Celebrating Solutions Award Nomination Form

Legal name of organization: Montana Legal Services Association

Year established: 1966

Name of program being nominated (if different): MLSA Survivor’s Legal Project

Year established: 1999

Address: 616 Helena Avenue, Suite 100

City/State/ZIP code: Helena, Montana 59601

Agency phone number: 406-442-9830

Name of contact person: Michelle Potts

Title of contact person: Director of Strategic Focus & Development

Phone number: 406-442-9830 x 138

E-mail address: mpotts@mtlsa.org

Website address: www.mtlsa.org

Brief description of organization: MLSA is a private, non-profit law firm that provides free civil legal services to low-income Montanans.

Geographical area served: Montana (statewide)

Is the organization tax-exempt under IRS 501 (c) (3) guidelines or a public agency/unit of government? Yes

Please check up to five descriptors that best apply to the program you are nominating:

- Batterer treatment
- Coalition/collaboration
- Communication
- Counseling
- Dating violence
- Elder abuse
- Employment/training program
- Faith-based
- Health care setting
- Hotline service
- Legal aid/assistance
- Prison-based
- Public awareness/education
- School/youth violence
- Shelter-based
- Stalking
- Technology/Internet service
- Transitional housing
- Underserved population
- University setting
- Victim relocation
- Workplace Intervention
- Other ____________________
Release of Information

As one of the goals of the Mary Byron Project is to disseminate information about cutting edge programs and best practices, we wish to post exemplary Celebrating Solutions Award nominations on our website (www.marybyronproject.org).

Those posted will include the organization's website address, telephone number, and email address. If you have concerns about this request, please address them to kathypaulin@marybyronproject.org, prior to submitting a nomination.

By my signature on this letter, I grant the Mary Byron Project permission to use the contents of my nomination for the Celebrating Solutions Award in the manner and for the purposes set above. I further affirm that I am fully authorized to grant such permission to the Mary Byron Project.

Signature

Date 2/12/2016
Celebrating Solutions Award
Program Outline
Montana Legal Services Association: Survivors’ Legal Project

1. Describe the work of the nominated program and explain how the mission of the program is accomplished.

The Montana Legal Services Association (MLSA) Survivors’ Legal Project (Project) works to provide civil legal services free of charge, empowering Montana domestic violence survivors and their families to break free from abuse and live independently. This work helps MLSA accomplish its overarching mission to protect and enhance the civil legal rights of, and promote systemic change for, Montanans living in poverty.

Specifically, Project attorneys help low-income survivors obtain parenting plans, child support orders, orders of protection, and other family law court orders distributing property and ensuring family security and stability. Because of Montana’s immense size, MLSA continually evolves the Project to reach survivors throughout the State. Based in three main offices, Project attorneys regularly travel, called “circuit rides,” to serve clients throughout Montana, including on American Indian reservations. MLSA utilizes innovative technology to expand the Project’s reach to survivors in remote areas we could otherwise never access. As needed, Project staff members connect survivors with MLSA specialist attorneys in housing, consumer protection and public benefits law. A Project Technical Assistance Attorney provides training, technical assistance, and legal resources to domestic violence shelters and other community partners throughout the state, especially shelter advocates with specific legal questions faced by individual survivors. In providing these services and technical assistance, MLSA keeps in mind the unique legal needs of immigrant survivors and American Indian survivors in Montana, and remains up to date on emerging issues affecting those populations.

In addition to direct client services, the Project utilizes broad-based advocacy to enhance many survivors’ ability to enforce legal rights and start a new violence-free life. For example, Project staff members worked with court personnel to develop standards for guardians ad litem appointed in family law cases, which have already been adopted in one Montana judicial district. MLSA also collaborated with courts and other government agencies to make resources accessible to populations with limited English proficiency. As further described below, MLSA utilizes technology to support its broad-based advocacy strategy, enabling MLSA to reach a broader audience than MLSA’s already effective direct services to clients.

2. Describe the most innovative aspects of the program you are nominating for consideration.

The most innovative aspect of the MLSA Survivors’ Legal Project is its use of technology to complement traditional legal services delivery. Many survivors in Montana are isolated in rural and remote communities, far from the Project attorneys who can help them navigate their complex legal needs. Physical travel cuts drastically into the number of survivors the Project can reach. Although Project attorneys addressed 697 domestic violence cases in 2015—including abuse, dissolution, custody and visitation—the Project had to turn away one for every two it took. The domestic violence cases addressed by MLSA helped 802 adults and 1,128 children, but the need consistently outweighs MLSA’s Project staffing and resources to reach everyone in
need across the fourth largest state in the union. In order to reach these cases, MLSA uses innovative technology and broad based approaches.

Keeping in mind the vast Montana geography, MLSA utilizes technology to enhance individual services and help more than just one survivor access justice and safety. We base our broad-based technology advocacy in current data. A study by the Pew Internet & American Life Project determined that 88% of American adults have cell phones, 57% have laptops, and 19% have tablet computers, with the use of mobile devices on the rise.\(^1\) Moreover, 62% of people with income levels under $30,000 per year use the Internet.\(^2\) Another study shows tablet ownership has increased to 25% of the American adult population.\(^3\) Technology and Internet use have become part of daily life for most Americans, including domestic violence survivors.

MLSA has incorporated this technology data into our long-term strategies. In the forefront of MLSA’s technology initiative is MLSA’s flagship legal information website, www.MontanaLawHelp.org which provides information free of charge on a variety of legal topics including “Relationship Abuse, Sexual Abuse, and Stalking” and “Families and Kids” that address issues relevant to survivors, such as orders of protection, housing rights, identification change, confidentiality, dissolution, parenting time, child support, and child abuse and neglect. It includes informational articles, links to various legal resources, and interactive court forms. Operational since 2003, www.MontanaLawHelp.org has helped thousands of people gain access to crucial legal information and legal forms, enabling them to address their civil legal problems on their own. In 2015 more than 264 people accessed Petitions for Orders of Protection through MontanaLawHelp’s interactive forms. MLSA recently launched a mobile version of www.MontanaLawHelp.org accessible through smartphones and other mobile devices.

Mindful of client needs, especially those in “crisis-mode” with little time to navigate or understand our self-help portal, MontanaLawHelp.org has an integrated LiveHelp chat feature which has been operational since 2006. Using the simple click-on interface, any user may ask a trained live operator for assistance in finding legal information online. Should a user need assistance during times LiveHelp is unavailable, such as the middle of the night, he or she will be prompted to leave a message for our LiveHelp operators.

In order to reach people without internet access, or for those survivors at risk of additional violence in retribution for accessing our legal self-help from home computers, MLSA and its partnership agencies have established legal information computer kiosks in libraries, courthouses and other public places. Available since 2011, the self-help kiosks are staffed by trained AmeriCorps State Justice for Montana members who help users find legal information. These Internet resources are provided free of charge to the general public, and can empower survivors who are beginning to explore legal avenues to help them break free from violent situations. For some survivors, these resources are enough to help them start new lives.

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\(^2\) Zickur & Smith, page 5.

In addition to MLSA’s above well-established technology projects, MLSA continues to incorporate new technological advances into the Project. For example, MLSA has successfully completed a “telelaw” service delivery pilot project that provided legal services to partnership organizations in remote locations using onsite tablet computers, allowing clients to videoconference with MLSA attorneys. Although this controlled pilot program has ended, telelaw project staff are working to develop and analyze protocols for providing legal services through videoconferencing on mobile devices. The telelaw project will also provide data on increased efficiency realized by reducing long-distance travel time for MLSA attorneys, although some travel for in-person legal services will always be necessary. MLSA anticipates including a domestic violence shelter as a telelaw partner in the future, and will determine how videoconferencing can best be used to enhance current services to survivors.

MLSA is also currently integrating its VOIP and smartphone systems with its case management system, allowing Project attorneys to access vital case information while physically meeting with remotely located survivors. MLSA retained a security expert to assist drafting smartphone and VOIP security guidelines to protect client information and safety.

