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Committee on the Judiciary
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Introduction

Good morning Chairman McDuffie and members of the Committee on the Judiciary. My name is Judith Sandalow. I am the Executive Director of Children’s Law Center¹ and a resident of the District. I am testifying today 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. With 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. Our clients call DC home, and we are proud to support the “Expanding Access to Justice Act of 2016” (the “Act”) that gives them legal assistance as they fight to keep their homes safe and affordable.

The Act will allow legal service providers to represent low-income residents facing eviction, housing code violations, termination from a rental housing subsidy program, increases in rent controlled units, and homeless shelter proceedings. This assistance will in turn improve housing quality and housing stability for the families and children of DC. The Act also paves the way for a right to counsel in family integrity cases, domestic violence cases, education cases, and other legal proceedings. These legal proceedings often have significant effects on the social, mental and physical well-being of children, and we support the Act’s intent to expand the access to legal representation into these civil proceedings. There are many reasons to support this expansion of access to justice, which will be touched upon by other witnesses here

today. I will focus my testimony on the positive impact that improved housing quality and housing stability has on the health and development of children.

Improved Housing Quality Advances Children's Physical and Psychological Health

Housing quality has a monumental impact on children's health. Certain housing conditions, such as mold, lead and carbon monoxide, can trigger health crises such as asthma attacks – and land children and their caregivers in the emergency room. Through our medical-legal partnership², we represent many families, who are experiencing exactly this problem. When we successfully advocate for landlords to remediate the poor housing conditions, children's health improves immediately. By improving the housing quality, the caregiver and the child are able to spend their time at work and in the classroom, instead of at the emergency room. The financial and health cost savings for the family and the health system is substantial.³

However, we can only help a small fraction of those who need our assistance. The Act will increase the number of families who receive legal representation. Research supports our experience that having a lawyer increases tenants' chances of entering a stipulation, which requires landlords to make repairs to the premises.⁴ More lawyers helping more families will even further reduce financial and health care costs for families and the system. Children's psychological well-being is also effect by housing quality. In fact, amongst five housing characteristics—housing quality, housing stability, housing affordability, housing ownership, and receipt of housing subsidies—

researchers have found that housing quality is “the most consistent and strongest predictor of emotional and behavioral problems in low-income children and youth...”⁵

Research on the aforementioned housing characteristics and children’s outcomes revealed that children who live in poor quality housing showed elevated levels of emotional problems, such as symptoms of anxiety and depression.⁶ By providing legal assistance for low-income tenants in housing quality-related cases, the Act will also help improve the mental and emotional health of the District’s children.

Greater Housing Stability Enhances Child Development and Well-Being

Housing stability also has a remarkable impact on children’s development. The legal services provided by the Act will help many low-income families stave off the threat of homelessness and help them gain housing stability. It is no surprise that housing instability and homelessness have negative effects on children’s development, but the duration of the negative effects from homelessness is startling. A 2012 study on homelessness and children’s health found that the stress caused by homelessness during early childhood is linked to long-lasting changes in children’s brains and bodies. These changes increased the children’s risk of chronic disease later in life.⁷ Last year, a nationwide study unearthed a significant link between pre-natal homelessness, post-natal homelessness and negative health outcomes for infants and toddlers.⁸ The research suggests that preventing exposure to homelessness, even *in utero*, can reduce the probability of negative effects of children’s physical health.

Promoting housing stability will also bolster the emotional and academic functioning of DC's children and youth. The emotional and behavioral functioning of children in low-income households deteriorates with each successive move.⁹ Academically, children who experience frequent and involuntary moves often have weaker vocabulary skills, lower grade retention and higher drop-out rates than their peers with stable housing.¹⁰ The Act will provide assistance to families who are fighting for housing stability. Each victory will provide the District's children increased housing stability, which will safeguard their emotional and academic aptitude.

Conclusion

Children's Law Center supports the Act's focus on expanding access to legal assistance in housing proceedings, because housing quality and housing stability are critical to the healthy development of the District's youngest and most vulnerable residents. The Act is an opportunity for the District to establish itself as a national leader – not only by expanding the right to civil representation, but also by helping families address housing-related risks to their children's health and development. I appreciate the opportunity to testify on this important legislation.

