



Libraries Prepare to Answer Civil Legal Questions in Times of Crisis

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Speakers

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Today's Session

- Welcome & Introductions
- Access to Justice

How it's supposed to work | Unmet need | COVID-19 effect | Why libraries?

- Legal Issues During COVID-19

Housing | Family | Finances | Health

- Public Libraries & Bridging the Gap

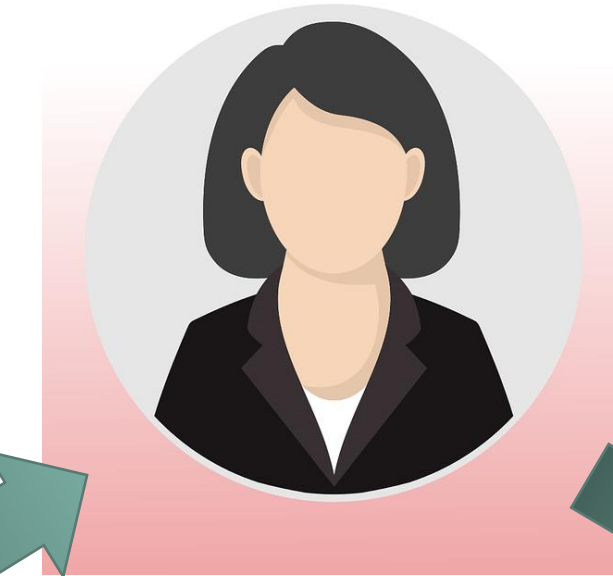
Connect | Assist | Teach | Partner



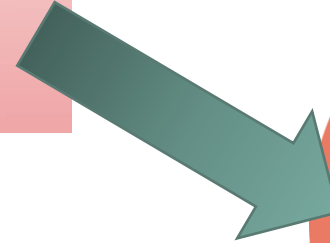


How it's supposed to work...

Step 1: Recognize
a
legal
issue



Step 2: Hire a
lawyer/ counselor/
advocate



Step 3: Follow
advice to obtain
appropriate relief





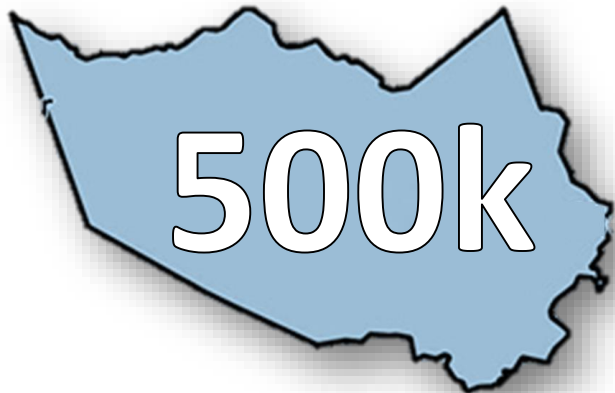
An Unmet Need for Legal Services



71% of low-income households experience a civil legal problem each year.

86% of civil legal needs of economically-disadvantaged people go unmet by legal aid.

Legal Services Corporation, 2017 Justice Gap Report, available at www.lsc.gov/media-center/publications/2017-justice-gap-report



In Harris County, 474,863 of 4.7 million people likely have unmet legal needs annually.

U.S. Census Bureau, *QuickFacts: Harris County, Texas*, available at <https://www.census.gov/quickfacts/harriscountytexas>

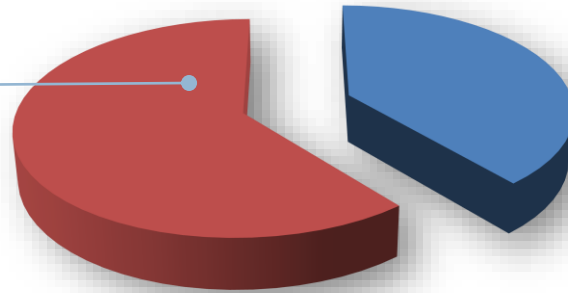


An Unmet Need for Legal Services

61%

of Americans do not have enough savings to pay for a \$1,000 emergency expense, like an attorney's retainer.

