Rules and Regulations of the State of Georgia

Department 297 GRANTS OF JUDICIAL COUNCIL OF GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS

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ADMINISTRATIVE HISTORY

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Cite as Ga. Comp. R. & Regs. R. dept. 297, ADMINISTRATIVE HISTORY

Chapter 297-1. GRANT PROGRAMS.

Rule 297-1-.01. Legal Assistance to Families Victimized by Domestic Violence Project.

I. Name of Grant Program: Civil Legal Assistance to Families Victimized by Domestic Violence Project (Short name: Civil Legal Assistance Project).

II. Legal Authority: O.C.G.A. § 15-5-24 and Supreme Court of Georgia Order of January 15, 1981 relating to the duties of the Judicial Council/Administrative Office of the Courts.

III. Definition: This is a statewide project designed to provide civil legal services to all persons, adults and children, victimized by or under the direct threat of domestic violence.

IV. Scope: Domestic violence is endemic throughout the nation and in Georgia. From 2018 to 2021, there were 171,596 reported incidents of family violence Georgia.[1] Domestic violence shelters refer more than an estimated 10,000 victims of domestic violence to legal service agencies each year. Other legal resources are inadequate to meet the serious needs of these families. This project provides a framework under which Georgia's non-profit legal services programs can serve approximately 6,000 families of domestic violence per year.

V. Purpose: The purpose of this program is to provide civil legal assistance to persons victimized or threatened by domestic violence. Such legal assistance helps with immediate needs through protective orders or orders for custody and child support, and also includes legal assistance with such issues as access to credit and bank accounts, housing, public benefits, employment and other consumer and financial problems that must be resolved to achieve safety, stability and economic security.

A. Eligible Services

This project focuses on providing direct services to victims in two major areas of need by:

1. Providing legal services related to domestic violence, child custody, and family support; and

2. Providing legal services related to the family's economic security and stability, including housing issues, employment-related problems, problems with access to education, and health care.

B. Excluded Services

Certain services are specifically excluded from this program. Excluded services are:

1. Class action suits;

2. Criminal defense;

3. Deportation proceedings;

4. Initial Temporary Protective Orders;

5. Juvenile delinquency;

6. Indirect legal services such as attorney training;

7. Matters to be adjudicated in courts outside of Georgia; or

8. Other client-initiated proceedings not related to the safety, stability, or economic security of the victim or the victim's family.

C. Eligible Clients

Victims or persons under the threat of domestic violence who have no reasonable access to resources that may be used for legal services are eligible. Evidence of violence or the threat of violence shall be reasonably demonstrated, but may also be shown by the following:

1. A protective order issued by a court of competent jurisdiction;

2. A referral from a domestic violence program or program for children or the elderly; or

3. A warrant or police report indicating an incident involving domestic violence.

D. Eligible Grantees

1. Eligible grantees for these funds are non-profit corporations registered and in good standing with the State of Georgia with at least two years of experience providing civil legal services in the State.

2. Recipients must also demonstrate they have the personnel and expertise necessary to deliver the services required, that their service delivery structure can adequately provide coverage throughout the geographical area for which the services are proposed, and that they have sufficient administrative recordkeeping capabilities to fulfill reporting requirements necessary for the evaluation of these projects.

3. Community partnerships are critical to achieving success with this program. The applicants must show broad community support and the support and cooperation of local domestic violence programs. Letters of support or other evidence establishing these relationships should accompany applications.

VI. General Terms and Conditions: Grants will be awarded for a one-year term. Each of Georgia's fifty circuits will be included. The amount of funds available for distribution to grantees may change each year based on the amount of funds appropriated to the Judicial Council/Administrative Office of the Courts and the cost of the administrative oversight of these funds. The grant awards are generally announced in July.

Grantees will be required to report to the Judicial Council/Administrative Office of the Courts every six months detailing how the grant funds were specifically used to assist victims throughout Georgia.

VII. Criteria for the Award of Grants: The total population of residents in each county served by the grant recipient will be considered. This number is based on the most current estimates from the U. S. Census Bureau.

