



Breaking Down Barriers: Effective Coordination Between Counselors and Legal Services Organizations

National Consumer Law Center

- Since 1969, the nonprofit National Consumer Law Center (NCLC) has worked for consumer justice and economic security for low-income individuals
- Advocate on behalf of low-income consumers
- Provide training, legal analysis, case consultation and advocacy on consumer law issues
- Resources for lawyers and housing counseling professionals

UNDERSTANDING THE NATIONAL
MORTGAGE SETTLEMENT:
A GUIDE FOR HOUSING COUNSELORS

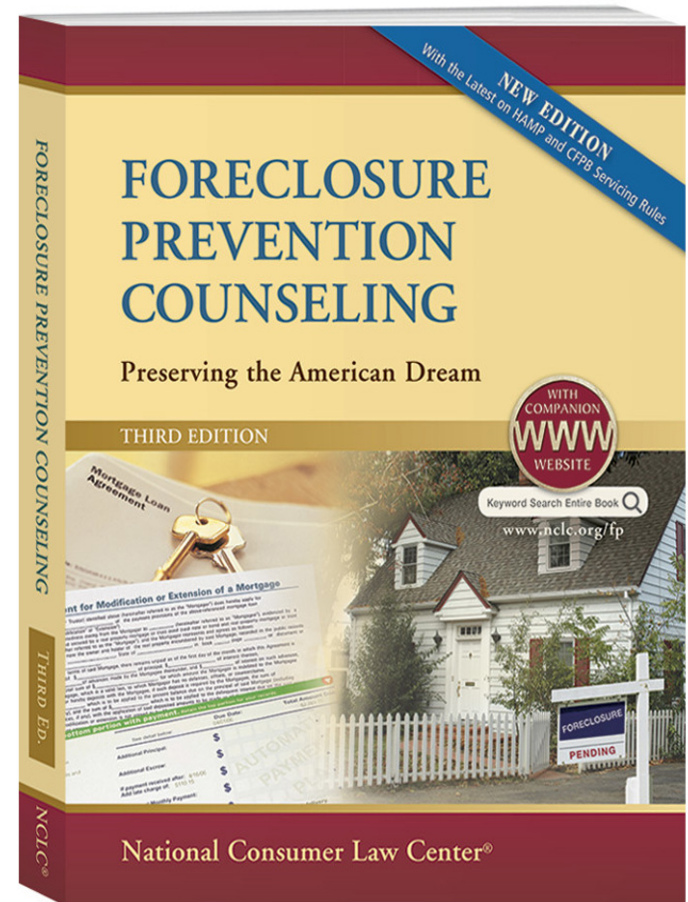


NCLC
NATIONAL
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Resources for Housing Counselors

- In-person trainings
- Webinar series
- Books and Publications
- E-Newsletter/ E-Lerts
- Online Complaint Form
- Website: www.nclc.org



Effective Coordination



Mediation Programs

- Goal of the program
- Program design, size and scope
- Use of housing counselors
- Use of legal services
- Resources devoted to the program
- Tenure of the program



Effective Coordination

Mediation

- Role more limited and defined
- Mediation rules and program design differ

Outside Mediation

- Broader range of issues
- Work or coordinate with more organizations



Effective Coordination & Communication

- Conversations with stakeholders
 - Housing counselors
 - Legal services programs
 - Mediation program administrators
- Review of practices in other states



Effective Coordination & Communication

- No one size fits all
- Building on what is in place
- Effective practices
 - Communication and outreach
 - Coordination and referrals
- Assessment of resources and funding limits



Effective Coordination & Communication -- Goals

- Establish and maintain good communication
- Develop an effective system of referral and follow up
- Maintain a good working relationship
- Leveraging the respective expertise of each organization



Effective Coordination & Communication

- In mediation/ outside mediation
- Understand the role of the legal services
- Understand the role of housing counseling
- Respect areas of expertise
- Respect limits on resources



What legal services brings...

- Legal expertise on beyond foreclosure
- Fight the foreclosure
- Knowledge of foreclosure and mediation process, timelines, laws and rules
- Loss mitigation programs, legal settlements
- Bound by rules, strict time guidelines



Advantages of working with housing counselors

- Ability to refer homeowners who do not meet eligibility guidelines
- Helpful in developing legal claims and defenses
- More factually reliable record than can be developed by talking to client
- Documents and help getting documents
- Knowledge of workout programs/ HAMP



What housing counselors bring..

