



Legal Aid of North Carolina Guide

Contents

Table of Contents

1. Overview of Legal Aid of North Carolina.....	3
2. Four Common Reasons a Family Contacts Legal Aid of NC	3
2.1 Housing Evictions and Conditions	3
2.2 Education Needs.....	3
2.3 Government Benefit Denial	4
2.4 Domestic Violence.....	4
3. Qualifying for Legal Aid of NC Services	4
3.1 Financial Eligibility	4
3.2 Legal Status.....	5
4. Legal Aid of NC Intake Process.....	6
4.1 Six Steps for Legal Aid of NC Intake Process.....	6
5. Tips for Preparing Families to Contact Legal Aid of NC.....	7

1. Overview of Legal Aid of North Carolina

This guide provides Family Navigators with an overview of services most commonly used by children and families from Legal Aid of North Carolina. The guide also outlines eligibility for services and the process of requesting services through the Legal Aid of NC helpline, and suggests ways Family Navigators can work with InCK families to help them organize materials before calling the helpline.

Legal Aid of North Carolina is a statewide organization that provides free legal help to low-income North Carolinians in civil cases involving basic human needs such as safety, shelter, income, and education. Family Navigators working with families who face challenges in benefit access, housing and education supports may recommend that families reach out to Legal Aid of NC for advice.

Reaching out to Legal Aid for advice does not require a family to take action in court or another legal process. Families can simply reach out to get legal advice and better understand options available to them before taking any further action.

Legal Aid prioritizes client confidentiality and does not share information about legal status or requests for advice or legal intervention with others without a client's permission.

For additional information on Legal Aid of NC and their services, please visit their website at <https://www.legalaidnc.org/>, contact the statewide Legal Aid of NC helpline (1-866-219-5262) or contact your Integration Consultant.

2. Four Common Reasons a Family Contacts Legal Aid of NC

The following section lists the most common reasons that families seek support from Legal Aid of NC based on interviews with their team by NC InCK.

2.1 Housing Evictions and Conditions

Legal Aid of NC provides advice and support to families who are facing eviction in both private and public housing. Legal Aid supports individuals whose landlords are attempting to evict them without going through a standard legal process and evictions in federal housing complexes or subsidized housing. Legal staff can also handle cases involving terminations of housing subsidy programs like Section 8.

Legal Aid also provides support in cases of landlords failing to maintain properties and keeping them safe for families residing within them. In these cases, Legal Aid recommends documenting attempted outreach to the landlord for making repairs or improvements to support any legal advice and actions.

2.2 Education Needs

Legal Aid of NC has an extensive team available to support children's rights to education in public school settings. If a child is not getting the support they need from their school, Legal Aid can advise parents on next steps and support them in navigating the options available for a child's academic and developmental needs. Examples of support provided: navigating and

requesting additional services for students through Individualized Education Program (IEP) and Section 504 plans, navigating school discipline, suspensions and bullying, navigating access to educational supports for youth engaged with the Juvenile Justice system.

Additional information on Legal Aid of NC education practices can be found on the website for their Rights to Education Project: <https://www.legalaidnc.org/about-us/projects/right-education-project>

2.3 Government Benefit Denial

Families facing denials or discontinuation of key public benefits can reach out to Legal Aid of NC for advice and support. Most common benefit programs include Social Security Income (SSI), disability and Food and Nutrition Services (FNS). When families reach out for support in navigating benefit denial, Legal Aid will ask for a copy of the notice or other documentation to support their process, so Family Navigators can work with families in advance to locate and compile documentation for Legal Aid.

Note: Legal Aid does not help with filling out an individual application for government benefits. This must be done before reaching out to Legal Aid.

2.4 Domestic Violence

Legal Aid of NC can offer advice and consultation on legal protections for individuals or families facing domestic violence cases. Unlike other Legal Aid services, anyone facing domestic violence can call Legal Aid and receive support – regardless of legal citizenship status. Legal Aid may refer the individual to their local Domestic Violence agency as well prior to initiating a legal process and protections.