Emmie Martin, "Only 39% of Americans have enough savings to cover a \$1,000 emergency," CNBC.com (Jan 18, 2018), available at <https://www.cnbc.com/2018/01/18/few-americans-have-enough-savings-to-cover-a-1000-emergency.html>



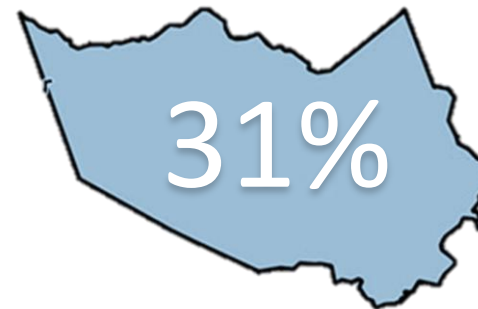
61% of the population of Harris County, Texas is 2,875,128 people.

U.S. Census, Quickfacts: Harris County, Texas, available at <https://www.census.gov/quickfacts/harriscountytexas>

Texas Justice Gap Report

We use modest-means client as a shorthand term for any person or small business that needs civil legal help but cannot afford traditional legal representation.

Texas Commission to Expand Civil Legal Services, Report of the Texas Commission to Expand Civil Legal Services (Dec. 6, 2016), available at <http://www.txcourts.gov/media/1436563/complete-cecls-report.pdf>



1.4 million people in Harris County have a civil legal need and cannot afford a lawyer.



The COVID-19 Effect

Need

Over 40 Million Americans unemployed as of June 1, 2020.

Patricia Cohen, "'Still Catching Up': Jobless Numbers May Not Tell Full Story", *New York Times* (May 28, 2020).

Funding

[F]unding from the IOLTA, state court filings fees and legislative appropriations is likely to plummet...

Debra Cassens Weiss, "Legal aid programs likely to be hard hit by drop in IOLTA funds, group warns," *ABA Journal* (April 3, 2020).

Backlog

Every state suspended in-person hearings statewide or allowed local courts to suspend proceedings.

National Center for State Courts, "Coronavirus and the courts," available at <https://www.ncsc.org/newsroom/public-health-emergency>

Access

Majority of states now require or strongly encourage virtual hearings.

National Center for State Courts, "Coronavirus and the courts," available at <https://www.ncsc.org/newsroom/public-health-emergency>



Why libraries?

Librarians step up for their communities.



Pratt CEO Carla Hayden welcoming folks and placing a "We're OPEN" sign at the Pennsylvania Ave Branch.



♥ 138 9:19 AM - Apr 28, 2015

Baltimore libraries stay open to provide community support

Anna Sillers, "Baltimore libraries stay open to provide community support," PBS NewsHour (Apr. 28, 2015).

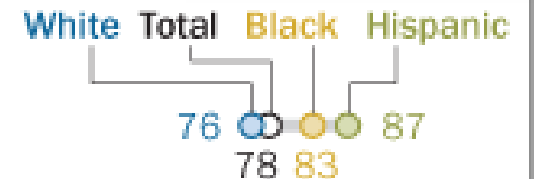
People trust librarians.

Views on the usefulness of libraries vary by race and ethnicity

% of adults who say public libraries help them ...



Find information that is trustworthy and reliable



A.W. Geiger, "Most Americans – especially Millennials – say libraries can help them find reliable, trustworthy information," Pew Research Center Fact Tank (Aug. 30, 2017).

Access to justice depends on access to knowledge.

Tanina Rostain, *Techno-Optimism & Access to the Legal System*, 148 *Daedalus* 93 (2019).



Legal Issues in COVID-19



Legal Issues in the Time of COVID-19

Housing

- Landlord/Tenant
- Foreclosures



Family

- Custody
- Divorce
- Safety



Finances

- Unemployment
- Consumer Debt



Health

- Medical Debt
- Advanced Directives & Estate Planning





Landlord-Tenant

- Does your state have a “stay” on evictions?
- I haven’t heard anything yet...but I know I won’t have enough for rent...
- The Fine Print: There may be a ‘stay’ but the ball keeps rolling...
 - Mediation programs
- Illegal Lock-Outs
- Illegal Utility Shut-Offs



Landlord-Tenant

On May 19, Houston became the largest U.S. city where stay on evictions was lifted.

