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Testimony Before the District of Columbia Council  
Committee on Judiciary and Public Safety  
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Public Hearing:  
Budget Oversight Hearing

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Councilmember Allen and members of the Committee on Judiciary and Public Safety I, Judith Sandalow, Executive Director of Children’s Law Center and a resident of the District, submit this written testimony on behalf of Children’s Law Center which fights so every DC child can grow up with a loving family, good health and a quality education.<sup>1</sup> With nearly 100 staff and hundreds of pro bono lawyers, Children’s Law Center reaches 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year.

### **Introduction**

We thank you for this opportunity to provide testimony to highlight the significant impact of the civil legal services made possible by the Access to Justice Grant. From our work we have learned that access to civil legal services not only help DC residents access justice, but that early intervention can improve health outcomes and save significant sums in Medicaid costs. Additionally, as the District plans for emergence from the present COVID-19 public health emergency, access to civil legal services will be essential. In particular, we are very concerned about the wave of eviction proceedings that will occur as soon as the ban on evictions is lifted. In order to prevent a surge of housing insecurity, access to civil legal services in eviction proceedings will be crucial in protecting vulnerable District residents from homelessness. We hope that the Council will ensure that the DC Bar Foundation, specifically the Access to Justice Grant is fully funded. We ask that the Council restore the \$668,000 in one-time funding that was lost in

FY20. Additionally, we are concerned by the shift from recurring to one-time funding of \$1,800,000 in the FY21 budget.

### **Support of CLC's Medical-Legal Partnership**

At Children's Law Center, the Access to Justice Grant funds a large part of our medical-legal partnership, a cutting-edge collaboration that places attorneys in community pediatric primary care settings as part of the treatment team working to identify and prevent health harming legal needs.<sup>2</sup> Our medical-legal partnership started in 2001 with Children's National, and has grown to three Children's National sites, two Unity Health Care sites, and Mary's Center. CLC attorneys work directly with families, train medical staff, and use their knowledge to advance systemic change. In 2018, CLC received 1,470 new referrals, served 3,067 children and families, and trained over 1,900 medical providers, parents, and other stakeholders and community members through our medical-legal partnership. In our DC Bar Foundation work, we are in the highest need communities in DC, working especially in Wards 7 and 8, with teen parents, and with immigrant families.

Perhaps unsurprisingly, not everyone trusts lawyers. By being in the community pediatric setting, we get to start ten steps ahead with clients because their trusted pediatrician tells them we can help them with a problem that they have been trying to solve for their child, that is impacting their child's health, and that they have been trying to tackle on their own for a long time. Problems like:

- a child ending up in the ER or otherwise hospitalized numerous times because the mice and mold in their home triggers their asthma;
- visits to the ER are causing parents to miss work and risk losing their job;
- health concerns cause the child to miss school or be sent home early several times a week and fall years behind academically;
- a 6-month old whose Medicaid enrollment was not completed in error and not the parent is getting billed for the baby's well-child visits and cannot get the needed medications.

We help solve those problems for families because we are right there working alongside the doctors. And we are able to do that work that because the DC Bar foundation, using the money provided by the Council, sees the value in our work and understands how we help DC families access justice in a unique way.

Children's Law Center is also unique in that we have an in-house evaluation team. This team has been able to look at whether our housing conditions interventions work for children with asthma, specifically whether when we get the housing conditions fixed through a legal intervention, does the child have fewer emergency room visits and hospitalizations in the two years after our intervention than in the two years prior. The short answer is yes, when we are able to improve housing conditions, the child's asthma symptoms improved.<sup>3</sup> Our medical-legal partnership has improved children's health and reduced the costs of medical care – by a staggering \$14.1 million over the past three years alone.

When thought about in terms of saving Medicaid dollars, our analysis shows that interventions made possible by legal services were able to prevent hospital and

emergency room visits. Take, for example, the typical costs for asthma-related emergency room visits, hospitalizations and other medical supports. For a child in DC, these costs can range from a few hundred dollars to tens of thousands of dollars. When we successfully advocate for a landlord to fix poor housing conditions, a child's asthma improves. Based on our research, each successful intervention reduces government-funded health care costs by an average of \$10,000 during the first 18 months. For the 10% of children with the most significant health issues, the average costs spiked to \$60,000.

In other words, by investing a relatively small amount into legal intervention, not only are we able to improve health conditions for children, but we are able to save money in other public systems. Moreover, these number do not account for the days of school the child was able to attend, the job the parent could keep, the apartment they were able to afford, the decreased stress in their lives, and more. Ultimately, early investment in civil legal services by the Council, via the Access to Justice Grant, saves the District tens of thousands of Medicaid dollars per client served.