All of MLSA’s technology initiatives exist to better serve MLSA’s clients across the vast state of Montana. MLSA does not implement technology merely to be cutting-edge, but only as best meets our clients’ needs. Accordingly, MLSA collects usage data and conducts surveys to continually assess clients’ actual usage of MLSA’s technology. Indeed, one MLSA survey will assess the technology availability and potential clients’ actual technology use on American Indian Reservations in Montana. The survey data will inform MLSA’s use of technology to serve American Indian clients, including survivors. These surveys are part of MLSA’s ongoing efforts to have current assessment of technology use by client populations.

As a law-firm, MLSA protects client information as a primary goal, generally and with respect to technology use, and places special emphasis on domestic violence survivors. Our secure LegalServer case management system, accessible only by authorized staff, allows staff to designate a client as a domestic violence victim and whether or not it is safe to call the client’s phone number. MLSA trains staff members on client confidentiality, and all authorized staff can clearly view a client’s status with a quick view of the client’s onscreen file. MLSA’s update of technology security guidelines will continue to prioritize client confidentiality in accordance with attorney professional rules and client safety.

As MLSA continues to pursue technological approaches, staff members strongly appreciate the need for a balanced approach incorporating community connections and face-to-face client meetings. Project specialists make a concerted effort to meet regularly with law enforcement, court staff, shelters and other advocacy organizations to keep one another up to date and maintain relationships. Project attorneys also continue to travel to meet personally with clients and appear in court proceedings. MLSA constantly analyzes how best to use new technologies to enhance these traditional forms of service delivery. In short, MLSA uses technology to support and expand its primary legal services mission, not to replace it.

3. Describe your program’s implementation. What barriers did your organization have to overcome? How did you marshal the necessary resources for implementation?
MLSA has served domestic violence survivors along with other low-income people since its founding in 1966, but began to specifically target their needs in 1999 with a dedicated Domestic Violence Project approach that uniquely provides for the overlapping issues of poverty and violence. The greatest barrier to providing services to survivors on a statewide basis is Montana’s sheer geographic size. As the fourth largest state, Montana’s breathtaking landscapes can take over 6 to 12 hours to traverse, more in winter. MLSA’s six dedicated Project attorneys, one Project paralegal, and two tribal advocates work diligently to serve as many survivors as possible, but they simply cannot meet the need by themselves through traditional practices, especially for clients in remote communities. Covering the vastness of MLSA’s service area also drains financial resources. Accordingly, MLSA partners with state agencies and community organizations to leverage common resources, establishes regular “circuit rides” which regulate advocate travel time, offers broad-based advocacy to help more than one client at a time, and explores technological solutions to limit travel and enhance services.

MLSA marshaled funding for the innovative use of technology from several Technology Initiative Grants from Legal Services Corporation. Because we receive a grant from the federally funded Legal Services Corporation, we are required to notify you that all funds we receive may not be used in any manner inconsistent with the Legal Services Corporation Act of 1974, as amended in 1977 (42 U.S.C. §§ 2996 et. seq.), its implementing regulations (45 C.F.R. § 1600 et seq.), and other relevant law. MLSA has also set aside operating expenses and utilized federal Domestic Violence grants to support the Project.

4. How do you know your program is successful? Please site two examples. Although anecdotal examples are helpful, at least one example must include quantitative data.

MLSA knows the Survivors’ Legal Project is successful because data shows a more healthy balance between technological and traditional service delivery. Long recognized a leader in incorporating technology into legal aid practice, MLSA has successfully completed several technology projects which enhance service delivery. The National Legal Aid and Defender Association also awarded MLSA’s Executive Director Alison Paul, a former domestic violence attorney, the Innovations in Technology Award in 2005. Technology is essential to the Project’s successful provision of legal services in Montana, especially to survivors in rural locations.

From January 1 to December 31, 2015, MLSA served 697 survivors through traditional legal services. These legal services include both full case representations and addressing acute legal needs only. At the same time, MLSA’s focus on a technology-based, broad based advocacy approach has expanded access to thousands more people in need of legal help, with more than 73,685 people visiting MontanaLawHelp.org in 2015. These individuals viewed a total of 310,631 pages containing crucial legal information, with 33,502 of these page views pertaining to family law information. They completed 26 interactive Orders of Protection forms and 11 Motions for Modification or Termination, while 238 people accessed MLSA’s “write-in-the-blank” Petitions for Orders of Protection. Close to 1,000 people viewed MLSA’s online brochure “Orders of Protection: How to Represent Yourself.” MLSA will continue its evidence-based approach as it incorporates more technology into its service delivery model, gathering data and
evaluating whether technology enhances legal services and how we can improve it. For example, MLSA anticipates that the videoconferencing service protocols generated by its pilot telelaw project will help Project staff reach more clients across long distances with less time spent traveling.

In addition to quantitative data, Project staff have documented ways that technology use has contributed to increased justice for survivors. MLSA’s Domestic Violence Attorney Supervisor regularly uses videoconferencing technology to provide personalized trainings to rural and remote domestic violence shelters located hours away from MLSA’s office. MLSA’s Domestic Violence Attorneys use this same videoconferencing technology to provide legal services to clients who are unable to meet in person, allowing domestic violence survivors to safely and efficiently receive the legal services they need. As MLSA’s Attorney Supervisor has said, “We have clients who live hours away from the nearest office. Video conferencing opens doors for us to help people we otherwise wouldn’t be able to represent.”

Ultimately, technology allows Project attorneys to focus more time providing intensive services for clients whose needs must be met in person.

For example, MLSA was able to help ‘Cynthia’ (not her real name), an elderly woman whose controlling husband threw her out of their home and cut her off from all assets after she became too ill to take care of him and their home. Over the years of their marriage, Cynthia had become isolated and was subjected to increasing controlling and threatening behavior. After her husband removed her from their home, she struggled to support herself on public assistance. An MLSA attorney represented Cynthia in court and was able to obtain a property settlement for Cynthia that allows her to live out her remaining years in safety, and enabled her to move closer to her adult children.

MLSA’s 2015 survey of Montana Coalition Against Domestic & Sexual Violence members ranked civil legal services for Survivors a top unmet need. MLSA continues to develop technological approaches to expand its capacity to meet this priority, enhance its services, and empower more survivors as they assert their legal rights.

5. Who are your key community partners? What are their roles?

The Project has many key community partners involved in the Project’s success:

- The Montana Coalition Against Domestic & Sexual Violence (MCADSV) and its member organizations partner with MLSA to serve survivors attempting to break free from violence. Project attorneys go on “circuit rides” to certain shelters to provide onsite services, including the YWCA Domestic Violence Program/Sexual Assault Services of Billings, the District 4 Human Resources Development Council Domestic Abuse Program in Havre, the YWCA Mercy Home of Great Falls, Healing Hearts on the Northern Cheyenne Reservation, the domestic violence program of Rocky Boy’s Children Exposed to Violence Project on the Rocky Boy’s Reservation, Family Planning/Futures without Violence on the Fort Belknap Reservation, and Blackfeet Domestic Violence Program on

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*See MLSA conducted survey results available on file with MLSA (2015).*
the Blackfeet Reservation. In addition, Project attorneys regularly provide training and technical assistance to MCADSV member shelter advocates, often through webinars. MLSA trains shelter advocates, meets with partner Domestic Violence organizations regularly, and provides routine consultations to partner Domestic Violence organizations.

- The Montana Department of Justice, Office of Victim Services (OVS), administers the program through which MLSA provides statewide legal assistance to shelter advocates as they help survivors obtain orders of protection. The OVS also administers a Fatality Review Commission, which includes a representative from MLSA, to analyze domestic violence fatalities and make recommendations to the Montana Legislature and other decision makers about potential systemic changes that could prevent future fatalities.

- The Montana Supreme Court Administrator’s Office (CAO) partners with MLSA on various projects, including www.MontanaLawHelp.org, developing court pro se forms, the AmeriCorps State Justice for Montanans project, court-based self-help law centers and the computer kiosks project. The CAO also administers a statutory filing fee fund which financially supports Project attorneys. The CAO regularly shares data regarding case filings in different areas of law, including family law issues.

- The State Bar of Montana partners with MLSA on various projects, including www.MontanaLawHelp.org, the AmeriCorps State Justice for Montanans project, and the computer kiosks project. In addition, the Bar supports MLSA’s efforts to involve pro bono volunteer attorneys in serving low-income clients, including survivors.