3. Qualifying for Legal Aid of NC Services

There are two primary criteria Legal Aid will review with anyone contacting the helpline to determine their eligibility for legal advice and services – income and legal status. All InCK members should meet criteria for legal status, but some services may be limited for InCK members whose parents are not documented to reside in the US. See additional details below.

Family Navigators can help families by going through the financial requirements in advance, so families can determine eligibility. If families are unsure of their eligibility, they can always contact the helpline directly 1-866-219-5262.

3.1 Financial Eligibility

Legal Aid of NC prioritizes services for families whose income is under 125% of the Federal Poverty Level. *Table 1* details the income thresholds using data from 2021.

Table 1. 125% of the Federal Poverty Level by Family Size, 2021

Family Size	2 people	3 people	4 people	5 people	6 people
125% Federal Poverty Level	\$20,575	\$25,975	\$31,375	\$36,775	\$42,175

In addition to the income limits in Table 1. NC Legal Aid will also determine:

- Two factors related to financial need that warrant assistance (for example: Medical costs, outstanding debt). Legal Aid noted that most families meet this criterion.
- Assets. Families cannot have assets that exceed twice the income limit (for example: a family of 3 could not have more than \$52,000 in assets)
- Note: Most of the process of determining income is based on attestation; however, the family/individual should be prepared to show proof of income if requested.

3.2 Legal Status

Due to requirements associated with their funding, Legal Aid must serve individuals documented to reside in the US. All InCK members meet these criteria, but some parents of InCK members may not have documented status. Family Navigators do not need to ask parents directly about their documentation status, but can share the requirement for awareness.

IMPORTANT NOTE: Many services, especially education services, are tied to the child, so InCK members whose parents are not documented can still receive some supports through Legal Aid of NC.

Documentation Status: A documented individual is anyone who can legally reside in the United States whether indefinitely (citizen/green card/residency) or for a certain amount of time (work/school/tourist/other Visas). Someone who is undocumented is in the country without any of the aforementioned documentation.

Exceptions to exclusions for legal status:

- *Documented Children:* A child who is a US citizen can be eligible for Legal Aid support, even if the parents are undocumented if the services are connected to the child (for example: education services or FNS benefits).
- *Domestic Violence:* Anyone, documented or otherwise, can receive help from Legal Aid regarding domestic violence or human trafficking. In this case, the undocumented parent(s), family, or guardian of an InCK child CAN be helped.

3.3 Common Reasons Families Can't Receive Support from Legal Aid

Legal Aid strives to serve all eligible families, but individuals may not be at the right phase of the process for support or may not meet requirements for legal status. For Family Navigators, this information may be helpful for preparing families in advance of calling the Legal Aid hotline. In the event that the family is uncertain whether they meet criteria for Legal Aid

services, they can always call the Legal Aid of NC helpline ([1-866-219-5262](tel:1-866-219-5262)) and discuss with one of their staff.

Mixed documentation families: If the services a family is requesting are tied to an adult who does not have legal status to be in the US, Legal Aid may be limited in the support they can provide. For example, if a family is facing eviction and the undocumented adult is renter, Legal Aid may be limited in providing support. However, if services are tied to the child (education, SNAP benefits, etc) then the adult's documentation status doesn't impact Legal Aid's ability to provide support to the family and child.

Unfinished applications for government benefits: Legal Aid does not help an individual or family fill out applications for SNAP, SSI, disability or other benefit programs. Instead, they focus on supporting individuals or families facing denials of benefits.

For those that Legal Aid of NC cannot represent, there are self-help materials and conduct clinics available to help empower communities on their website: www.legalaidnc.org.

4. Legal Aid of NC Intake Process

Families interested in receiving support from Legal Aid of NC use their state helpline number (1-866-219-5262). This section outlines the process and the amount of time families can expect it to take, so that Family Navigators can help families prepare the right materials and set aside the right amount of time to call Legal Aid of NC to request support.

Process is done via phone, through helpline → [1-866-219-5262](tel:1-866-219-5262)

Overview: The Legal Aid intake process has two parts. Part 1 takes approximately 20 minutes and determines eligibility for services and the area the family needs support. If the family is eligible, Part 2 takes another 30-40 minutes and include more in-depth information collection based on the needs of the family (benefits, housing, education). Overall, the entire process takes 45 minutes to 1 hour.

