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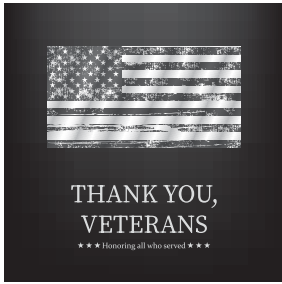
*By Karen Lash, Consultant, Rosie Dawn Griffin, Partner, Feldesman Leifer LLP, and Scott Sheffler, Partner, Feldesman Leifer LLP*



**SPECIAL FEATURE:  
LSC 50th  
ANNIVERSARY  
CELEBRATION**



**Protecting  
the Promise**



## A PARTNERSHIP TO BREAK THE CYCLE OF VETERAN HOMELESSNESS

By: *Richard A.J. Prebil, Supervising Attorney,<sup>1</sup> Veterans Advocacy Project, Legal Aid of Southeastern Pennsylvania and Nicole McCoy, Legal Services Program Director,<sup>2</sup> Veterans Multi-Service Center*

As part of nationwide efforts to end homelessness, the U.S. Department of Veterans Affairs (VA) exceeded its goal to house 38,000 homeless veterans



*Richard A.J. Prebil (L); Nicole McCoy (R).*

through major investments in innovative new practices, including tenant-based vouchers and supportive legal services.

In 2022, VA-funded programs housed more than 40,000 homeless veterans, prevented nearly 18,000 veterans from falling into homelessness, and helped nearly 192,000 additional veterans who were experiencing financial difficulties retain their homes. Based on these successes, the VA has increased the capacity of nonprofit organizations to provide services, including legal services, to increase access to housing and employment.

“For veterans, legal support can be the difference between becoming homeless and having safe, stable housing,” stated VA Secretary Denis McDonough.

Following this guidance, local partners in the Greater Philadelphia, Pennsylvania area, Legal Aid of Southeastern Pennsylvania (LASP) and Veterans Multi-Service Center (VMC), have created a nationally recognized blueprint to address veteran homelessness and increase veteran income through the provision of legal and other supportive housing services.

### **The Partners:**

LASP was founded in 2001 to provide quality legal representation to low-income individuals in Bucks,

Chester, Delaware, and Montgomery counties, to empower them to solve problems through legal education and increased access to the courts, and to change community practices and systems that cause or aggravate poverty.

LASP recognized that there was a need for additional legal services designed to meet the needs of veterans, particularly in the areas of homelessness prevention, income stability, and discharge upgrades. In response, LASP created the Veterans Advocacy Project (VAP). VAP provides housing insecure veterans with client-centered, trauma-informed outreach and representation. This new unit included the region’s first of its kind dedicated veterans’ legal helpline, which gives veterans direct access to a VAP advocate.

For nearly 45 years, the VMC has provided the Greater Philadelphia, Pennsylvania area with services and support to veterans and their families. VMC provides wraparound services, including housing, benefits, employment, and food support, to over 6,500 veteran households annually across Pennsylvania, Delaware, and Southern New Jersey. As an organization dedicated to serving veterans, VMC is a service provider and advocate and an early provider of human service/legal aid partnerships. VMC has been recognized by the VA for its innovative practices and provides training and technical assistance to federally funded veteran-serving organizations throughout the country.

### **The Need:**

The United States is home to over 16 million veterans. Veterans do not automatically receive federal benefits when their military service ends. In fact, many veterans have no idea what veterans benefits they qualify for or how to navigate the challenging federal application process. In addition to the difficulties in obtaining federal benefits, veterans may also struggle to access local and state benefits and housing opportunities.

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According to the 2022 Justice Gap Report from the Legal Services Corporation (LSC), 76% of low-income households experienced at least one civil legal problem in the preceding year, 44% experienced five or more issues, and 27% experienced an astounding 10+ legal issues.

Veterans are often forced to go through highly specialized processes to address civil legal problems on their own. According to LSC, low-income veteran households did not receive any or enough legal help for 84% of their civil legal problems in the past year. Most veterans are not aware of their eligibility for civil legal aid, the services that are available, or how to reach out for help.

1.6 million veterans have household incomes below 125% of the poverty threshold, making this a large group of individuals who is eligible and in need of help for civil legal problems.

According to the 2022 VA CHALENG Report (a survey in which participants rate the needs of homeless veterans in their local communities), nine of the ten highest unmet needs for unhoused veterans had a legal remedy, whether through criminal record expungement, bankruptcy, discharge upgrades, or eviction and foreclosure defense.