6. Could/should your program be replicated in other areas of the country? Why?
   
   Yes, the Survivors’ Legal Project could and should be replicated in other areas of the country. The American population as a whole, including survivors, uses technology in their day-to-day lives, and expects to find resources and perform certain tasks online and with mobile devices. At the same time, traditional funding sources for legal aid and other nonprofit programs serving survivors continue to diminish. In order to continue to effectively serve domestic violence survivors, legal aid and other nonprofit organizations must leverage their limited resources to make their services as efficient and effective as possible. By replicating the Project’s use of technology and responsible security protocols, organizations across the country can reach more survivors more cost-effectively and also realize broad-based advocacy goals. Both rural and urban organizations can reach more survivors with our technology initiatives, while rural organizations can also capitalize on similar travel and time cost savings. Organizations serving survivors can develop firsthand knowledge and stay “ahead of the curve” on technology affecting survivors’ day-to-day lives.

7. Does your agency have a workplace policy that addresses domestic violence? If so, please include a copy. No.

8. Has the agency and/or nominated program received VAWA funding (yes or no is sufficient)? Yes.
The Mary Byron Project’s Celebrating Solutions Award
Montana Legal Services Association

1. Letters of Support
   Kim Ranger, Montana Coalition Against Domestic & Sexual Violence
   Erica Coyle, HAVEN
   Niki Zupanic, Montana Justice Foundation

2. Proof of 501(c)(3)
3. 2015 Budget: MLSA Survivor’s Legal Project
4. Semi-Finalist Questions for Celebrating Solutions
5. Review Committee Specific Questions for Celebrating Solutions
6. Map of Legal Self-Help Sites in Montana
7. Map of MLSA Offices
8. Case Screening Tools and Assessments of Eligibility and Danger / Lethality Risk
   • Case Acceptance Guidelines for VAWA Funding
   • Family Law Screening Questions
   • Paper Application Form
   • Dialogue Box for Intake Specialists for Domestic Violence Risk
   • Safety Plan Form

9. Supplemental Materials
   MontanaLawHelp.org homepage
   MontanaLawHelp.org Order of Protection Form
   MontanaLawHelp.org – Child Abuse and Neglect
   MontanaLawHelp.org – Marriage Dissolution information, English and Spanish
   MontanaLawHelp.org – Families and Kids
   MontanaLawHelp.org – Relationship Abuse, Sexual Abuse, and Stalking
   MontanaLawHelp.org – Relationship Abuse, Sexual Abuse, and Stalking, general information

   MontanaLawHelp.org informational card – English and Spanish
   Stop the Violence: Migrant & Seasonal Farm Worker Pamphlets
   Overview of Services Brochure – English and Spanish
   Parenting Plan Brochure – English and Spanish
   Dissolution of Marriage Brochure – English and Spanish
   Children and Domestic Violence Brochure – English and Spanish
   Safety Planning for Victims of Domestic Violence Brochure
   Domestic Violence and Sexual Assault Brochure – English and Spanish
   Orders of Protection: Representing Yourself Brochure
   Know Your Rights: Domestic Violence and Assisted Housing Brochure – English and Spanish
October 3rd, 2016

Marcia Roth  
Mary Byron Project  
Mary Byron Celebrating Solutions Award  
10401 Linn Station Road, Suite 116  
Louisville, KY 40223

Dear Ms. Roth:

The Montana Legal Services Association (MLSA) and the Montana Coalition Against Domestic and Sexual Violence (MCADSV) have a long history of collaboration on projects to help survivors of domestic and sexual violence.

The civil legal system is a critical resource for survivors of domestic violence, but navigating the system can be overwhelming for survivors in crisis. Civil legal aid programs like MLSA's Survivors Legal Project help survivors gain meaningful access to the civil legal justice system, which can mean the difference between a survivor escaping from violence or feeling trapped in her abusive relationship. MLSA helps survivors address their legal needs, including by helping them request orders of protection, divide marital assets and debts, obtain child support, and establish parenting plans. Resolving these legal issues is often essential for survivors to start new lives with their family. MCADSV appreciates MLSA's work to assist survivors in overcoming barriers they might otherwise face in the civil legal system, and looks forward to continuing our partnership in this important work.

The Montana Coalition Against Domestic and Sexual Violence does not endorse any single Montana victim services provider in competition with another for funding. The Coalition does value MLSA's vital work on behalf of survivors and appreciates the benefit that their Survivors Legal Project has statewide. Therefore, we support MLSA's nomination for the Mary Byron Project's Celebrating Solutions Award.

Sincerely,

Kim Ranger  
Administrative Director  
Montana Coalition Against Domestic and Sexual Violence
October 4, 2016

Marcia Roth, Executive Director
Mary Byron Project
Mary Byron Celebrating Solutions Award
10401 Linn Station Road, Suite 116
Louisville, KY 40223

Dear Ms. Roth:

On behalf of HAVEN, the nonprofit serving survivors of domestic violence in Gallatin County, Montana, I am pleased to support the nomination of the Montana Legal Services Association’s (MLSA) Survivors Legal Project for the Mary Byron Project’s Celebrating Solutions Award. MLSA is dedicated to achieving justice for domestic violence victims. We regularly refer survivors who need legal services to MLSA.

Without services provided by MLSA’s Survivors Legal Project, I believe many survivors would stay in violent relationships. Attempting to navigate the legal system without legal assistance can be overwhelming for survivors and there is a visible sense of relief and empowerment that survivors feel when they realize they are going to receive MLSA’s help. By assisting them with parenting plans, dissolutions, or other civil legal matters, MLSA makes it easier for survivors to protect themselves and their children and shields them from further manipulation and abuse. MLSA staff members are respectful, professional and truly understand the challenges faced by survivors.

HAVEN currently collaborates with MLSA for one part of their Survivors Legal Project. We have contracted with MLSA to provide a 1.0 FTE MLSA domestic violence attorney, who is based out of our office in Bozeman, Montana. MLSA does not have an office in Bozeman, so our partnership has built local civil legal services to survivors. Because the attorney is based at our shelter, the attorney is able to work closely with domestic violence survivors receiving services at HAVEN to ensure they receive the legal information, advice, or representation they need to address the civil legal problems they face as a result of domestic violence.

Thank you for considering MLSA’s Survivor’s Legal Project for the Mary Byron Project’s Celebrating Solutions Award. Their assistance is critical to our mission of helping survivors to break away from violent relationships.

Sincerely,

[Signature]

Erin Coyle
Executive Director
October 4, 2016

Marcia Roth
Executive Director
Mary Byron Project
Mary Byron Celebrating Solutions Award
10401 Linn Station Road, Suite 116
Louisville, KY 40223

Dear Ms. Roth:

The Montana Justice Foundation has a long history of supporting the Montana Legal Services Association (MLSA) through funding for special projects as well as for annual funding related to their efforts to provide civil legal aid to low income Montanans. They are dedicated to increasing access to justice for those in need and I am pleased to support MLSA’s nomination for the Mary Byron Project’s Celebrating Solutions Award for their Survivors Legal Project.

MLSA’s Survivors Legal Project has helped hundreds of domestic violence survivors escape abuse by providing them with crucial family law services free of charge, including assistance requesting orders of protection, navigating dissolution proceedings, and drafting parenting plans. In addition, MLSA assists survivors with consumer, housing and public benefits issues that relate to the violence they have experienced. MLSA’s holistic approach to civil legal assistance can help a survivor develop confidence in her ability to live apart from her abuser.

MLSA also uses technology in an innovative way to reach survivors throughout Montana, including in rural and remote locations. MLSA’s efforts to expand access to their civil legal services have helped make it easier for all survivors to receive legal assistance, regardless of where they live. This civil legal assistance is critical to a survivor’s ability to break free from domestic violence.

MLSA is the only statewide organization providing free civil legal aid to survivors of domestic and sexual violence, and they truly reach all Montanans with their pioneering use of technology, which has provided significant improvements to domestic violence services in Montana. I fully support MLSA’s nomination.

Very truly yours,

Niki Zupanic
Executive Director
Montana Legal Services Association  
Room 608, Power-Block  
Helena, Montana 59601

Gentlemen:

On the basis of your stated purposes and the understanding that your operations will continue as evidenced to date or will conform to those proposed in your ruling application, we have concluded that you are exempt from Federal income tax as an organization described in section 501(c)(3) of the Internal Revenue Code. Any changes in operation from those described, or in your character or purposes, must be reported immediately to your District Director for consideration of their effect upon your exempt status. You must also report any change in your name or address.