4.1 Six Steps for Legal Aid of NC Intake Process

Step 1: Organize Information Before You Call. Gather all information or paperwork regarding the issue at hand. Make sure to gather anything with dates (benefit denials) as well as any receipts or deadlines (i.e. eviction notice) that may be relevant to the family's needs. Compile information on your family's income — employment, SSI, any additional government assistance, child support — Legal Aid most likely won't ask to view these things, but will ask about different sources of income to determine eligibility.

Step 2: Call the Legal Aid Helpline at [1-866-219-5262](tel:1-866-219-5262). Pick a time when the family has about an hour to call and when things are relatively quiet.

Step 3: Speak with a Legal Aid of NC Intake Specialist who will determine eligibility based on a set of triage questions asked. This is why it's important to have financial information and paperwork organized before the call in Step 1.

Step 4: Determine Eligibility and Type of Support. Once family or individual has qualified, the intake specialist will continue to ask the questions necessary to assess whether Legal Aid can provide the help needed by the family. Legal Aid will confirm the assistance the family is seeking is an area they can provide support.

Step 5: Collect More Information to Support the Family. If the family or individual qualifies for Legal Aid and Legal Aid determines they can assist the family, they will determine if they need more simple legal advice that can be provided over the phone or if they should transfer the family to the local Legal Aid office nearest to their home. If families need more in-depth assistance and are transferred to a local office, it may take a couple days for the next Legal Aid staff member or attorney to reach back out and continue supporting the family. The Intake specialist will ensure all the proper documentation gets to the right office with the proper staff member.

Step 6: Outreach from the Local Legal Aid Office. Once the attorney's office has received all your information, assigned Legal Aid staff will then call the family to provide additional support. Families will also receive a transfer letter from Legal Aid notifying them of the local office that is available to support them.

Alternate route: Not every individual or family will require transfer to an attorney or proceed with certain "legal" avenues. Some needs may be addressed by the helpline with the initial call. Sometimes, helpline can provide advice needed or smaller more immediate direct intervention- such as educating an individual on what their basic rights might be.

Common Misconception: Simply contacting Legal Aid does not mean families or individuals will need lawyers or that they must go to court. Individuals can also contact Legal Aid just to better understand their rights and options in a specific matter.

5. Tips for Preparing Families to Contact Legal Aid of NC

1. **Be Prepared to Discuss Income:** Families will need to answer questions in several areas for the intake process. Support families in preparing for the topics that will be discussed to determine financial status:
 - Employment income
 - Cash on hand
 - Funds in bank accounts
 - Government benefits received
 - Any additional income
 - Assets

- These questions, for the most part, are all based on attestation, but the family should be prepared to show proof, if possible
2. **Have Documentation Ready:** Make sure families have copies of notices or documentation regarding their legal issues, for example, an eviction notice, copies of IEPs or school enrollment, anything related to deadlines or dates of upcoming meetings or events (court dates, eviction notice dates). Not having documentation on hand or ready can cause roadblocks or delays in getting the help a family needs.
 3. **Set Aside Sufficient Time:** The goal is to do the intake process in one phone call when possible. When time is insufficient or documentation is missing, financial information not ready or known, this can make the intake process take a few different phone calls.
 4. **Translation Support:** The Legal Aid of NC helpline uses its own staff and Language Line to make sure they can support individuals who speak languages other than English. Currently, Legal Aid has staff who speak Spanish, French, German and Turkish, but they also contract with Language Line, a telephone-based interpretation service that allows the team to provide interpretation in more than 100 languages.
 5. **Legal Aid of NC is Free:** Remind families that this is a free service and will not cost them anything.
 6. **Legal Aid of NC is Confidential:** Information shared with Legal Aid is confidential and will not be shared without the permission of the individual or family being served. They also will not share information with the Family Navigator without the family's permission.
 7. **More Resources are Available:** Even if families do not qualify for Legal Aid of NC services, there is an extensive set of self-help material published on their website for individuals and families. Visit <https://www.legalaidnc.org/> to view more.