To access many VA benefits, or to even be considered a “veteran” under the statutory definition, a person must have received a favorable military discharge, in addition to meeting other requirements. Between 2000 and 2014, over 600,000 service-members received a less than honorable discharge, often due to disciplinary infractions and misconduct symptomatic of untreated Post Traumatic Stress Disorder (PTSD) resulting from Military Sexual Trauma (MST), other psychiatric/behavioral health conditions, and/or Traumatic Brain Injury (TBI).

**Veterans do not automatically receive federal benefits when their military service ends. In fact, many veterans have no idea what veterans benefits they qualify for or how to navigate the challenging federal application process.**

In a 2017 Government Accountability Office (GAO) report, 62% of the 91,764 service members discharged for misconduct from Fiscal Year 2011-2015 had been diagnosed with PTSD, TBI, or certain other behavioral conditions within two years prior to or after separation from the military. Unable to access VA services, suicide rates among veterans with less than honorable discharges are nearly two times that of other veterans, and they are two times as likely to be unhoused. Veterans who are successfully represented in discharge upgrades by VA accredited attorneys are then able to access lifesaving income and medical treatment.

To represent a veteran before VA, an attorney must attain VA attorney accreditation. When an attorney gets accredited, they can access the VA's internal management system, including medical records, military records, previous VA decisions, etc. This also gives relatively updated information on the status of a veteran's claim and helps attorneys assist clients more rapidly. The process to become a VA accredited attorney is simply to fill out a three-page form, submit it to the Office of General Counsel, and take a three-hour CLE within the first 12 months.<sup>3</sup> Even having one attorney who is accredited at a legal service organization can start the process for serving veterans.

Legal representation makes a difference. For example, unrepresented tenants facing eviction remained in their homes only 14% of the time, while those with full representation remained in their homes 55% of the time. Outcomes for benefits and discharge upgrades are significantly better for veterans who have an attorney. Legal advocates have a unique opportunity to work with people to tell their story and walk them through these difficult systems.

### **The Innovation:**

Screening for legal issues such as benefit denials is part of the assessment or crisis response by case-workers when veterans initially seek services from an organization like VMC. An attorney can act as an advisor, guide, and advocate through processes that can be extremely daunting. Collaborating with an organization like VMC provides attorneys with a unique opportunity to prevent homelessness, reduce the duration of homelessness, reduce the trauma and expense associated with extended periods of homelessness, and alleviate the strain on the community's housing crisis response systems.

LASP and VMC both address poverty and homelessness in the suburban counties surrounding Philadelphia. They are natural collaborators and allies. The

two organizations have built a partnership of complementary services that has effectively stabilized the housing and financial situations of housing insecure veterans. Since the partnership began, LASP advocates have assisted veterans in obtaining almost \$1.93 million in retroactive VA benefits and Social Security awards. The retroactive benefits and the new monthly benefits obtained have increased veteran clients' incomes by an average of \$1,500/month. The estimated increase in lifetime income for these veterans is more than \$33.7 million. This new income substantially improves housing stability.

Ongoing training and communication between legal and human services partners play an important role in this successful partnership. For example, attorneys have trained human services staff to identify illegal eviction processes at the point of application for housing assistance, which has led to quickly stopping most illegal evictions experienced by veteran clients. Caseworkers are better able to identify where a client is in the eviction process and respond accordingly with both accurate legal referrals and appropriate housing assistance. Other services to help veterans include criminal record expungements and driver's license restoration. Record expungement helps veterans access subsidized housing, often a necessity for extremely low-income households, and employment opportunities. License restoration can make it easier for veterans to find work and to manage important activities such as medical appointments.

In terms of capacity to serve low-income households, legal aid organizations are forced to turn away nearly 50% of the requests they receive due to limited resources, according to LSC. Individuals who contact legal aid organizations may be denied services if they are over income guidelines, which forces them to go through these processes on their own. The partnership between LASP and VMC means that veterans referred for legal help receive a response from LASP within 48 business hours. VMC ensures that veterans meet LASP eligibility criteria prior to referral.

Through the relationship between VMC and LASP, the staff of both organizations know they can reach out to each other. This regular communication ensures that the needs of the veterans are best served.

Through stabilizing housing and income, providing access to healthcare, and assistance with other civil legal matters handled by LASP, this partnership has saved lives and has had an outsized impact on the veteran community in Pennsylvania.