You are not required to file Federal income tax returns so long as you retain an exempt status, unless you are subject to the tax on unrelated business income imposed by section 511 of the Code, in which event you are required to file Form 990-T. Our determination as to your liability for filing the annual information return, Form 990-A, is set forth above. That return, if required, must be filed on or before the 15th day of the fifth month after the close of your annual accounting period indicated above.

Contributions made to you are deductible by donors as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to or for your use are deductible for Federal estate and gift tax purposes under the provisions of section 2055, 2106 and 2522 of the Code.

You are not liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes) unless you file a waiver of exemption certificate as provided in such act. You are not liable for the tax imposed under the Federal Unemployment Tax Act. Inquiries about the waiver of exemption certificate for social security taxes should be addressed to this office, as should any questions concerning excise, employment or other Federal taxes.

This is a determination letter.

Very truly yours,

[Signature]

Nelson L. Seeley  
District Director

Form L-178  
Code 414-ME  
YES-50-67-3  
FORM 990-A REQUIRED  
ACCOUNTING PERIOD ENDING  
June 30
Montana Legal Services Association  
2015 Budget - Survivor's Legal Project

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**EXPENDITURES**

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The Mary Byron Project's Celebrating Solutions Award 2016
Semi-Finalist Questions
Montana Legal Services Association: Survivors' Legal Project

1. What is the approximate number of individuals served annually by the applicant or nominee?

In 2015, the Montana Legal Services Association (MLSA) Survivors’ Legal Project served 697 domestic violence survivors, helping a total of 802 adults and 1,128 children in 2015 (clients plus family members in their household). MLSA also coordinates a statewide volunteer attorney program, which helped 104 domestic violence survivors.

The Survivors’ Legal Project also serves survivors through its MontanaLawHelp.org, which provides informational resources and Order of Protection forms and other family law forms: in 2015, more than 264 people accessed Petitions for Orders of Protection through MontanaLawHelp.org’s interactive forms. For survivors whose computers are not safe to use or those without computers, the Survivors’ Legal Project partners with the Montana Supreme Court to offer statewide self-help legal kiosks accessible by any person in Montana. Many more general “forms” requests were not tracked by area of law. The Survivors’ Legal Project has also heard from domestic violence shelters across the state that technology services expand the reach of needed civil legal services to remote, rural populations in Montana.

2. How many paid staff and volunteers are used to administer the nominated program?

In 2015, MLSA used 29 paid staff to provide legal services and administer the MLSA Survivors’ Legal Project, including 6 domestic violence staff attorneys and 2 reservation-based domestic violence Tribal Advocates. This number includes both staff dedicated to the Survivors’ Legal Project and attorneys who provided a few hours of services for a survivor, but whose specialty is an area of law other than family law. For example, our housing attorney occasionally represents a survivor with an eviction or other housing law need. Sometimes these are stand-alone cases for a survivor, but more typically they are in conjunction with representation by a family law specialist. The number of paid staff also includes administrative staff and intake specialists who support the Survivors’ Legal Project, along with the entire firm. Without their help, neither the firm nor the Survivors’ Legal Project could function. This number also includes replacement: staff members who took over a project when another staff member left MLSA. In 2015, 83 volunteer attorneys donated legal services to domestic violence survivors through MLSA’s pro bono coordination. MLSA also has 6 Justice for Montanans AmeriCorps members who provide intake and outreach support for the Survivors’ Legal Project.

3. Are there past awards, accolades, and grants furnished upon the applicant or nominee that would further exemplify its success in combating intimate partner violence?

MLSA, attorneys, and management are often recognized for contributions to equal justice. MLSA was the October 2014 recipient of the Montana Board of Crime Control’s Innovative
Community Award, which included recognition for MLSA’s services to domestic violence survivors. In 2016, MLSA attorney Ed Higgins was selected as the winner of the George L. Bousliman Award for extraordinary professionalism and public service. Ed is MLSA’s Triage Attorney, and serves in the Survivors’ Legal Project. Ed recently helped a disabled male survivor to escape an abuse marriage as a volunteer pro bono attorney. MLSA attorneys Amy Hall and Bob LaRoche were recognized by the Montana Justice Foundation as two of its 2014 Champions of Justice, for their extraordinary efforts on behalf of equal justice. In 2016, MLSA received a Community Impact Award at the Montana Housing Partnership Conference recognizing the impact of the Keep My Montana Home program on saving homes from foreclosure in the wake of the Global Financial Crisis.

In 2014, MLSA Executive Director Alison Paul was selected as a Where Health Meets Justice Fellow by the National Legal Aid & Defender Association, giving MLSA the opportunity to expand its presence in medical-legal partnerships. These partnerships can directly help the health of domestic violence survivors. In 2012, MLSA was honored as one of only six legal aid program directors invited to participate in the first White House Forum on Civil Legal Aid. In 2009, MLSA attorney Bob LaRoche was honored by the Yellowstone Area Bar Association for a lifetime achievement award for his more than 30 years of work on behalf of low income Montanans. In 2005, the National Legal Aid and Defender Association awarded MLSA’s Executive Director Alison Paul the Innovations in Technology Award, partly for innovative ways MLSA has used technology to provide legal information, resources, and advice to remote, rural survivors.

MLSA has received many grants which reflect the trust, reputation, and successes MLSA has achieved in combating intimate partner violence. In 2014 and 2015, MLSA received funding from the U.S. Office of Justice Programs and the Montana Board of Crime Control to implement the Vision 21 Victim Legal Assistance Network, which will provide comprehensive, wraparound, no-cost legal services for victims of crime, including survivors of domestic violence, through a coordinated network of statewide providers. The Network has assessed crime victims’ legal needs across the state, including on tribal reservations, and designed a detailed implementation plan for providing victims with necessary legal services and referrals through MLSA and project partners. Partners include state agencies, service providers, and legal partners. The implementation funding will allow MLSA to hire two additional domestic violence attorneys and one intake staff, and will also allow MLSA and its partners to continue to pursue a core activity of providing access to comprehensive, coordinated, and holistic legal services throughout Montana for survivors of domestic violence and other victims of crime.

Also in September 2014, MLSA was honored to be among the inaugural recipients of a new national pro bono (volunteer lawyer) initiative by Legal Services Corporation to address the civil legal needs of low-income people. This grant will fund the Montana Pro Bono Connect project to support and enhance the coordination of volunteer lawyers, including for domestic violence survivors.

In September of 2014, MLSA received a Coordinated Tribal Assistance Solicitation Grant from the U.S. Office of Violence Against Women to fund the Tribal Survivors Legal
Project. This project will provide community-based and culturally integrated civil legal assistance to survivors of domestic violence, sexual assault, stalking and dating violence on the Blackfeet Reservation and the Rocky Boy’s Reservation. American Indian survivors of domestic violence have limited access to culturally-integrated, community-based representation for civil legal needs, leaving them stuck feeling they cannot escape abusive situations. The CTAS grant has provided funding for hiring, training, and supervising tribal members to function as reservation-based domestic violence Tribal Advocates who assist survivors with pressing civil legal issues in a holistic manner, and with supervision of an MLSA attorney, so survivors can break free of violence.

In fall of 2015, MLSA received renewal funding of funding from the Montana Department of Justice for a Technical Assistance Attorney and an Order of Protection Attorney. MLSA also receives STOP VAWA funding through the Montana Board of Crime Control.

MLSA has partnered with HAVEN, a domestic violence organization located in Bozeman, Montana that provides services to survivors and their families, in order to expand our domestic violence services in Gallatin County and the surrounding area. In 2015, HAVEN was awarded a VAWA Legal Assistance for Victims Grant that supported the hiring of a .75 FTE MLSA domestic violence attorney located in the Bozeman HAVEN office. MLSA has provided the additional .25 funding from other sources so the attorney is a 1.0 FTE Survivors’ Legal Project attorney.

