

Pro Bono Program Application Changes!

By: Karissa Demmert & Christine McLeod Pate

The Legal Advocacy Project Pro Bono Program has recently revised its application forms in an effort to streamline and expedite the application process. The changes, though relatively minimal, will allow faster and easier communication as well as provide quicker access to helpful, supportive information.

The purpose of the Pro Bono Program is to increase private attorney representation for victims of domestic violence and sexual assault in civil cases at no cost to the victim. Victims seeking legal assistance can apply to the Pro Bono Program through their local domestic violence/ sexual assault program. To apply, victims complete a two part application form totaling 10 pages. Once the full application has been received by the Pro Bono Program office, an interview with either the mentoring or staff attorney is conducted. The interview serves as an opportunity for the Pro Bono Program staff to get a larger sense of the victim's past and current circumstances. During the course of the interview, the victim is also able to ask questions and voice her concerns. After the interview, the information obtained is brought before the Legal Advocacy Project staff in case review. There it is determined if an applicant's case is appropriate for the Pro Bono Program and if the Pro Bono Program will seek a volunteer attorney for the case. This process, application to case review, can take between two weeks and three months. The changes and additions to the forms are an effort to cut down on the total application process time.

Many of the victims applying to the Pro Bono Program have worked with a variety of social services agencies. The modified application forms ask clients upfront to provide Pro Bono Office staff with releases of information to talk with those social services providers. Examples of these agencies

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Annual LAP Survey

All legal advocates should have received the Annual LAP Survey in the mail. Please take a few minutes to complete the survey so that we can serve you better!

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include Office of Children's Services, Juvenile Justice, and tribal social services. The information obtained in these conversations is used only as supporting information to provide a clearer picture of the applicant's situation.

Another addition to the Pro Bono Program application is the request for any documents that have been filed in court relating to the case for which the victim is seeking assistance. If there is an active civil case, it is very helpful for Pro Bono Program staff to see what legal actions already have been taken in order to better assist the applicant. Copies of protective orders are also requested. In the past, Pro Bono staff sometimes did not find out about these papers until they spoke with the applicant. This lengthened the application process because staff then had to wait to get the papers to make a final decision on the case. Receiving this paperwork before staff speaks to the client will expedite the application process.

Finally, the new application also requests information about the relationship between the victim/applicant and her local domestic violence/sexual assault program. Advocates at the programs provide support and work directly with the victims. They are often the first and greatest sources of information for an applicant. Likewise, they serve as a great resource for the Pro Bono Program staff in assisting to screen the case and provide services to the applicant. We at the Pro Bono Program have found that the most successful cases include an applicant working closely both with the legal advocate and her attorney. We encourage programs to continue to work with clients throughout the litigation process.

All member programs will be receiving a disk with the new forms on them in the next few weeks. Please call the Pro Bono Program at (907) 747-7545 if you have any questions or concerns about the application changes.

LAP Welcomes New Staff Member

The Legal Advocacy Project gives a warm welcome to our newest staff member, Andrea Browning. Andrea was hired in October to serve as the Legal Advocacy Project Coordinator. Andrea gained experience working in the domestic violence field while working at the Legal Resource Center on Violence Against Women (LRC), a national non-profit organization based in Takoma Park, Maryland. As the Program Assistant at the LRC, she fielded calls from domestic violence survivors, legal advocates, and attorneys who needed assistance with interstate custody cases. Prior to joining ANDVSA, she worked at the Parkinson's Action Network (PAN), a Washington, DC based non-profit organization devoted to increasing awareness about Parkinson's disease. While at PAN, Andrea was responsible for office technology and all electronic communications from the office to the Parkinson's community. As Michigan native, she is excited to return to a colder climate with numerous outdoor activities. Andrea has a Bachelor of Arts degree in International Studies with minors in Women's and Gender Studies and Spanish Language from American University.



