments/2015/03/13/reentry.pdf



2/3 of low income tenants receiving full legal representation in eviction cases stayed in their homes as compared to 1/3 of unrepresented tenants. Represented tenants also received almost 5 TIMES the financial benefit, such as damages or cancellation of past due rent, as those without full representation.

Boston Bar Association Task Force on the Civil Right to Counsel, The Importance of Representation in Eviction Cases and Homelessness Prevention 2 (2012)



HELP PEOPLE EXIT HOMELESSNESS AND STAY HOUSED

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http://www.justice.gov/sites/default/files/atj/pages/attachments/2015/03/13/homelessness-and-housing.pdf

The LSC-funded Legal Aid Society of Cleveland handled 216 education law cases for low-income children in 2013. In cases where a barrier to education was at issue, Legal Aid was successful in 98% of those cases – helping to ensure that children stay in school and on a path to a better life.



Legal Aid Society of Cleveland, 2013 Annual Report (forthcoming summer 2014).



KEEP CHILDREN IN SCHOOLS

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4 of the top 10 <u>un</u>met needs of homeless veterans involve legal assistance for: eviction/foreclosure prevention; child support issues; outstanding warrants/fines; and restoring a driver's license. Other top 10 unmet needs often have a legal component: family reconciliation assistance; credit counseling; and government benefits.

-Findings from the VA's 2012 Project CHALENG for Veterans survey



VETERANS AND SERVICEMEMBERS

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http://www.justice.gov/sites/default/files/atj/legacy/2014/04/16/veterans-and-servicemembers-case-study.pdf

U.S. Department of Justice Second Chance Act Two-Phase Adult Reentry

Demonstration Program: Planning and Implementation

"Note: Assessing the outcome of programs funded under the Second Chance Act is a major DOJ priority. Applicants should not apply for funding if they cannot track unique identifiers for participants, gain access to recidivism data, and report recidivism data, particularly returns to incarceration during the period 1 year after release. Chief executives from applicant organizations will need to sign and submit an assurance (see Appendix 2) that all participant recidivism indicator data will be collected and submitted. Applications which do not include an assurance from the applicant agency's Chief Executive to collect and submit participant recidivism indicator data will not be considered."

(p. 1)

"Successful applicants will also be required to engage a research partner." (p. 5)

U.S. Department of Labor Face Forward 3-Intermediary and Community Grants

We are requiring all grantees to provide the expungement and diversion component to participants, as appropriate, because there is some evidence that these two strategies are particularly effective in increasing the employability of youth who have had transgressions with the law. To deliver this particular component, intermediary grantees (through their subgrantees) and community grantees must collaborate with non-profit legal services providers to assist participants with expungement actions, and be designated by the JJS as a diversion program.

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