Most recently in 2016, MLSA has partnered with the Women’s Resource Center in Dillon, Montana, the Fort Belknap Indian Community, and the Northern Cheyenne Tribe to expand our Survivors’ Legal Project in three remote locations. The Women’s Resource Center in Dillon and the Fort Belknap Indian Community have been awarded OVW Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Program grants, in partnership with MLSA. The Women’s Resource Center grant will support the hiring of a 1.0 FTE MLSA domestic violence attorney located in the Dillon shelter office. The Fort Belknap grant will support the hiring of a 1.0 FTE MLSA Tribal Advocate located on the Fort Belknap Reservation. In addition, the Northern Cheyenne Tribe has been awarded a DOJ/OVW Coordinated Tribal Assistance Solicitation grant in partnership with MLSA. The Northern Cheyenne Tribe grant will support a 0.5 FTE domestic violence attorney who will circuit ride to the Northern Cheyenne reservation from MLSA’s Billings office. Since these grants have been awarded so recently, MLSA is waiting until all federal budgets have been released and cleared to announce the awards. As we move into 2017, MLSA anticipates that these three partnerships will increase the number of domestic violence survivors who are able to receive civil legal services in the Dillon area, Fort Belknap reservation, and Northern Cheyenne reservation.

4. In what ways is the composition of your staff and board of Directors reflective of your client population?

MLSA’s Board composition reflects the geographic, racial, ethnic and gender diversity of Montana. Ten of the current 15 board members are women (66%), which is higher than Montana’s female population (50%). 87% of Board Members are white, with 13%
representing people of color, a higher percentage than that reflected in Montana’s population. As a statewide organization, it is particularly important that MLSA’s board be geographically diverse. MLSA Board members represent communities across Montana, including Native American representation. According to MLSA’s bylaws, MLSA’s Board is required to be made up of 9 attorneys, who are appointed by organizations throughout the state, plus 6 members who are appointed by client or community based organizations. Of these 6, 5 must be financially eligible for MLSA’s services. MLSA values the importance of these different views to enhance meaningful dialogue on client needs throughout the state. In particular relevance to the Survivors’ Legal Project, two of MLSA’s Board are domestic violence survivors.
1. How does Montana Legal Services advertise and market the on-line services? How are individuals seeking assistance directed to your website, kiosks, etc.?

MLSA has an extensive community outreach program that is designed to publicize information about available legal services to survivors in Montana. MLSA publishes the HelpLine toll-free number in most local phone books in Montana. MLSA also publishes information regarding intake and legal services on MLSA’s websites www.mtlsa.org and www.MontanaLawHelp.org. MLSA distributes outreach information through the self-help law centers and local courthouses, community agencies, and libraries in Montana. MLSA also uses non-traditional tools to distribute information about the availability of its services, such as the distribution of drink coasters and a legal tip of the week campaign in local newspapers and social service agency newsletters. The drink coasters have a common legal question with a yes or no answer on one side, with the question’s answer on the other side along with information about MontanaLawHelp.org and MLSA’s toll-free Helpline number.

Throughout the state of Montana, there are currently 5 MLSA offices and 36 self-help kiosks, self-help law centers, traveling self-help law centers, and self-help law stations. Please refer to the attached map of MLSA’s current offices and the attached map of available self-help sites in Montana.

MLSA has close partnerships with the Montana Coalition Against Domestic and Sexual Violence and local shelters and domestic violence service providers to assures access to its services for survivors.

MLSA maintains a Community Engagement calendar to keep track of outreach and community education events on a monthly basis. The Community Outreach Assistant assures that client service brochures are available for use by community partners who serve those with special access challenges and those who are uniquely or disproportionately affected by civil legal issues. MLSA’s client outreach communications utilize paper brochures at community partner sites, mailings, linked in posts, website information, blog posts, tweets, MontanaLawHelp.org information and forms, presentations to interested groups, and attendance at statewide and local outreach events.

MLSA’s AmeriCorps State members provide significant outreach and community education services under the direction of the AmeriCorps Coordinator. AmeriCorps State members attend community outreach events, such as job services meetings, library conferences, housing fairs, migrant health clinics, Native American Indian Alliance events, homeless connect events, veterans symposiums and stand downs, diversity fairs, community resource fairs, parenting classes, tax help fairs, and tribal law conferences. AmeriCorps members and MLSA staff members also conduct community education to reach and identify those with special access challenges and legal issues. These educational efforts have included the mental health
community, limited English proficiency groups, medical community, farm workers, veterans groups, HRDC organizations, law enforcement, courts, mediation groups, Department of Corrections, Office of Consumer Protection and Victim Services, pro bono groups, law school pro bono groups, Judges, town meetings, health center staff, children’s resource centers, and senior centers.

All MLSA staff involved in planning Community Engagement meet on a monthly basis to provide coordination, strategic focus and continuity to outreach and educational activities.

2. Please explain the process for an applicant to become a client of Montana Legal Services. How are clients screened to determine eligibility for services and representation? Is there an income eligibility requirement? How is it determined which clients are accepted for full representation? Are any fees charged for services or legal representation?

A survivor may apply for services with MLSA by calling our toll-free number and setting up a phone intake appointment, coming physically to one of our offices (seven total, four embedded in local domestic violence service provider offices) to fill out a paper application, printing a paper application and mailing it in, or completing an on-line fillable intake form. MLSA’s intake specialists are centralized in Helena, and are equally available to all survivors throughout Montana. Survivors who do not have safe access to any of the above means of application may apply at a local partner shelter or service provider.

MLSA also conducts in person intake on Indian reservations by circuit riding attorneys. While Native American clients do use the centralized system as well, MLSA has found that regularly scheduled in-person intake is crucial to reaching a reservation based population. MLSA’s farmworker staff also conduct in person intake in farmworker communities during the summer.

Intakes may be submitted 24 hours a day using MLSA’s online application system, or by faxing in a written application. Clients may apply by telephone between 8:30 and 5:30 Monday through Thursday, and 8:30 to 4:30 on Fridays. Applicants may walk-in to an MLSA office and apply Monday through Thursday between 8:30 and 5:00, except over the lunch hour. MLSA offices are by appointment only on Fridays.

MLSA processes walk-in applications in the same manner as all other applications. Applicants are either directed to the kiosk in the office to complete the online form, or staff provides assistance to the applicant with completing a written intake form. The form is then entered into the system and processed in the same manner as other intake methods.

MLSA’s Survivors’ Legal Project trained intake specialists process all applications by asking questions designed to elicit necessary information for case assessment by attorneys. Intake specialists also place highly visible safety alerts on intake files indicating if domestic violence is present and what contact method is safe for the survivor. As a legal aid agency, MLSA’s overarching priority is for clients at or below 125% of the Federal Poverty Rate. However, MLSA sets aside its income eligibility requirement for survivors of domestic violence because
financial control is one method used by abusers against survivors. The Survivors’ Legal Project does use income as a screening tool after the intake is done because of the sheer number of requests for legal services – income is one factor to help the Project attorneys select cases. Many of our clients are low-income or have no access to funds because of economic abuse. Another priority for allocating services is survivors who have children, or some other vulnerability, such as being elderly or disabled. MLSA does not charge any fees for legal representation or other services.

The Survivors’ Legal Project will not adopt or follow policies or procedures excluding victims from receiving assistance based on characteristics such as age, religion, or race; require survivors to show physical evidence of abuse or violence in order to receive services; refuse to represent survivors who are defendants in other cases; attempt to use mediation, dispute resolution or joint counseling as a mandated response to domestic violence, dating violence, sexual assault or stalking; require survivors to seek protection orders, undergo counseling or undertake a course of action with which they disagree; or fail to conduct safety planning with clients.

MLSA has instituted firm-wide case processing guidelines to guide acceptance of cases and assigned service levels. These detailed case processing guidelines were developed by advocacy staff to provide a roadmap for provision of services, but also are a fluid set of guidelines which are modified as casehandlers and Intake Specialists take notice of changing legal needs. These case processing guidelines are modified to better target MLSA’s resources when new legal problems and needs are identified. MLSA identifies emerging legal needs by: (1) monthly casehandler meetings where statewide casehandlers discuss client issues; (2) tracking types and locations of requests for services during the intake process, including for those cases MLSA cannot take due to lack of funding; and (3) attending community outreach events and talking with client eligible populations.