New Staff Member Andrea Browning

Congress Addresses Problem of International Marriage Brokers

By: Christine McLeod Pate

Over the last several years there has been an alarming rise in marriage broker firms who help American men meet foreign women on-line. With the increase in internet access, the industry has nearly doubled since 1999 with now over 400 international marriage broker firms operating to market woman from every corner of the globe, especially Asia and Eastern Europe. Men often seek out these women because they are looking for a more traditional wife who can perform household needs for them. (“They still possess traditional family values that many western women have long since abandoned!” quoted from armcandyinternational.com, “Hot Russian Brides”) Unfortunately, these relationships can sometimes end in crimes of domestic violence, domestic servitude, or sexual assault against the foreign woman. Studies indicate that rates of abuse are three times higher in these relationships. In reaction to this alarming trend, Congress in 2005 passed the “International Marriage Broker Regulation Act” (IMBRA). IMBRA imposes regulations on the international marriage broker industry as well as mandates certain changes to the process by which an American citizen may petition to sponsor a foreign fiancée or spouse to come to the United States.

The new regulations imposed by IMBRA prevent brokers from marketing females under 18 years old and provides background information to foreign women about their prospective suitors. International marriage brokers are required to perform a background criminal check on men seeking foreign partners, provide that information to the foreign women and provide her with rights and resources available to domestic violence victims in the United States. IMBRA also provides a lifetime cap of two fiancée visas per United States petitioner. One exception to IMBRAs requirements is that non-profit religious and cultural matchmakers are exempt. IMBRA’s provisions were effective March 2006.

Attorneys and advocates who are working with immigrants should inquire about how the woman met her husband and whether a broker was involved. If the provisions of IMBRA were not followed, then legal action against that broker may be warranted.



Save the Date!

ANDVSA Continuing Legal Education Training for Volunteer Attorneys
February 19-20th

ANDVSA Legal Advocate Conference
April 10-12th

ANDVSA & Family Violence Prevention Fund Trafficking Training
May 9-11th

Alaska Immigration Justice Project - New Staff Attorney!

By: Kari Robinson

If you are working with someone who is an immigrant and has concerns about their status within the United States you can contact the Alaska Immigration Justice Project (AIJP) at (907) 279-2457. The Alaska Immigration Justice Project is a non-profit agency that provides low-cost immigration legal services to immigrants in all immigration applications, including citizenship applications, permanent resident status, work permits, family petitions, and petitions for domestic violence victims.

Never contact Homeland Security or law enforcement about someone's immigration status before consulting with AIJP. The attorneys in the office include Jason Baumetz, Robin Bronen, and new attorney Vikram Patel who will be working with victims of domestic violence and sexual assault! Other staff include Ana Prop, paralegal and Carmen Markovich, office manager. ANDVSA funds both an attorney position and paralegal position within this agency. AIJP has worked closely with ANDVSA for the past ten years and staff has expertise in d.v./s.a. issues and immigration law.

Immigration law is complex and AIJP is the only program the Network recommends with the necessary expertise in both domestic violence/sexual assault issues and immigration law to effectively work with immigrant victims of d.v./s.a. in Alaska. If you are working with a victim who has any concerns about her immigration status call AIJP! **(907) 279-AIJP (2457)**

Meet Your Sister Program

This month our featured advocate is Robyn Larsen from the Interior Alaska Center for Non-Violent Living (IAC) in Fairbanks.

How long have you been with the IAC? What is your job title?

I've been with IAC for three and half years. I started as a children's advocate for a year and a half and I now I am a women's and legal advocate.

What do you do as a women's and legal advocate?

As a women's advocate, I work in the residence, helping with all the typical daily living needs for women in shelter, and as a legal advocate, I give information, education and systems advocacy in matters of divorce, child custody, dissolution, criminal cases, and restraining orders. I work with our clients with family law case in a variety of ways, many as pro se clients, some clients who are working with the Pro Bono Program, and those who can afford their own attorney. Working with pro se clients has given me great hands-on experience with legal advocacy because I find that every client teaches something new, and every case is a little different. I am extremely

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Protect Your Information: Protect Survivors

Contact us or see the print version of this newsletter for more information.