Resources

- Justice of the Peace Court Websites (jp.hctx.net)
- TexasLawHelp.org: Evictions During COVID-19 Pandemic
- [Houston Volunteer Lawyers: Online Application](#)
- [Houston Bar Association Legal Line](#)
- [Lone Star Legal Aid: COVID-19 Eviction and Other Resources](#)



★ Houston Chronicle

Harris County,
Houston leaders ask
for eviction delays due
to coronavirus



Landlord-Tenant

- Illegal Lock-Out

- Lock changes, changes to security codes, access gates, etc.
- At Risk?
 - “proof of tenancy”: lease, proof of mail, state ID with address.
- Police can help folks get back into their unit.
- [HRS 521-63\(c\)](#) – recovery of costs.
- If no notice—locking a tenant out of their home is illegal.





Landlord-Tenant

■ Illegal Utility Shut-Offs

- Essential services : water, electricity, gas (may include internet)
- If Utility is held in tenant name, need to check with the company if it was turned off by the landlord or by the utility.
- [HRS 521-74.5](#) – recovery of costs.
- If no notice, shutting off utilities is illegal.





Landlord-Tenant

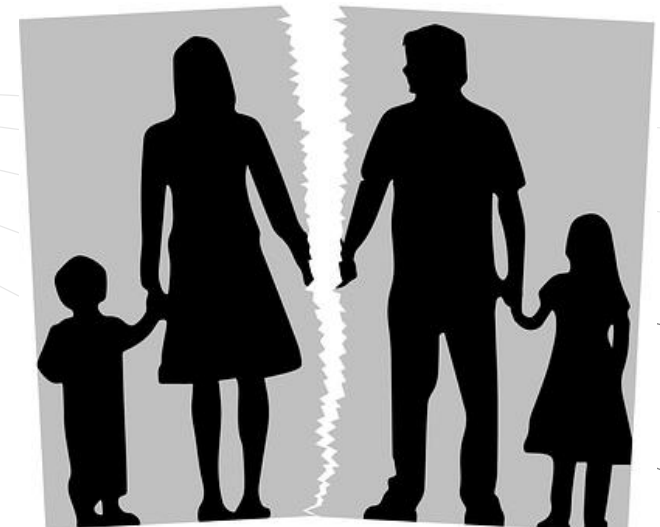
- [Landlord-Tenant Resources](#) (Hawaii) – includes FAQs and sample court forms
 - I've been locked out of my home
 - My landlord shut off my Utilities
 - I can't pay my Rent/Mortgage
 - [Legal Aid Society of Hawaii](#)
 - [Further information on COVID-19 Landlord-Tenant info in Hawaii](#)





Family Legal Issues & Personal Safety

- Child Support
- Visitation Orders
 - What to do when my ex won't let me see my kids?
 - What to do when I don't want my kids to go to my ex's house?
- What's happening with my divorce?
- What if I get sick and can't take care of my kids?
- I'm not safe ...





Family Legal Issues & Personal Safety


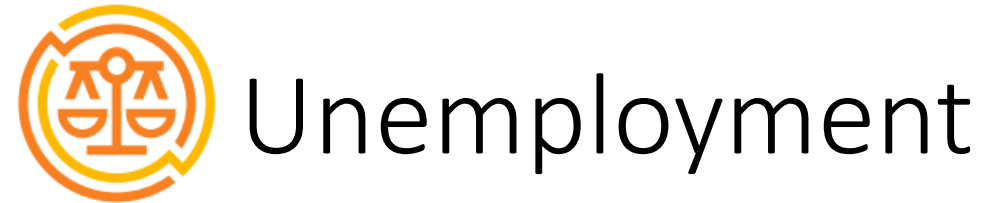
“COVID-19’s impact is being felt most by those who are vulnerable, including victims of domestic violence and human trafficking.”

- Houston Mayor Sylvester Turner

Domestic
violence up 40%
in March.