3. Is a danger or lethality assessment completed with potential clients at any time in the application process?

MLSA’s intake specialists assess every single applicant for the presence of domestic violence, danger, and lethality. Much of the intake specialist’s job consists of specialized training to conduct phone interviews with potential clients, including screening for the presence of domestic violence. Because every survivor is different, the intake specialists cannot simply follow a script to assess danger level. Some survivors are so acclimated to a level of violence that they will not affirmatively answer a script question about feeling they are in danger, even though the level of violence is quite severe. To combat this issue, the Survivors’ Legal Project provides training so intake specialists know what to look for and have the flexibility to assess an individual survivor’s situation. The screen shot questions are a prompt to the intake specialists to have the domestic violence conversation with every applicant, no matter the legal issue raised. Once a survivor has been taken on as a client, their assigned Survivor Legal Project attorney conducts a safety planning and lethality assessment with the client.
4. Is the information on MontanLawHelp.org available in languages other than English? How are the needs of non-English speaking victims met? Are the LiveHelp operators able to communicate in languages other than English?

MLSA assures access to its services for applicants with access barriers through close partnerships with social service agencies serving these populations. These include agencies serving persons with mental illness or other disabilities, and veteran’s service organizations. For clients with language barriers, MLSA will arrange for an interpreter to aid the applicant in completing the application. In addition, MLSA’s phone messages are recorded in English and Spanish, and MLSA’s application form is available in Spanish. MLSA’s offices have a written card offering translation services written in 20 different languages.

MontanaLawHelp.org information has some critical pieces translated into Spanish. Not every legal information piece is translated into other languages because of the low number of Spanish speakers in Montana coupled with the cost of hiring a bilingual attorney to translate legal information in an accurate manner. The attached screen shot is an example of some Spanish legal information available on www.MontanalawHelp.org.

MLSA offers telephone-based intake to address the access challenges of rural, disabled or homebound people or those with transportation challenges. Those clients without access to a telephone may access MLSA by walking-in to a local office or by completing a paper application obtained at the Courthouse, library or on the internet.

All MLSA offices that are open to the public are handicap accessible. MLSA offices are clearly marked and have accessible parking. For clients who are hearing impaired, MLSA has access to resources such as Montana’s TTY relay service.

5. When a domestic violence victim leaves a message for the LiveHelp operator, how is the safety of that victim protected when the return call is made? What number appears in the Caller ID on a telephone?

LiveHelp operators are intended only to help people navigate MontanLawHelp.org and cannot provide legal advice. Operators can only be reached through the MontanaLawHelp.org instant messaging system or, if no one is available to offer LiveHelp assistance, through email. The operators do not use telephones. In order to protect a survivor’s safety when accessing the site, MLSA encourages survivors to use safe computers, such as a computer at a public library, and to be aware that their computer or email use could be monitored. MLSA includes a link to Google.com at the top of all pages at MontanaLawHelp.org to allow survivors to quickly leave MontanaLawHelp.org if they need to. If a survivor needs more legal help than can be provided on MontanLawHelp.org, they are encouraged to apply for services at MLSA.

When clients apply for services at MLSA, intake staff ask all applicants if the phone number the client has given MLSA is safe. MLSA will only leave a message on a phone if it has been marked safe. MLSA’s phone number is automatically blocked for all clients, including those not dealing with domestic violence, so that MLSA’s name will not appear on caller ID. MLSA will only unblock the phone number if the client requests that the number be unblocked.
6. Please provide additional information regarding the types of forms, articles and legal information which domestic violence victims can access on the MontanaLawHelp website.

The resources available on MontanaLawHelp.org are of critical importance in reaching survivors in Montana. The state of Montana encompasses 145,545 square miles—it takes as long to drive from one end of Montana to the other as it does from Chicago to Washington, D.C. Montana has an average population of 6.8 persons per square mile compared to the national average of 87.4 persons per square mile. According to the 2010 U.S. Census, the state ranks fourth in size but 44th in population, with the third lowest population density in the United States. There are seven federally recognized Indian Reservations, comprising over 8,000,000 acres, in the state; each is a sovereign nation with a distinct government and legal system. Reaching this rural and remote population with face-to-face full representation presents a huge challenge for MLSA as the sole statewide legal aid provider. The information freely available on our legal help website can reach a survivor who has safe access to a computer or smart phone, no matter the survivor’s location. This information cannot be safely accessed by every survivor, but many can and do find instant legal information to help navigate their civil legal needs. In addition, pro bono volunteer attorneys use MontanaLawHelp.org to provide services to survivors.

MontanaLawHelp.org provides the following types of information accessible on-line: general information; orders of protection; enforcing orders of protection; no contact orders; address confidentiality; confidentiality between survivors and advocates; immigrant issues; rape examination; housing rights; identification change for survivors; LGBTI resources; name change; victim’s compensation fund; partner information; and financial independence. For example, a survivor can learn how to repair his/her credit history, what rights s/he has if discriminated against in housing, or complete a fillable interactive petition for order of protection. Survivors can also learn about family law matters such as: marriage; dissolution (divorce); parenting time (custody and visitation); child support; adoption; emancipation of minors; paternity; guardianship of minors; grandparents’ rights; child abuse and neglect; and education. For example, a survivor can complete a fillable interactive Montana online child support calculator (which is a required form to file for divorce); complete fillable interactive Montana dissolution forms; print write-in-the-blank dissolution forms; or read legal information about kids and domestic violence.

In addition to these domestic violence and family law specific topics, a survivor can learn about any civil legal issue that arises in his/her life. MontanaLawHelp.org has detailed information on Money Problems; Housing; The Legal System; Public Benefits; American Indian Issues; Veterans and Military; and Taxes. Each of these areas of law has multiple topics under each area, with specific legal information on a variety of civil legal matters. For example, a survivor can learn about her/his rights about an eviction, debt collector harassment, immigration rights, food stamps, and energy assistance. A survivor can also learn about Montana’s legal system and how to navigate it.
7. If funding were not an issue, what (if any) changes or additions would you make to MLSA Survivors’ Legal Project in the future? What are the long term goals for your program?

MLSA’s practical long term goals for the Survivors’ Legal Project are to (1) provide every survivor with immediate access to a legal advocate; (2) immediately link legal advocacy to safety services and social services for every survivor who wants such services; (3) provide comprehensive training for all judges and clerks of courts; (4) continue to foster strong linkages with a wide range of criminal justice and social services partners; and (5) create a coordinated, statewide network of legal and social service providers that will provide comprehensive, wraparound services for survivors.

MLSA’s lofty goals for the Survivors’ Legal Project are to provide community-based attorney services in every community in Montana, providing every survivor who needs it with full, community-based legal representation. A landmark study concluded that the single most important factor in determining whether a woman escapes domestic abuse is her access to the civil legal services needed to protect herself and her children.1 With a community-based lawyer available to every survivor who needs it, survivors will have more chances to break the cycle of violence.

8. Please feel free to briefly share any additional information about your program that may be helpful for our reviewers to know.

While no dollar amount can be placed on a survivor’s safety, economic benefits directly going to domestic violence survivors can help them break free from a cycle of abuse. Representation in civil domestic violence and family law cases in 2014 resulted in $1,291,486 in the pockets of Montana survivors, including child support awards and property division. In 2014, the Survivors’ Legal Project provided services to 588 survivors, directly helping 1,479 Montanans, including 891 children.

Included in these numbers helped are Cassie and her young children (names changed). She experienced ongoing violence during her relationship with her ex-boyfriend and she was constantly trying to please him. When Jerry found out she was pregnant with their second child, he became furious. He demanded that Cassie get an abortion, and when she refused, he attacked her. Cassie was holding their young son at the time and the boy was injured when he fell from her arms. Jerry proceeded to strangle Cassie almost to the point of unconsciousness, leaving bruises across her throat. She fled to a family member’s home and applied for a Temporary Order of Protection. Cassie then contacted MLSA for help, terrified that the Order of Protection would not be extended after a previous Order was denied. At the same time, she was also experiencing complications from her pregnancy and she was afraid of representing herself at the hearing. MLSA represented her at the hearing and was able to get the court to grant Cassie a one-year Order of Protection. Cassie still had a difficult pregnancy ahead of her, but the Order of

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Protection granted her security knowing Jerry could not harm her or their children and allowed her to begin rebuilding her life free from his abuse.