### **Preparing for Life After COVID-19**

As the District prepares to emerge from the COVID-19 public health crisis, access to civil legal services will be ever more crucial. In particular, when the ban on evictions is lifted, we anticipate a wave of evictions to overwhelm DC Courts as well as low-income families across the District. As research has found, "eviction is a cause, not just a condition, of poverty."<sup>4</sup> The unprecedented economic consequences of this public health

emergency will affect not only those DC residents who already experience housing insecurity, but will put a broad swath of residents at new risk of eviction, and the collateral consequences that follow. Our partners at DC Legal Aid have advocated for a variety of relief options for tenants facing possible eviction during the pandemic.<sup>5</sup> The Council's decision to stop all new eviction case filings and all actual evictions during the public health crisis has been an important first step. However, as the District plans for emergence from the state of emergency, we must anticipate a wave of new eviction case filings as soon as the 60-day window expires. Additionally, the current ban on actual evictions does not have the same 60-day buffer following the end of the state of emergency.

Civil legal services for those facing eviction will be essential to preventing mass displacement and homelessness. Even prior to the pandemic, DC Landlord Tenant Court saw approximately 200 cases each day.<sup>6</sup> With months of backlog cases in addition to the wave of new filings that will flood the court if the Council does not intervene to protect tenants, the number of DC residents who will need help to navigate eviction proceedings will be significant. Further evidence of the foreseeable wave of evictions can be seen in neighboring Virginia. The state saw 700 eviction proceedings scheduled upon the lifting of their eviction ban on May 18th.<sup>7</sup> This led to a reissuance of the state-wide eviction moratorium as the public reeled from the confusion. In DC, with more than 112,000 unemployment claims as of June 10, 2020,<sup>8</sup> there is little doubt that a vast number of

families have struggled to keep up with their rent payments and will continue to do so until the local economy recovers. If even half of those 112,000 unemployed DC residents faces eviction proceedings upon lifting the stay on evictions, civil legal services providers will need greater than usual funding to aid these families and prevent them from becoming displaced or homeless.

We have been encouraged by the commitments of Councilmember Allen and the Committee to ensure that the Access to Justice Grant is funded. We know these are difficult financial times, but the relatively small investment in legal services will prevent significantly higher costs to DC of families becoming homeless and falling into crisis. We ask that the Council restore the \$668,000 in funding. Additionally, we are concerned by the conversion of recurring funds to one-time funding in the FY21 budget. Civil legal services are an essential tool to ensuring justice and equity across the District. Never is this essential tool more important than in a time in which we are seeing the convergence of health, economic, and social crises.

### **Conclusion**

We are just one program funded by the DC Bar Foundation working to help DC residents access justice in myriad ways. The money that the Council provides to the DC Bar Foundation for the Access to Justice grants is important. It changes the lives of the residents of DC for the better, and as a grantee we thank the Council for continuing to fund this vital program.

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<sup>1</sup> Children’s Law Center fights so every child in DC can grow up with a loving family, good health, and a quality education. Judges pediatricians and families turn to us to advocate for children who are abused or neglected, who are not learned in school, or who have health problems that cannot be solved by medicine alone. With nearly 100 staff and hundreds of pro bono lawyers, Children’s Law Center reaches 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

<sup>2</sup> Children’s Law Center was one of the first medical-legal partnerships in the country. There are now more than 400 nationwide, and George Washington University houses the National Center for Medical-Legal Partnership. See <https://medical-legalpartnership.org>.

<sup>3</sup> This research was presented at the AAMC 2019 Annual Conference by Dr. Holly Stevens but has not yet been published.

<sup>4</sup> Matthew Desmond, *EVICTED: POVERTY AND PROFIT IN THE AMERICAN CITY* (2016).

<sup>5</sup> See Beth Harrison, *DC Council Extends Emergency Protections for Tenants* (May 11, 2020), available at <https://www.makingjusticereal.org/d-c-council-extends-emergency-protections-for-tenants>

<sup>6</sup> See Rachel Kurzius, *When D.C.’s Ban On Eviction Ends, What Will Happen? It’s Uncertain.*, WAMU 88.5 (May 8, 2020), available at <https://www.npr.org/local/305/2020/05/08/852786216/when-d-c-s-ban-on-evictions-ends-what-will-happen-it-s-uncertain>

<sup>7</sup> See Ally Schweitzer, *Virginia Bans Evictions Through June 28*, DCIST (June 8, 2020), available at <https://dcist.com/story/20/06/08/virginia-bans-evictions-through-june-28/>

<sup>8</sup> See Unemployment Data: Number of Claims, available at <https://coronavirus.dc.gov/page/unemployment-data>