In no event shall a grantee provide legal services to a client whose income exceeds 200% of the federal poverty guidelines. Special needs categories (such as homelessness, rural counties with fewer than ten attorneys, or regional areas or counties with a disproportionately high rate of death from domestic violence[2]) will also be considered.

The Judicial Council Standing Committee on Grants has the discretion to award grant funds to grantees for divorces. Grant funds used for divorces must be directly related to the protection and safeguarding of domestic violence victims.

VIII. Directions and Deadlines for Application: Applications for grant funds **must be submitted via email** to the Judicial Council/Administrative Office of the Courts at grants@georgiacourts.gov.

Comments may be submitted to the Judicial Council/Administrative Office of the Courts at grants@georgiacourts.gov or (404) 656-5171.

Cite as Ga. Comp. R. & Regs. R. 297-1-.01
Authority: O.C.G.A § 15-5-24.
History. Original grant description entitled "Legal Assistance to Families Victimized by Domestic Violence Project" submitted July 2, 2002.
Submitted: July 9, 2004.
Submitted: Apr. 13, 2018.
Submitted: Apr. 14, 2022.
Submitted: Apr. 4, 2024.
[1]

Georgia Commission on Family Violence annual fact sheet on domestic violence, available at *https://gcfv.georgia.gov/resources/data*

[2]

GEORGIA COMM'N ON FAMILY VIOLENCE, GEORGIA STATE PLAN FOR ENDING FAMILY VIOLENCE, at iv-v, 61-62 (December 2012), *available at*http://www.gcfv.org/.

Rule 297-1-.02. Legal Assistance to Kinship Care Families Project.

I. Name of Grant Program: Civil Legal Services to Kinship Care Families in Georgia (Short name: Kinship Care Project).

II. Legal Authority: O.C.G.A. § 15-5-24 and Supreme Court of Georgia Order of January 15, 1981 relating to the duties of the Judicial Council/Administrative Office of the Courts.

III. Definition: This is a statewide project designed to provide civil legal services to kinship caregivers and children living with caregivers who need support to maintain stable homes and care.

IV. Scope: Kinship care refers to full-time, non-parental care of children by grandparents, relatives, and sometimes family friends, without the assistance of parents.[1] Studies show that the benefits of kinship care are substantial. A Georgia House of Representatives study committee noted that "[k]inship care families provide a safe, stable, and nurturing home for children suffering from the trauma of parental separation and other hardship."[2]

It is estimated that informal kinship caregivers save U.S. taxpayers $4 billion annually by caring for children who would otherwise fall into state custody.[3] Many kinship families are low-income households and face complex issues. Relatives and other caregivers often struggle to care and provide for new members of the household, who often arrive in their care following trauma or crisis. This project will provide civil legal services to this target population to help caregivers create safer and more sustainable households and equip caregivers with resources to stabilize the lives of the children in their care.

V. Purpose: The purpose of this project is to provide civil legal assistance to kinship care families. Such legal assistance helps keep at risk children out of the foster care system and supports them in homes by providing holistic civil legal representation. Legal services can help secure legal custody, financial benefits, healthcare support, educational support, and safe housing.

A. Eligible Services

Eligible civil legal services for kinship families include:

1. Formalizing the relationship between the child and the kinship caregiver;
2. Services related to the family's economic security and stability including housing issues, employment-related issues, problems with access to education, and health care;
3. Helping families access home, school, and community-based support for children who are living with disabilities; and
4. Helping families with estate planning to protect the child's stability if the kinship caregiver passes away.

B. Excluded Services

Certain services are specifically excluded from this program, including:

1. Class action suits;
2. Criminal defense;
3. Deportation proceedings;
4. Juvenile delinquency;
5. Indirect legal services such as attorney training;
6. Matters to be adjudicated in courts outside of Georgia; and

7. Other proceedings not related to the safety, stability, or economic security of the at-risk child or kinship care family.

C. Eligible Clients

Eligible clients are kinship care families in need of civil legal services related to the safety, stability, or economic security of the child or kinship care family.

