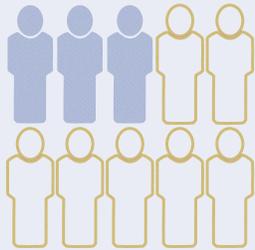


Domestic Violence, Family Law, and Civil Legal Aid



Family law includes a wide array of civil legal issues, from divorce, child support and custody, to domestic violence and protection orders. Due to lack of funding, most civil legal aid programs in Massachusetts are only able to handle family law cases that involve domestic violence, leaving countless low-income individuals with complex family law issues to fend for themselves in court.



71%

TURNED AWAY

Legal aid programs in Massachusetts are forced to turn away a staggering 71% of eligible residents who seek assistance with family law matters, and 48% of cases involving domestic violence are turned away.

Types of Family Law Cases

In FY16, legal aid programs funded by the Massachusetts Legal Assistance Corporation closed 2,522 family law cases, the majority on behalf of domestic violence survivors and their families.

Divorce, Separation, and Annulment: 985 cases

Custody and Visitation: 728

Domestic Abuse: 280

Child Support: 197

Adult Guardianship and Conservatorship: 148

Paternity: 22

Name Change: 10

Adoption: 8

Parental Rights Termination: 5

Probate and Other Issues: 139

Research has shown that civil legal aid is the only intervention proven to reduce the incidence of domestic violence.¹

Rebuilding Independent Lives

Domestic violence does more than threaten the physical safety and security of survivors and their families; it can strip them of their dignity and independence and leave them vulnerable in many areas of their lives. Civil legal aid attorneys play a vital role in helping families rebuild their safety and independence through direct representation, cooperation with domestic violence service providers, and legislative advocacy.

- The physical and emotional trauma of domestic violence, and the controlling behavior of abusive partners, can force survivors to miss work—jeopardizing their wages and their jobs. Legal aid works with employers and survivors to enforce legal protections for those dealing with domestic violence.
- Following divorce or separation, survivors may risk losing their homes. Legal aid helps families win stability through favorable property settlements, enforcement of divorce orders, and defense against foreclosure and eviction.
- Children growing up in abusive or unstable environments can suffer from disrupted schooling as well as psychological and behavioral problems. Legal aid provides training to ensure that schools understand the effects of domestic violence on children as well as representation to secure supportive services for traumatized children and protect them from inappropriate suspension and expulsion.

- Domestic violence survivors may face financial entanglements, including the denial of benefits, due to their abusers' controlling and manipulative behavior. Legal aid programs can help resolve these complicated financial and legal issues.

MLAC's FY18 budget request was endorsed by the following domestic violence and family services organizations:

Casa Myrna
Domestic Violence Services Network
EMPath
Jane Doe, Inc.
On the Rise

RAW Artworks
Rosie's Place
Somerville-Cambridge Elder Services
Transition House

“Legal aid really saved our lives.”

When “Mindy” met “Tom,” he seemed like a good and caring person. Things started to change after their daughter was born. Tom first hit Mindy when their daughter was just two months old. He punched her in the face and tried to choke her, all while screaming that it was her fault.

Over the years, the verbal abuse, threats, and violence escalated. On one particularly violent night, Tom accused Mindy of misplacing something of his. He punched her so hard that her eye swelled shut. When she screamed in pain, he reached in her mouth and tore open the skin under her tongue. He told her that if she told anyone or tried to go to the hospital, he would kill her. The damage to her mouth was so bad, she couldn't talk for a week. Mindy felt terrified and trapped. She wanted to protect herself and her daughter but didn't know how to escape or where she could go.

After finding loaded handguns in their apartment, Mindy knew it was time to leave for good. She called the police and pressed charges. After Tom was put in jail, Mindy moved to a new home with her daughter, hoping to start their lives over. It didn't last long, however. Two years later, Mindy found a threatening note in her mailbox. Tom had been released from jail, and found out where she lived. The thought of him re-entering her life was more than she could bear. That's when Mindy went to Community Legal Aid, where her legal aid attorney helped her secure a restraining order. Unfortunately, Tom filed a request for visitation rights, meaning he could still find a way to terrorize Mindy and her daughter. Her attorney provided ample evidence of Tom's abuse, convincing a judge to award Mindy a permanent restraining order, as well as sole custody of her daughter, with no visitation rights for Tom. Thanks to Community Legal Aid, Mindy has been able to start fresh and create a safe and bright future for herself and her daughter.

1. “Explaining the Recent Decline in Domestic Violence,” Farmer and Tiefenthaler, *Contemporary Economic Policy*, April 2003, Vol. 21, Issue 2, pp. 158-172. <http://www3.interscience.wiley.com/journal/120832460/abstract>