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grateful for all the help I get from the staff of ALSC here in Fairbanks, the Pro Bono Program, and LAP because I couldn't do this job without all that support. I also end up working pretty extensively with women who have attorneys because they're interested in more information about certain processes like motion practice, extra support for the often frustrating experience of being in court.

As far as restraining orders, I've found that preparation can make all the difference in a long-term restraining order hearing. I explain the procedures, go over safe exchange and visitation plan, help a petitioner review what she wants to emphasize to the judge, and generally offer preparation for testifying in court. In Fairbanks, dueling restraining orders, a respondent with an attorney, or a visitation plan that could put children at risk seem to be the most pressing issues that we help petitioner prepare for in their long-term hearing.

Then, in criminal cases, I give information about a person's legal rights as the victim of a DV/SA crime, offer advocacy if needed, and give referrals. Mostly, I spend a lot of time explaining the process of a criminal case or the role of a related agency to the victims of violence crimes, especially if they want to advocate for themselves to law enforcement, the D.A.O., the Public Defender's Office, criminal defense attorneys, or within the courtroom. Of all those agencies, I would say that I spend the majority of my time teaching people how to advocate or to follow-up on their statements about a DV crime to law enforcement. Like family law cases or restraining order proceedings, I'll attend hearings related to a criminal case with a client or help her prepare a statement she wants to give in court.

It sounds like you work with law enforcement a lot. Can you tell us about your relationship with law enforcement in Fairbanks?

I know I can speak for everyone here when I say that we work hard to build our relationships with both AST and FPD, and we have positive relationships with them. It helps to know people on a first name basis so that when we need immediate intervention, such as using a writ to get children back, then it's reassuring to know we can pick up the phone and work together. It is important to remember that we're all working for the same basic goal – to help keep victims of DV and SA safe and protected.

What are the most common legal issues that women ask you for assistance with?

It feels like I spend a majority of my time helping with issues related to custody and visitation and to helping pro se clients prepare for long-term restraining order hearings.

Another common legal focus for me is related to education. I'm more and more aware of how I can offer better long-term support to a woman if I take a teacher's approach and demonstrate how she can advocate for herself. Sometimes our advocacy can be very helpful, but I believe that the women we serve will feel far more empowered when they are well-informed of their rights and encouraged to advocate for themselves.

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What do you do for self-care?

I try to pay close attention to how I'm doing and when I see the signs that I need a little extra care, I try to do something about it right away, like take a break with a co-worker who makes me laugh or has good chocolate on her desk. Those little breaks help me feel lighter if I'm having a particularly heavy day. And when I walk out of the door at the end of the day, I try to consciously leave work at work. Exercise really helps, too. I've discovered in the last few years how much better I feel if I exercise after work, right now one of my favorite things to do is lift weights. I love and couldn't go without my yoga class! Cooking is also very therapeutic for me, something about the creativity and fun of cooking always relaxes me. I love to have my friends over to my house for dinner. Many years ago, a yoga teacher of mine ended class one day with the instruction to go back to the world and play. She talked about the importance of doing things that give us pleasure and tap into our creativity, as a way to reenergize ourselves, and that too often we get wrapped up in being productive, busy adults who forget how good it is for us to laugh and just enjoy ourselves. I think about her words often and remember to make time to play.

Thank you, Robyn, for all of your hard work!

ANDVSA's Information and Referral Hotline

*** All dates are Tuesdays from 5 p.m. to 7 p.m.***

February 6

February 27

March 13

March 27

April 17

May 1

May 15

May 29

Call toll-free (888) 988-3725

Who should call? Victims of domestic violence and sexual assault who want basic information about their legal rights and options and referral information from an attorney

What types of questions can the hotline attorney answer? General questions about many areas of the law, including family and criminal law

Who will be answering the line? One of ANDVSA's pro bono program's volunteer attorneys

Please note: the hotline attorney will not be representing clients, but rather providing brief legal education to callers and possible referral to other legal and social service providers!

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