D. Eligible Grantees

1. Eligible grantees for these funds are non-profit corporations registered and in good standing with the State of Georgia with at least ten years of experience providing kinship legal services or similar civil legal services in the State.

2. Recipients must also demonstrate they have the personnel and expertise necessary to deliver the services required, that their service delivery structure can adequately provide coverage throughout the geographical area for which the services are proposed, and that they have sufficient administrative recordkeeping capabilities to fulfill reporting requirements necessary for the evaluation of these projects.

3. Community partnerships are critical to achieving success with this program. The applicants must show broad community support and the support and cooperation of local programs. Letters of support or other evidence establishing these relationships should accompany applications.

VI. General Terms and Conditions: Grants will be awarded for a one-year term. Each of Georgia's fifty circuits will be included. The amount of funds available for distribution to grantees may change each year based on the amount of funds appropriated to the Judicial Council/Administrative Office of the Courts and the cost of the administrative oversight of these funds. The grant awards are generally announced in July.

Grantees will be required to report to the Administrative Office of the Courts every six months detailing how the grant funds were specifically used to assist kinship care families throughout Georgia.

VII. Criteria for the Award of Grants: The total poverty population in each county served by the grant recipient will be considered. This number is based on the most current estimates from the U. S. Census Bureau.

In no event shall a grantee provide legal services to a client whose income exceeds 200% of the federal poverty guidelines. Special needs categories (such as homelessness, or rural counties with fewer than ten attorneys) will also be considered.

VIII. Directions and Deadlines for Application: Applications for grant funds **must be submitted via email** to the Judicial Council/Administrative Office of the Courts at grants@georgiacourts.gov.

Comments may be submitted to the Judicial Council/Administrative Office of the Courts at grants@georgiacourts.gov or (404) 656-5171.

Cite as Ga. Comp. R. & Regs. R. 297-1-.02
Authority: O.C.G.A. § 15-5-24.
History. Original Grant Description entitled "Legal Assistance to Kinship Care Families Project" submitted Apr. 16, 2019.
Submitted: Apr. 14, 2022.
[1]

Private Kinship Care: An Underutilized Child Welfare Resource, Testimony of the National Committee of Grandparents for Children's Rights and the Empire Justice Center for the June 16, 2011 Ways and Means Hearing Record on Improving Programs Designed to Protect at Risk Youth, available at https://empirejustice.org/wp-content/uploads/2017/12/private-kinship-care.pdf.

[2]

Final Report of the Georgia House of Representatives Study Committee on Grandparents Raising Grandchildren and Kinship Care, 2015, Report prepared by the Georgia House Budget and Research Office, available at http://www.house.ga.gov/Documents/CommitteeDocuments/2015/Report%20of%20the%20House%20Study%20Committee%20on%20Kinship%20Care_signed.pdf.

[3]

Id.

Rule 297-1-.03. Legal Assistance to Families of Indigent Patients Program.

I. Name of Grant Program: Civil Legal Assistance to Families of Indigent Patients Program (Short name: Medical-Legal Partnerships Program).

II. Legal Authority: O.C.G.A. § 15-5-24 and Supreme Court of Georgia Order of January 15, 1981 relating to the duties of the Judicial Council/Administrative Office of the Courts.

III. Definition: This is a statewide program designed to provide civil legal services to indigent hospitalized patients, particularly medically fragile children, and their caregivers.

IV. Scope: According to the National Center for Medical-Legal Partnerships (2020), about 60% of a person's health is determined by social factors, including household income, education, employment, and family stability. Georgia ranks 38th in the nation in child and family well-being, according to the 2021 Kids Count Data Book. According to the American Health Rankings' state findings for 2021, the overall health outcomes for

children in Georgia ranked 33rd in the nation, with socioeconomic factors (38th in the nation), economic resources (44th in the nation), and children in poverty (33rd in the nation) being significant factors for poor outcomes. Similarly, a 2018 report from Voices for Georgia's Children regarding barriers to healthcare stated that Georgia had the 7th highest rate for uninsured children and determined that the key barriers to healthcare that children faced were poverty, health literacy, and system navigation.