9. Please provide copies of any evaluation forms, screening tools, or assessments used to determine client eligibility.

Attached are: (1) Case Acceptance Guidelines for VAWA funding; (2) Family Law screening questions; and (3) a paper application form (which is always followed up with the client).

10. Please include copies of any tools or forms used for safety planning with clients and determining lethality and/or danger.

Attached are: (1) Screen Shot of Dialogue Box for Intake Specialists to screen all clients for domestic violence; and (2) a Safety Plan Form for clients use with advocates.

Much of the intake specialist’s job consists of specialized training to conduct phone interviews with potential clients, including screening for the presence of domestic violence. The screen shot questions are a prompt to the intake specialists to have the domestic violence conversation with every applicant, no matter the legal issue raised.
TO: Department of Justice
   Office on Violence Against Women

From: Montana Legal Services Association
      Project #: 2013-WL-AX-0060
      Grantee IRS/Vendor No. 810298262

In accordance with Special Grant Condition 42, below is the Montana Legal Services Association’s DV Unit Case Selection Criteria that is used to select clients for the grant funded services. Regarding Special Grant Condition 41, MLSA does not make referrals under this grant award to attorneys who accept payment on a sliding scale along with a fee schedule.

Case Acceptance Guidelines

The following criteria shall be applied in deciding whether or not to accept a case:

- program priorities;
- issues affecting safety of applicant;
- issues affecting basic necessities of food or shelter or family integrity;
- the number of eligible applicants who would be affected by undertaking representation;
- the potential benefit to the client if the case is undertaken;
- the severity of consequences to the client if rejected;
- the number of each caseworker’s open cases;
  - the number of active cases;
  - the status and complexity of the caseworker’s existing caseload;
- the caseworker’s specific level of experience, training, and expertise;
- the caseworker’s other work responsibilities; [planned vacations, court hearings, etc.]
- the availability of other resources to help the client resolve the problem [i.e., pro bono programs, shelters, DV advocates, private attorneys, etc.]
- referral from a judge or grant partner

Additional case acceptance guidelines:
- There is/are child/ren of the relationship. [If there are children, the issue of visitation may come up and cause problems with the OOP.]

AND
- Use of a weapon (gun, knife, etc.). [This is an indication that the abuse/violence is severe.]
OR
  • Severe abuse. [For example, punching, throwing down stairs or against walls, hit in the face, broken bones, bruises, strangulation attempts, etc. This can mean a high level of danger and/or lethality.]

OR
  • Death threats.
  • No children, but the applicant is elderly, handicapped, or is unable to do it on her own.

  • MLSA's DV Unit cannot represent where there is only child abuse. There must be domestic abuse.

  • All cases handled for domestic violence victims shall be handled in accordance with the recommended policies contained in the Legal Assistance for Victims Grant Recipients Policy Guidebook, as published by the U.S. Department of Justice.
Summary Family Law Intake Questions

What does applicant want MLSA to help with?

Summary of facts of situation:

Are there any reasons the applicant might need extra help?

FOR MLSA STAFF ONLY:
- Did you tell the applicant about the on-line pro se forms?
- Do you think the applicant can fill them out on their own?
- (If applicable) did you tell the applicant where to get the pro se answer packet?

Who: (please clarify parties: cl, adv and if there are additional parties please list name & relationship to client)

Has there ever been a court case filed about your marriage or children? (Anything that has been filed?) Have you been served? When were you served? What Court? Cause Number if available?

Do you have a copy of the documents? Would you please email, fax or bring in the documents to us? If yes, when can you send the documents?

How long have you lived in Montana?

How long have you lived in your current county in Montana?

Where does the spouse/other parent live?
Are you pregnant? □
Is adverse the father? □
If yes, when are you due? □

Do you have children? □

How many children under the age of 18 are from this relationship? □

Please list each child's gender, d.o.b., and who the children reside primarily live with? [Gender // DOB // Who does child live with]

Have your child(ren) lived in Montana for six months? □

Is either parent an enrolled member of a tribe? □
If yes what tribe and which parent? □

Has Child Protective Services ever been contacted about the child/ren? If yes, what happened? □

Are you married? □
If Yes, when were you married? □

And how long have you been separated? □

Are there assets like a retirement account, pension, property etc. that need to be divided? □

Is your adverse party active in the military? □
Is there physical or emotional violence in your relationship?

If yes, when what the last violent incident and what happened?

Have you ever been convicted of assaulting a partner or family member? If yes, list date name of person(s) assaulted and relationship to applicant?

Has your spouse or the other parent ever been convicted of assaulting a partner or family member?

If yes, list date name of person(s) assaulted and relationship to applicant if any

Is there an Order of Protection? If Yes, Who is protected?

What court and county issued the order? When does the order expire? Are there any hearings coming up on the order? What reason was given for asking the court for the order?

Do you have a copy of the OOP?

Would you please email, fax or bring in the documents to us? (Please note date when applicant will send docs. If unable to send, please note why.)

Does the adverse have an attorney? If yes, what is the attorney's name?
What specific issues will you and the other party disagree on (debts, assets, parenting time, child support)?

Do you think you and the other party would be able to come to an agreement through mediation? [USE NA if case is DV and applicant didn’t ask for help with mediation.] Yes / No / Maybe / NA
Montana Legal Services Association
Application for Assistance

Complete the application to the best of your ability. All the information you provide in this application is strictly confidential.

**What type of problem do you need help with?**

| ☐ | Garnishment | ☐ | Eviction |
| ☐ | Collection Lawsuit | ☐ | Housing Subsidy/Voucher |
| ☐ | Collection Harassment | ☐ | Return of Security |
| ☐ | Repossession | ☐ | Deposit |
| ☐ | Foreclosure | ☐ | Mobile Home Issues |
| ☐ | Custody | ☐ | Divorce |
| ☐ | Order of Protection | ☐ | Medicaid |
| ☐ | Employment |
| ☐ | TANF |
| ☐ | Food Stamps |

**Applicant Information:**

First name: ___________________________  Middle initial(s): __________

Last name: ____________________________

Other names you have gone by: ______________________________________

SSN: XXX-XX-_______ (last 4 digits only)

Date of Birth: ________________________  Age: __________

Sex: ☐ Male  ☐ Female

☐ Transgender (female-to-male)  ☐ Transgender (male-to-female)

**Other Party Information:** Provide the following information about the other person, agency, or business in your case. For example, in a divorce that person would be your spouse. For custody, that would be another parent or guardian. For housing, it would be your landlord. If you’ve had funds taken from your bank account, it would be the financial institution and the creditor who took your money.

Full name of person, agency or business: ______________________________________

Other names the other party has gone by: ______________________________________

City and State: __________________________________________

Other party SSN: XXX-XX-_______

Other Party DOB: _____/____/____
## Dialogue Box for Intake Specialists for Domestic Violence Risk

<table>
<thead>
<tr>
<th>Safe Address</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

Use these questions to help determine if DV is present: **"Has the applicant been physically hurt or threatened?"** **"Have you ever been hit, kicked, pushed, punched or choked by your partner?"** **"Has your partner ever threatened or abused your children or pets?"** **"Has there been an increase in the frequency or severity of violence?"** **"Does your partner have a gun or other weapon?"**

<table>
<thead>
<tr>
<th>Domestic Violence Present?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>
# Items to Take When You Leave

## Identification:
- [ ] Driver’s License:
- [ ] Green Card:
- [ ] Passports:
- [ ] Birth Certificates:
- [ ] Social Security Cards:
- [ ] Welfare Identification:

## Financial:
- [ ] Money:
- [ ] Credit cards, debit cards, checkbook:
- [ ] Lease, rental agreement, house deed:
- [ ] Insurance papers:

## Legal:
- [ ] Medical records:
- [ ] School records:
- [ ] Work permits:
- [ ] Divorce papers, parenting plan:
- [ ] Order of Protection:

## Other:
- [ ] Jewelry:
- [ ] Small children’s toys and necessary items:
- [ ] Pet’s toys and necessary items:
- [ ] Clothes for self and children:
- [ ] Toiletries and diapers: House and car keys:
- [ ] Prescription medications:
- [ ] Small, salable objects:
- [ ] Address book:
- [ ] Pictures of you, children, and abuser:
Personalized Safety Plan

1. I will keep change or a charged cell phone on me at all times. I can call or go to the following people for assistance or support if necessary and can ask them to call the police:

<table>
<thead>
<tr>
<th>Phone Number</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friend:</td>
<td></td>
</tr>
<tr>
<td>Relative:</td>
<td></td>
</tr>
<tr>
<td>Co-Worker:</td>
<td></td>
</tr>
<tr>
<td>Counselor:</td>
<td></td>
</tr>
<tr>
<td>Shelter:</td>
<td></td>
</tr>
<tr>
<td>Police/Sheriff:</td>
<td></td>
</tr>
<tr>
<td>Attorney:</td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
</tr>
</tbody>
</table>

2. If I leave my home, I can go to:

_________________________,
_________________________, and
_________________________.

3. I can leave extra money, car keys, and copies of documents with

_________________________.

4. I will inform ____________________ and ____________________ that my partner no longer lives with me and ask them to call the police if seen near my home.
5. I will tell people who take care of my children that ________________,
____________________, and __________________ have permission to pick
up my children.