Hannah Dellinger, “Houston to help prevent domestic violence during COVID-19,” Houston Chronicle (April 22, 2020).

- Family and Personal Safety Resources in (Hawaii)– including FAQs and court procedure
 - [Family Legal Issue resources related to COVID-19](#), including Guardianship info
 - [Resources related to Domestic Violence](#)
 - Emergency community/legal support
 - Temporary Restraining Orders (TROs)
- Texas State Law Library – [Protective Order Forms](#)
- Harris County District Attorney – [Family Criminal Law Division](#)
- Law Library of Congress – [Domestic Violence: Resources in the United States](#)



Unemployment

- Applying for Unemployment
 - Your State and/or Federal [COVID-19 Unemployment through July 31, 2020](#)
- I was denied unemployment: what do I do?
- I lost my health insurance due to my unemployment, where can I get it?





Unemployment

- [Unemployment FAQs](#) (Hawaii)
 - [Further Unemployment Resources](#) – including what to do when denied
 - Health Insurance via Local Departments of Health
 - Federal Health Insurance via [COVID-19 Healthcare.gov](#)
 - 60 Days: If you lost your insurance due to reduction of hours or loss of job





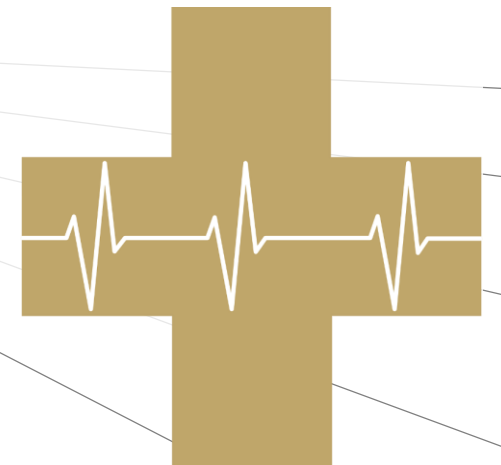
Health

- Wills & Estate Planning

- [Houston Volunteer Lawyers, Do-It-Yourself Guide for Handwritten “Holographic” Wills \(Texas\)](#)
- TexasLawHelp.org – [Transfer on Death Deed](#)

- Advanced Directives

- Medical Power of Attorney
- Directives to Physicians and Family
- [Texas Health and Human Services Forms](#)





Civil Rights

■ Finding Resources

- Law Library at University of Minnesota Law School: [Resource Guide - Civil Rights in the United States](#)
- Sacramento County Public Law Library: [Law 101 Civil Rights](#)
- ACLU – [Rights of Protestors](#)

■ Finding Help

- Legal Aid Organizations

[Texas Civil Rights Project](#) | [ACLU-Texas](#) | [ACLU-Hawaii Legal Aid](#)

- Law School Clinics

- University of Texas Law School: [Civil Rights Clinic](#)

- **Texas Lawyers Offer Free Help to People Arrested During Protests Over George Floyd's Death** ([Texas Lawyer article](#))

Suffragists of the National Women's Party picket outside White House - 1917



Harris & Ewing. [Pennsylvania\] on the picket line, \[January 24,\] 1917](#). Reproduction. NWP Records, Manuscript Division, Library of Congress (327.00.00)



