

CRIMINAL JUSTICE/LEGAL ADVOCACY

Definition	Either long term or episodic support of and partnership with survivors who navigate the legal system, ensuring that the survivors' questions are answered, interests are represented, and rights are upheld
Goal	To ensure that the survivor has the information and support they need to effectively participate in the criminal justice and/or civil legal systems, or to make decisions about participation
Minimum Qualifications	<ul style="list-style-type: none"> • Advocating for the rights, needs, and wishes of the survivor within the legal system • Providing basic information about the criminal and civil legal systems, including victim's rights • Providing information and resources for assistance regarding administrative legal processes that may exist within other contexts, such as academic, immigration, housing, medical, and employment • Providing accompaniment to court proceedings and forensic interviews by law enforcement, including tele-advocacy services when appropriate • Accessible to all survivors, such as those with limited English proficiency, the Deaf and hard of hearing, and survivors with other disabilities • Compliant with the provisions of the American with Disabilities Act (ADA), and access to services is provided through telephone interpretation or video relay as needed • Not dispensing legal advice to survivors, even if the advocate is licensed to do so • Informing survivors regarding the court processes in their county and providing in-person assistance navigating those systems, or tele-advocacy services when appropriate • Assisting with protection order paperwork and filing, and providing court advocacy to support survivors as they navigate through the civil or criminal legal process • Providing safety planning and information on additional services as needed

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Program Checklist

1. Staffing

Qualified Advocates providing legal advocacy:

- Receive at least 40 hours of rape crisis training, and 30 hours of continuing education every two years thereafter, and are supervised by a coordinator or staff member who has at least one year of experience working with survivors of sexual assault
- Have immediate access to their supervisor after any call for support or assistance, or to another experienced Qualified Advocate who would be available within a reasonable time period
- Are required to shadow experienced Qualified Advocates before going alone to a legal accompaniment, or providing tele-advocacy services

2. Policies

The Program:

- Provides legal advocacy services at no cost to the survivor
- Responds to all requests, including those that come through the crisis line, if the services are advertised as available 24-hours-a-day
- Ensures that Qualified Advocates providing legal advocacy limit their role to support and education, and do not provide legal advice or engage in the practice of law, even if licensed to do so
- Has a protocol documenting specific legal advocacy services available
- Requires that expert witness or case-specific testimony in court proceedings are provided by the Program staff upon written consent for release of information from the survivor or a court order; case records are not taken to any court proceedings unless required by the court; advocates make every attempt possible to review the record with the survivor prior to its release to the court
- May refuse to provide legal advocacy services to persons who are harassing the program staff or volunteers and will offer other appropriate resources to these survivors and co-survivors
- Encourages collaboration between systems (for example, a survivor with disabilities may need collaboration between multiple people working on their behalf (caregivers, boards of DD, ADAMHS boards, etc.).

3. Evaluation

The Program:

- Provides a report of the numbers served on a regular basis, per program/agency policy

- Ensures that Qualified Advocates document the services provided, including verbal feedback about services from those being served; the Program Director/supervisor reviews to ensure compliance with the protocol and to review outcomes
- Conducts annual requests for feedback from other professionals within the legal system regarding the efficacy/quality of the Program's legal advocacy services
- Assesses their accessibility to persons with disabilities and the extent to which the Program is adhering to the ADA Title III
- Provides satisfaction surveys to all served when possible, and the surveys are provided in a method accessible by a survivor with a disability and to survivors who speak languages other than English (examples include paper surveys, emailing the survey, large print, in Spanish, etc.)
- Reviews evaluations on a regular basis and adjusts as needed