6. I will be able to care for my pets by doing the following:

____________________

7. I will make up a "code word" for my family, co-workers, and friends so they
know when to get me help. My "code word" is: ____________________.

8. My unique situation calls for the following actions: ________________,
____________________, and __________________.
Safety in Rural Areas

There are some extra things to keep in mind when making a safety plan in a rural area such as Montana.

It may take the police and/or sheriff a long time to get to you.
- Make sure the sheriff or police know where your residence is located.
- Get to a safe place while you wait for the police. You may want to find a neighbor’s home or a public place in which you feel safe.

There may be minimal forms of public transportation, such as buses or taxis. You may not have access to your private form of transportation.
- Make a plan with someone you trust for a ride.
- See if the local sheriff or police department can offer you a ride.
- See if any local organizations, clubs, or spiritual groups can offer you a ride.
- Talk to an advocate at a local shelter or support organization for a ride.

Your partner may have weapons.
- Be aware that household objects can be used as weapons—hammers, ice picks, or kitchen utensils.
- Know where guns, knives, and other weapons are located and try to lock them up or make them as hard to get to as you can.
- Find places in your home that are free of weapons. During a fight, try to stay out of places like the kitchen, garage, or rooms with hard flooring.

There may be many isolated areas in your community.
- Recognize and avoid isolated areas as much as possible.
- Travel with someone else as much as possible.
- Carry a cell phone with a fully charged battery. You may ask for an emergency cell phone from a shelter, sheriff, or police department.
- If necessary, leave an isolated area, at least for a little while.

Safe places, like a friend’s house or a shelter, may be far away.
- If you have access to a car, always keep a full tank of gas.
- During winter, keep clothing for cold weather and nonperishable food items in an easy-to-get-to place, or in your car.
- Be aware of where a friend’s house or a shelter is located in different parts of your area.
- Share your safety plan with a few trusted family members or friends.
Safety Planning

Safety during a violent incident:
- If the argument is unavoidable, try to have it in a safe place away from weapons, like the kitchen, or rooms without an exit, like the bathroom.
- Identify how to get out of your home safely.
- Have a bag packed and keep it ready in an undisclosed but accessible place.
- Devise a code word to use with your family, friends, and neighbors when you need to call the police.
- Talk to a neighbor and ask that they call the police if they hear a disturbance coming from your home.
- Decide where you will go if you have to leave your home even if you don’t think it will come to that.
- Use your own instincts and judgments when dealing with the situation. You have the right to protect yourself until you are out of danger.

Safety when preparing to leave:
- Open a savings or debit account in your name.
- Leave money, extra keys, copies of important documents, and extra clothes with someone you trust.
- Determine where you can stay or who can loan you money. Keep the shelter phone number close at hand.
- Keep change, a calling card, or a charged cell phone with you at all times for emergency phone calls.
- Open a P.O. Box in your name in order to have your mail forwarded.
- Remember, leaving your abuser is often the most dangerous time. Review your safety plan as often as possible in order to plan the safest way to leave your abuser.

Safety when staying at your home:
- Change the locks on your doors and/or purchase additional locks or safety devices to secure windows.
- Inform the neighbors that your abuser no longer lives with you and instruct them to call the police if seen near your home.
- Think about obtaining an Order of Protection. Keep the Order on you at all times.

Safety with your children:
- Discuss a safety plan with your children.
- Keep a small bag of clothing, toys, diapers, and other necessities for your children next to your emergency bag.
- Give the children the phone number of the police and other trusted adults.
- Inform the children’s school or care provider who has or does not have permission to pick up your children.
- Provide the children’s school or care provider with any copies of protective or custody orders and a picture of your abuser if available.
Safety with your pets:
- Check with shelters, veterinarians, kennels, or friends if they are able to care for your pets.
- Keep a small bag of dog food, toys, and other necessities for your pets next to your emergency bag.

Safety outside the home:
- Think about using different stores, banks, or other businesses that you used in the past.
- Try to walk with someone at all times.
- If you must meet with your partner, do so in a public, familiar place.
- Cancel any shared bank accounts and open new ones only in your name.
- When at the courthouse—have someone with you at all times, sit far away from your partner, do not make eye contact, and ask the sheriff to keep your partner in the courthouse so that you may leave quickly.
- If you think your partner is following you, call the police immediately.
- Keep your Order of Protection with you at all times.

Safety on the Job:
- Decide who at work you will inform and provide a picture of your abuser.
- Have someone walk you to your car or the bus stop at the end of the day.
- Change your route of travel and screen your calls if possible.
- Explain in advance that time may be needed for court appearances and other legal appointments.
- Request that any contact with your partner be documented immediately and talk to witnesses who saw the contact.

Your Safety and Emotional Health:
- If you are thinking about returning to a potentially abusive situation, discuss an alternative with someone you trust.
- If you have to communicate with your partner, determine the safest way to do so.
- Have positive thoughts about yourself and be assertive with others about your feelings and concerns.
- Decide who you can talk to freely and openly to give you the support you need.
- Plan to attend a women’s or victim’s support group to learn more about yourself and the relationship.
Legal Tip of the Week

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Parental Rights Termination in Montana

What happens next? A guide to the child and

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¿Cómo obtengo el divorcio?

En Montana, el nombre legal para el divorcio es disolución. El tribunal puede otorgar un matrimonio una disolución sin corte si el cónyuge no desea que se siga el proceso. Para conseguir esto, debe estar seguro de que:

- El cónyuge puede conseguir un divorcio si se desea que se haga esto.
- El matrimonio ha estado en vigor por al menos nueve meses.
- Si el cónyuge no desea que se haga esto, debe estar seguro de que:
  - Un cónyuge debe estar libre de que el matrimonio no puede resolverse.

¿Si obtengo la disolución, ¿qué puedo hacer con el matrimonio?

En una disolución, el juez tratará de respetar el matrimonio. El juez también entregará en la siguiente forma:

- Otorgará la propiedad y deudas de los dos hijos.
- Cambiará el nombre de la esposa, si lo solicita.
- Decida el alquiler y el pago para los hijos.
- ¿Cómo sucede con la separación legal?

Si no desea una disolución, usted puede obtener una separación legal. Si usted obtiene una separación, aún así está legalmente casado, por lo que debe seguir todos los mismos derechos y deberes que con un matrimonio. Usted debe solicitar el cambio de separación a disolución. Esto no puede suceder hasta seis meses después de que el tribunal manifieste que el matrimonio no puede ser resuelto.

¿Qué sucede si se declara el matrimonio inválido?

Un juicio debe invalidar el matrimonio. Esto también se da una súbita cuando se declara que el matrimonio nunca existió. Un juicio puede decir a esto una declarar de inválida. Usted debe cumplir con los requisitos para poder hacer esto.
Families and Kids

You can find information about family law issues here. This section has forms, articles, FAQs, and more. Click here for "Legal System" information you also need to know if you are filing a court case or responding to one.

- Marriage
- Dissolution (divorce)
- Parenting Time (custody and visitation)
- Child Support
- Adoption
- Emancipation of Minor's
- Paternity
- Name Change
- Guardianship of Minor's
- Grandparents' Rights
- Child Abuse and Neglect
- Education