¹ 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 be the voice for children who are abused or neglected, who aren't learning in school, or who have health problems that can't be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 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.

² Through our Healthy Together project, we partner with Children’s National, Mary’s Center and Unity Health Care to put lawyers side-by-side with pediatricians to fix the root causes of a child’s health problem. We currently work in six health clinics across the District.

³ Nationally, 9% of children have asthma. In DC, that number soars to 16% of our children who are diagnosed with asthma. Annie E. Casey Foundation, National Kids Count Report, 2011-12, at: <http://datacenter.kidscount.org/data/tables/30-percent-of-children-with-asthma-problems?loc=1&loct=2#ranking/3/any/true/1021/any/300>. The data available also clearly demonstrate asthma’s enormous economic cost due to frequent emergency room visits and hospitalizations. From 2002 to 2007, the annual economic cost of asthma was \$56.0 billion in the U.S.; this includes direct health care costs of \$50.1 billion and indirect costs (lost productivity) contributing an additional \$5.9 billion. American Lung Association. Trends in Asthma Morbidity and Mortality. September, 2012, citing Barnett SB, Nurmagambetov TA. Costs of Asthma in the United States: 2002-2007. *Journal of Allergy and Clinical Immunology*, 2011; 127(1):145-52. However, this does not account for the thousands of hours of lost instructional time for children who are too sick to go to school, nor the work hours their parents have missed due to taking their asthmatic children to the hospital or caring for them at home.

⁴ Carroll Seron, Martin Frankel, Gregg Van Ryzin & Jean Kovath, The Impact of Legal Counsel on Outcomes for Poor Tenants in New York City’s Housing Court: Results of a Randomized Experiment, 35 LAW & SOC’Y REV.419, 426 (2001).

⁵ Coley, R. L., Leventhal, T., Lynch, A. D., & Kull, M. (2013). Poor Quality Housing Is Tied to Children’s Emotional and Behavior Problems: Parents’ stress from living in poor quality and unstable homes takes a toll on children’s well-being. How Housing Matters.

https://www.macfound.org/media/files/HHM_Policy_Research_Brief_-_Sept_2013.pdf

⁶ Coley, R. L., Leventhal, T., Lynch, A. D., & Kull, M. (2013). Relations Between Housing Characteristics and the Well-Being of Low-Income Children and Adolescents. *Developmental Psychology*. Vol 49(9). Pages 1775-1789. doi: 10.1037/a0031033

⁷ Shonkoff, J., & Garner, A. S. (2012). The Lifelong Effects of Early Childhood Adversity and Toxic Stress. *Pediatrics*, 129(1). e232-e246.

⁸ Infants and toddlers who experienced homelessness while *in utero* were at a 41% increased risk to have fair or poor health, a 28% increased risk of having a developmental disability, and a 23% increased risk of being hospitalized then their peers that did not experience homelessness. Meanwhile, infants and toddlers who experienced homelessness within 6 month of birth were at a 41% increased risk to have fair or poor health, a 38% increased risk of having a developmental disability, and a 19% increased risk of being hospitalized then their peers that did not experience homelessness. Sandel, M., Sheward, R. & Sturtevant, L. (2015). Compounding Stress: The Timing and Duration Effect of Homelessness on Children’s Health. *Insights from Housing Policy Research*. http://www.childrenshealthwatch.org/wp-content/uploads/Compounding-Stress_2015.pdf

⁹ Coley, R. L., Leventhal, T., Lynch, A. D., & Kull, M. (2013). Poor Quality Housing Is Tied to Children’s Emotional and Behavior Problems: Parents’ stress from living in poor quality and unstable homes takes a toll on children’s well-being. How Housing Matters.

https://www.macfound.org/media/files/HHM_Policy_Research_Brief_-_Sept_2013.pdf

¹⁰ Sandstrom, H. & Huerta, S. (2013). The Negative Effects of Instability on Child Development: A Research Synthesis, 31. Urban Institute. <http://www.urban.org/research/publication/negative-effects-instability-child-development-research-synthesis>