Bridging the Gap

LSC | America's Partner
for Equal Justice
LEGAL SERVICES CORPORATION



HARRIS COUNTY
LAW LIBRARY

 **WebJunction®**
The learning place for libraries.



Bridging the Gap

Connect

- WiFi & Computers
- Zoom Courtrooms



Assist

- Online Legal Resources
- Government & Legal Aid



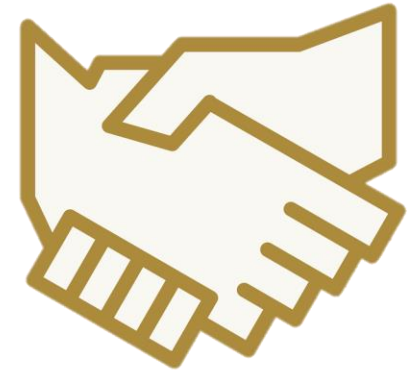
Teach

- Basic Tech Classes
- Literacy



Partner

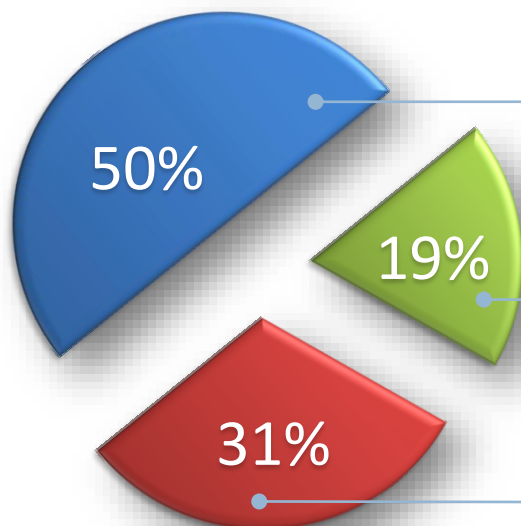
- Public Law Libraries
- Legal Aid





Connecting the disconnected

Americans with less than \$30,000/yr. household income

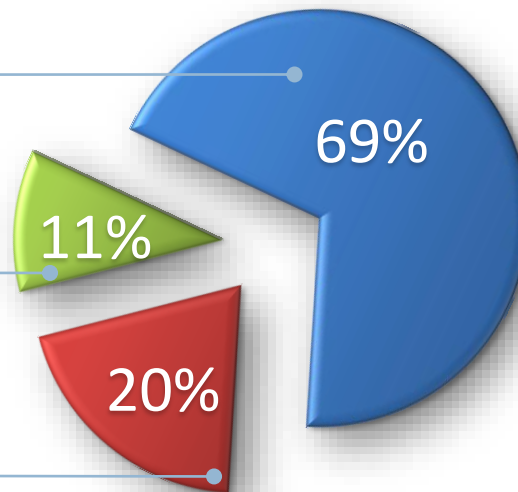


Home broadband

No internet

Mobile only

All Americans



Internet Usage

Lower usage rates and greater dependency on mobile access among Americans with limited income, limited education, and those over the age of 65.

Pew Research Center, *Internet/Broadband Fact Sheet* (2018), available at www.pewinternet.org/fact-sheet/internet-broadband/



Pew Research Center

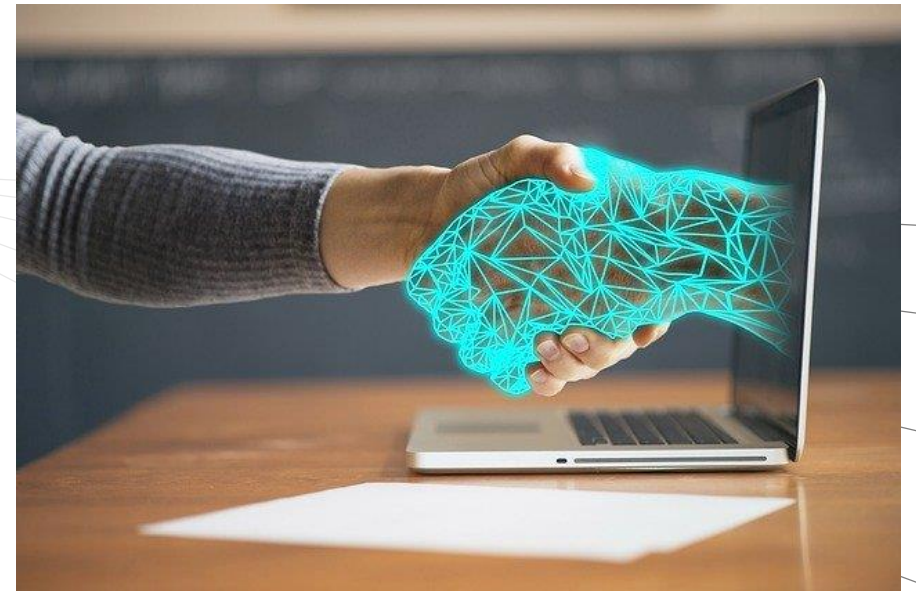


Assist: Online Legal Resources

- LawHelp.org
- Law Help - Hawaii (www.lawhelp.org/hi)
- Texas Law Help (texaslawhelp.org)
- Local Court forms
 - Local court forms; Interactive Court forms

