

ACCESS TO JUSTICE FOR TEXAS VETERANS

Making sure our veterans are being served, as they have served us.

WRITTEN BY TERRY O. TOTTENHAM

With roughly 1.4 million veterans,¹ Texas is in the top 10 states with the largest population of veterans, including thousands who face hardships impacting their health, housing, stability, and productivity. Access to the justice system and civil legal aid can be vital to removing obstacles facing veterans returning to civilian life after active duty and for those who served our country many decades ago.

In its 2017 Justice Gap study, the Legal Services Corporation found that 71% of surveyed veteran households faced at least one civil legal challenge that year. One may easily overlook the myriad complications veterans face when they come home—landlord/tenant disputes, child custody issues, consumer and finance issues, health issues, and more. Two of the primary legal issues specific to veterans include Veterans Benefits Administration and Veterans Health Administration claims and character of discharge determinations and military record corrections. The pandemic has only exacerbated the problems that already existed for veterans, particularly in housing insecurity and access to medical care.

An alarming number of our veterans also face poverty and homelessness. According to the Department of Veterans Affairs' recent survey of homeless and formerly homeless veterans, unmet needs of homeless veterans involve legal assistance for: eviction/foreclosure prevention, child support issues, outstanding warrants/fines, and restoring a driver's license. Other unmet needs often have a legal component: family reconciliation assistance, credit counseling, and government benefits.

As a veteran, I know the sacrifices made by so many military families in serving our country. I was seeing the challenges facing the young men and women returning from service in Iraq and Afghanistan, and they influenced my major initiative during my tenure as State Bar of Texas president—creating Texas Lawyers for Texas Veterans, or TLTV. Based on a model program started by the Houston Bar Association in 2008, TLTV is a collaborative effort of local bar associations, legal aid organizations, veterans service providers, pro bono lawyers, and law schools to host legal advice clinics throughout the state. More than 32,000 Texas veterans and their families have been helped by TLTV since the program began more than 10 years ago and the model has been implemented in other states.

Today, legal services for veterans is funded in part by the Texas Legislature upon the urging of the Texas Supreme Court, by the Texas Access to Justice Foundation through grants to 14 legal aid providers, and by generous individuals and law firms sponsoring the annual Champions of Justice Gala Benefiting Veterans co-hosted by the Texas Access to Justice Commission and the State Bar of Texas. In 2017, Richard Mithoff created the Joe Jamail Endowment

for Veteran Legal Services, a lasting mechanism to ensure that Texas veterans have access to the legal help they need and deserve.

While there have been many challenges since the pandemic in delivering legal services, the work and the help is still available to veterans. Legal aid providers had to pivot from in-person intake, live veteran legal aid clinics, and outreach to using online technology, phone intake, and virtual clinics to reach those in need. Legal aid programs that once had an office in VA clinics or conducted regular legal aid clinics at hospitals had to be removed from having a physical presence on-site at those locations due to the pandemic. While some legal aid programs are returning to the VA hospitals, most are not yet on a regular basis.

The Texas veterans legal aid programs collaborated to create a new outreach tool during the pandemic: a video series covering topics of interest to veteran clients available at texaslawhelp.org. The series covers a veterans benefits overview, VA disability benefits, veterans and family law, an intro to criminal justice resources for veterans, and psychiatric advance directives. Many legal aid staff have also become trainers and provide technical support in computer skills to help veterans navigate Zoom calls, online forms, and virtual hearings. For veterans without adequate access to technology, there is also a statewide hotline at 800-622-2520, coordinated by the Texas Legal Services Center.

As a lawyer and a veteran, I am proud of the work of our advocates in serving the legal needs of veterans and their continued effort in ensuring access to justice for all. Legal aid services can make a profound difference in the lives of veterans and help them achieve economic security, avoid homelessness, and promote stability within their family relationships. I encourage you to volunteer at your local legal aid or pro bono program or to join in sponsoring the Champions of Justice Gala Benefiting Veterans. We are all responsible for making sure our veterans are being served, as they have served us. **TBJ**

NOTES

1. "Veterans in Texas: A Demographic Study," Texas Workforce Investment Council March 2021 Update, <https://gov.texas.gov/uploads/files/organization/twic/Veterans-in-Texas-2021.pdf>.



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