- Detailed knowledge of housing programs
- Budget and financial expertise
- Trusted relationship with homeowner
- Documents and information from the homeowner
- Ability to help homeowner understand a complex legal process
- LEP/ cultural competence

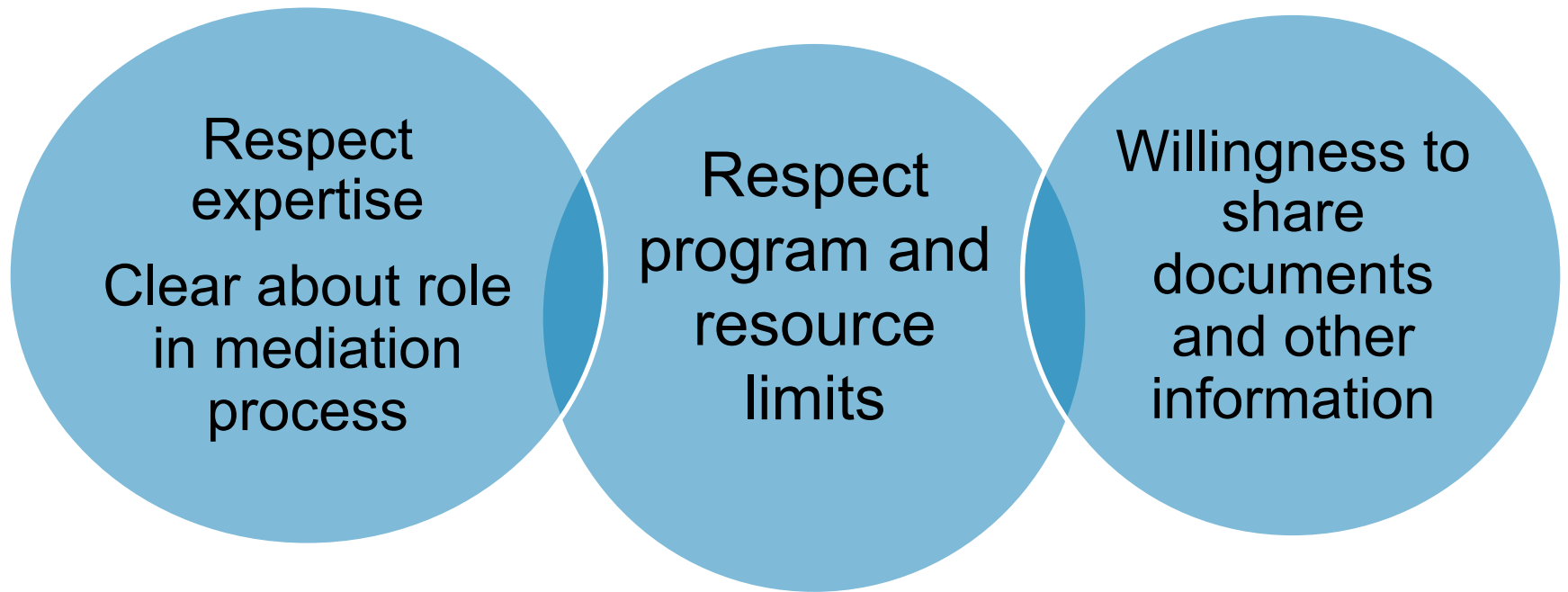


Advantages of working with legal services attorneys

- Leverage in getting a modification or other resolution
- Information about the mediation or foreclosure process
- Assistance in resolving complex legal issues
- Training, regular updates and other information



Shared Concerns



Shared Concerns

- Referral and follow up
 - Legal services attorneys want referrals much earlier
- Confusion about what cases legal services will accept
- Feedback after referral
 - Black Hole



Barriers to effective communication and coordination

- Roles not clearly defined within the mediation program
- Infrequent or irregular communication
- Misunderstanding resource or program limits
- Competition for resources and funding



Communication & Outreach

- Build and maintain relationship
- Regular formal and informal communication
 - Meetings & trainings
 - Prioritize in-person meetings when possible
 - With organizations or groups
- Troubleshoot issues
- Memorandum of Understanding



Maryland Of-Counsel Program

- In-person and online legal information to housing counselors statewide
- Roundtable meetings with housing counselors
- Respond to questions posted on closed listserv
 - Within 24 hours
- Listservs regional



On-going Working Relationship

- One dedicated staff member at each agency
- Legal services establish “office hours” at the housing counseling agency
 - Regular meetings to discuss cases, training needs, referrals, etc.
- Regular emails with updates on programs, legal settlements, etc.



Office Hours

- Set time each week or month where counselors and lawyers
 - Review case files
 - Do intake
 - Discuss/ refer complicated legal issues
 - Discuss changes in programs and procedures
 - Discuss emerging important changes in foreclosure procedure and law
 - Discuss training needs



System of Referral

- Standardize the referral process
- Housing counselors understand what cases lawyers can take
- Understand the foreclosure timeline
- Understand what documents and information lawyers will need right away
- Lawyers to understand any resource limits on part of housing counseling agency



Referral System

- Build effective referral system
 - Early referrals
 - In-keeping with legal services guidelines
 - Standard format
- Follow-up after referral
 - Routine scheduled call or process
- On-going working relationship



System of Referral

- Follow-up after referral
 - immediate feedback/ acknowledge referral
 - Set aside time for more in-detail discussion
 - Discuss problems with referrals
 - On-going communication regarding status of case



Mediation programs

- Meeting with stakeholders should involve housing counselors and legal services programs even if not formally funded
- Programs evolve, roles should be redefined and clarified
- Troubleshoot any issues



THANK YOU!

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The nonprofit **National Consumer Law Center® (NCLC®)** helps build family wealth for low-income and other disadvantaged people in the U.S. by offering advocacy expertise through publications, policy analysis, research, litigation services, and training. www.nclc.org