National/General Online Legal Resources

- [Legal Information Institute](#)
- [Nolo.com](#)
- [Georgetown University School of Law](#) – curated legal information

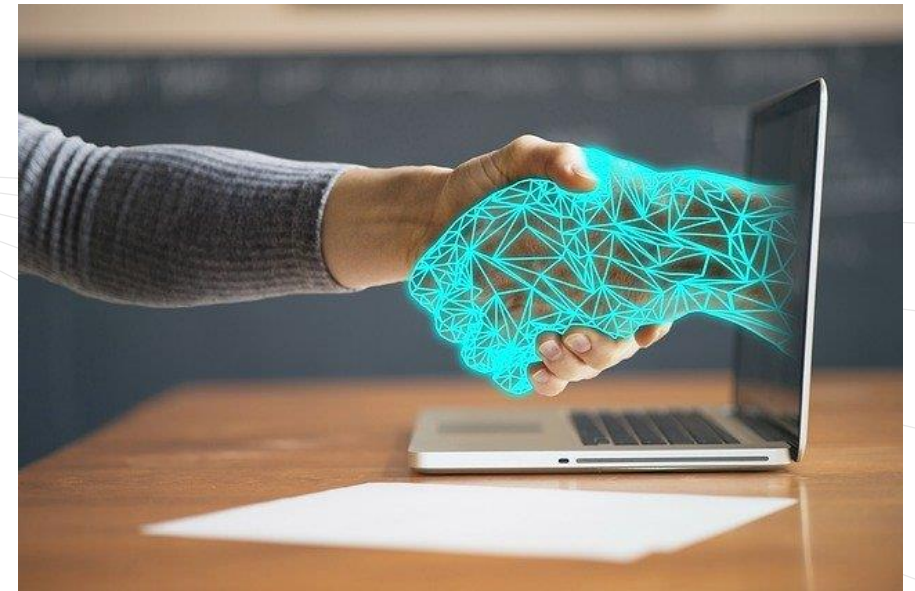




Assist: Online Legal Resources

Reliable Sources of Legal Information Online

- Bar Associations
- Legal Aid Organizations
- Access to Justice Commissions
- Courts & Government Agencies
- Universities
- Law Libraries





Community Legal Partners

- Access to Justice Commissions
 - [National Directory](#) (ABA)
 - [Hawaii Access to Justice Commission](#)
 - [Texas Access to Justice Commission](#)
- Local Court programs
 - Self Help Centers – free limited legal advice/information
 - [Access to Justice Rooms/Self Help Centers - Hawaii](#)





Community Legal Partners

- Legal Aid Society – (LSC)
 - [National Directory](#)
 - [Legal Aid Society of Hawaii](#)
 - [State Bar of Texas Referral Directory](#)
- Pro Bono Organizations (ABA)
 - [National Directory](#)
 - [Volunteer Legal Services Hawaii](#)
 - [Harris County Law Library Pro Se Litigants Handbook](#)





Community Legal Partners

- Domestic Violence (DV)

- [National Directory](#) (National Coalition Against Domestic Violence)
- [Resources for State Specific DV programs](#) (Office on Women's Health)
- [Domestic Violence Action Center](#) (Hawaii)
- [AVDA-Houston](#) (Harris County, Texas)
- [Houston Area Women's Center](#)

- Indigenous and Native People

- [Native Hawaiian Legal Corporation](#)





Community Legal Partners

- Your Friendly Law Libraries

- State, Court, and/or County Law Library near you
 - [Law Library for San Bernardino County, State, Court, and County Law Libraries in the United States](#)
 - [AALL Government Law Libraries SIS – Member Libraries](#)
- Programs/online resources embedded in your local communities
- [Harris County Law Library](#)
- [Hawaii State Law Library System](#)





Questions?

Thanks!

Many of the graphics in this presentation are available under royalty-free, attribution-free licensing at www.pixabay.com.



Thank you!

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