Patients with access to medical-legal partnerships see improvements in health outcomes, reductions in healthcare expenditures, and increased access to government benefits. An analysis of clients served by Georgia's Health Law Partnership (HeLP) from 2006 to 2018 found that, through the program, 657 children with neurodevelopmental disabilities were able to have their legal concerns addressed and obtained and retained benefits exceeding 4.9 million; these services also resulted in improved access to education resources, as well as short- and long-term financial cost savings for both families and the healthcare system. Studies around the country have found similar results.

V. Purpose: The purpose of this program is to support civil legal services for patients and families with low incomes who are being treated at Georgia hospitals through Medical-Legal Partnerships. Medical-Legal Partnerships (MLPs) combine the health care expertise of hospital professionals with the legal expertise of attorneys to reduce health disparities and address social determinants of health. Lawyers are embedded in hospitals to facilitate seamless access to both healthcare and legal assistance; MLPs foster collaboration between healthcare and legal professionals, improve health outcomes for patients, and result in lower costs to hospitals as a result of uncompensated care and Medicare readmission penalties.

VI. Grant Specifics:

A. Eligible Services: This program focuses on serving indigent patients and their caregivers by providing funds to non-profit organizations for attorneys to support medical-legal partnerships (MLPs), which combine the health care expertise of hospital professionals with the legal expertise of attorneys to improve the health of patients in Georgia.

B. Excluded Services: Certain services are specifically excluded from this program to include the following:

1. Class action suits;
2. Criminal defense;
3. Deportation proceedings;
4. Juvenile delinquency;
5. Indirect legal services such as attorney training;

6. Matters to be adjudicated in courts outside of Georgia; and

7. Other proceedings not related to client safety, stability, or economic security.

C. Eligible Clients: Patients and caregivers in need of civil legal service and whose income does not exceed 200% of federal poverty guidelines.

D. Eligible Grantees:

1. Eligible grantees must be non-profit organizations registered and in good standing with the State of Georgia with demonstrated experience providing civil legal services.

2. Recipients must also demonstrate they have the personnel and expertise necessary to deliver the services required, that their service delivery structure can adequately provide coverage throughout the geographical area for which the services are proposed, and that they have sufficient administrative recordkeeping capabilities to fulfill reporting requirements necessary for the evaluation of their grant services.

3. Community partnerships are critical to achieving success with this program. The applicants must show broad community support and the support and cooperation of local hospitals and other health-related service providers. Letters of support or other evidence establishing these relationships should accompany applications.

VII. General Terms and Conditions: Grants will be awarded for a one-year term. The amount of funds available for distribution to grantees may change each year based on the amount of funds appropriated to the Judicial Council/Administrative Office of the Courts and the cost of the administrative oversight of these funds. The grant awards are generally announced in July.

Grantees will be required to report to the Judicial Council/Administrative Office of the Courts every six months detailing how the grant funds were specifically used to assist patients and their caregivers throughout Georgia.

VIII. Criteria for the Award of Grants:

A. Grants shall be awarded to eligible providers as defined in VI.D.1.

B. Preference will be given to providers with experience delivering medical-legal partnership services.

C. Preference will be given to proposals including documented commitments from local partners for the contribution of resources (fiscal or in kind) to the proposal.

D. Preference will be given to proposals connected to healthcare providers serving populations with higher rates of indigency/poverty.

E. Allocation of grants will seek to maximize the return to state government, local government, and clients.

IX. Directions and Deadlines for Application: Applications for grant funds **must be submitted via email** to the Judicial Council/Administrative Office of the Courts at grants@georgiacourts.gov.

Comments may be submitted to the Judicial Council/Administrative Office of the Courts at grants@georgiacourts.gov or (404) 656-5171.

Cite as Ga. Comp. R. & Regs. R. 297-1-.03
Authority: O.C.G.A. § 15-5-24.
History. Original grant description entitled "Legal Assistance to Families of Indigent Patients Program." Submitted April 28, 2023.