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POVERTY LAW PROJECT

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July 7, 2020

VERMONT POVERTY LAW FELLOWSHIP Mental Health and Housing

SEVENTH QUARTER REPORT April 15, 2020 – July 7, 2020

I. Overview

Jill's fellowship focuses on housing-related problems experienced by low-income Vermonters with mental health concerns. With the March 2020 arrival of COVID-19, Jill narrowed her focus on the emerging pandemic-related legal needs of individuals with intersecting housing and mental health concerns.

This quarter, Jill spent the majority of her time progressing three areas of work: (1) tracking consumer access to and satisfaction with remote Community Rehabilitation and Treatment ("CRT"); (2) consulting on the administration of emergency housing, permanent supportive housing, and COVID-19 resources to promote equal opportunity for renters/consumers with mental disabilities; and (3) addressing barriers to accessing remote and socially distanced proceedings in Vermont courts. She identified these advocacy opportunities as the Access to Justice Coalition representative to the VBA COVID-19 Committee, and as a member of the VLA/LSV COVID-19 Committee.

II. Work this Quarter

Highlights of the projects Jill completed this quarter include:

Access to Justice

- Consulted broadly with VLA, LSV, and the VBA to monitor barriers being caused or exacerbated by COVID-19. Established mechanisms for regular monitoring and information-sharing.
- Authored letters and memoranda to the Supreme Court of Vermont advocating for additional measures to ensure equal access to justice for low income and elderly litigants, litigants with disabilities, and litigants with limited English proficiency.
- Prepared a 'Removing Barriers to Accessing Justice' project proposal for VLA.
- Consulted with the Court Administrator's Office on the accessibility of the judiciary's website.

Access to Mental Health Services and Home-Based Supports

- Collaborated with Disability Rights Vermont ("DRVT") to survey qualitative and quantitative outcomes of CRT service changes as a result of COVID-19, to inspire new approaches to lobbying for increased resources for community mental health services. Liaising with Vermont Care Partners ("VCP"), VCP-member designated agencies, and Pathways VT to collect and share information and collaborate on advocacy efforts with the state.

Access to Housing

- Submitted verbal and written comments to the Vermont Department of Housing and Community Development on Vermont's HUD Consolidated Plan for 2019 and for 2020-24.
- Consulted with VLA policy advocates on DCF program rules to ensure due process, and fair housing and ADA accessibility, for emergency housing recipients currently residing in motels.
- Consulted with VLA policy advocates on prioritizing mental disability accessibility in our advocacy on the state's administration of CARES money.
- Investigated access to state food benefits for quarantined individuals who are unable to shop online, to ensure individuals were not depleting other funds (like SSI/SSDI federal benefits) typically reserved for paying rent.
- Continued consulting with VLA, LSV, DRVT, and mental health agency colleagues on eviction and reasonable accommodations cases arising under COVID-19, to troubleshoot emerging legal needs and identify opportunities for systems-level advocacy.
- Continued coordinating outreach on and media coverage of low-income housing needs.

Outreach and Presentations

- Presented draft fellowship recommendations to the Vermont Care Partners' statewide CRT directors meeting.
- Presented to the VLA/LSV board on fellowship progress and COVID-19 relief efforts.
- Collaborated on a Know Your Rights paper flyer outreach campaign, to disseminate important COVID-19 information among client communities who may lack access to internet or Vermont Law Help.
- Assisted with coordinating VBA community service opportunities and the VBA's comments on the state's return-to-work plan.

Training and Research

- Attended national calls and webinars and researched national responses to COVID-related housing and mental health challenges to inform relief efforts in Vermont.
- Attended the Substance Abuse and Mental Health Services Administration's Homeless and Housing Resource Networks annual symposium, including a session on state *Olmstead* planning.
- Attended the Vermont State Independent Living Council's meeting on the status of Vermont's *Olmstead* plan.
- Attended the National Disability Rights Network's annual symposium, including sessions on applying *Olmstead* to the nursing and residential care home contexts, and on *Olmstead* liability for states without large state-run institutions.

III. Plans for the Final Quarter

Jill plans to spend the final quarter wrapping up pending litigation, handing over COVID-19 advocacy projects, and making final recommendations to VLA. In July, she will co-deliver and record a final reasonable accommodations training for the Washington County Mental Health Services' CRT team. VCP has agreed to make the webinar available on demand for all CRT staff statewide. In August, she plans to report her findings to VLA, including what administrative and judicial advocacy measures VLA should consider undertaking to continue improving access to affordable housing for low-income people with mental health disabilities.