### Case Study:

"John" is a 60-year-old U.S. Army veteran who had been living on the streets of suburban Philadelphia for years since his release from incarceration. He had no income. He was working with the VMC to obtain permanent housing and was promptly referred to LASP for further assistance.

When John met with his attorney for the first time, it became clear that he had experienced significant trauma in service and was unable to work because of his disabilities. John spoke with his attorney specifically about his MST and how that has continued to impact him.

John's attorney filed an application for VA benefits, within 65 days, the VA issued a decision granting service-connected disability compensation for his PTSD related to the MST he experienced in service. John qualified for over \$9,800 in retroactive benefits, and his monthly income increased to over \$1,600.

As John was unable to work because of his now service-connected PTSD, his attorney filed to have his disability compensation increased due to his unemployment. In just over 110 days, John's application for the disability was granted.

Within nine months of working with VMC and LASP, John's monthly income increased to over \$3,600 and he received over \$31,000 in retroactive benefits. As a result of this monthly income and the retroactive benefits he received, John's estimated lifetime income increased by over \$857,000. He became permanently housed. John was finally able to talk about his PTSD and the MST he survived in service and began receiving mental health treatment.

### *Putting the pieces together:*

Through their shared mission of advocacy, LASP and VMC created a culture of understanding between legal providers and human services providers. Legal providers assist human service providers to achieve goals of legal support to prevent homelessness. Human service providers deliver other important case management services for vulnerable and disenfranchised

Veterans who are successfully represented in discharge upgrades by VA accredited attorneys are then able to access lifesaving income and medical treatment.

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veterans. The partnership ensures a holistic collaboration with both organizations complementing each other and helping to break the cycle of homelessness.

Legal aid organizations do not need to specialize in veterans law or have a dedicated veterans unit. One VA accredited attorney at a legal service organization is enough to start doing this work. Across the country, veterans services providers are looking to partner with legal aid organizations that can provide these needed services.

Together, LASP and VMC have been able to stabilize housing and increase income for unhoused veterans in our community. This partnership works.

As organizations who are already aligned in mission and vision, we can collaborate to serve veterans.

Partnering allows organizations to work together to create a holistic, wraparound safety net of services for veterans—those who served us. Together, we can break the cycle of homelessness and poverty for veterans in the United States.

- 1 Richard A.J. Prebil, Esq. is Supervising Attorney of Legal Aid of Southeastern Pennsylvania's (LASP) Veterans Advocacy Project, which he helped establish. The unit formally launched in mid-2020. The unit provides representation, advice, and outreach to veterans, specifically those who are unhoused, at risk of becoming unhoused, income insecure, and those living with disabilities. Richard primarily practices in the areas of VA benefits, discharge upgrades, and Social Security. When he joined LASP in 2019, Richard represented individuals in landlord/tenant, subsidized housing, child custody, public benefits, and unemployment compensation matters. Prior to joining LASP, Richard was an Equal Justice Works Fellow at a nonprofit in Philadelphia where he represented veterans, current military personnel, and their families in PA, NJ, and DE, in the areas of veterans

benefits, discharge upgrades, and Chapter 7 bankruptcies. During law school, he worked with veteran and legal service organizations from Minneapolis to Chicago to Philadelphia. Richard received his bachelor's degree from the University of Illinois Springfield and graduated from the Villanova Law School, where he is an adjunct professor and teaches a veterans law course he developed. Richard may be reached at [rprebil@lasp.org](mailto:rprebil@lasp.org).

- 2 Nicole McCoy, Esq. is Legal Services Program Director for the Veterans Multi-Service Center (VMC), an organization with over 40 years of experience in delivering services to veterans in Greater Philadelphia. Since joining VMC in 2020, Nicole has created a legal services program, working with seven legal aid nonprofits in Pennsylvania, Delaware, and Southern New Jersey. The program provides expedited, free legal services to thousands of low-income and homeless veterans, as part of a holistic homeless and housing program. Nicole previously worked at Legal Aid of Southeastern Pennsylvania (LASP), where she assisted in developing the Veterans Advocacy Project, beginning in 2019, to bring targeted legal services to low-income Veterans in LASP's four-county service area. Nicole holds a B.A. in political science from Syracuse University, a J.D. from Widener University School of Law, and her Masters in Taxation (L.L.M.) from Villanova University. Nicole may be reached at [nicole.mccoy@vmcenter.org](mailto:nicole.mccoy@vmcenter.org).
- 3 To learn more about VA attorney accreditation, visit the VA's Office of General Counsel website at: <https://www.va.gov/ogc/accreditation.asp>.

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