

HEALTH AND LAW PROJECT

Providing Legal Help to Immigrants

Helping immigrants navigate our legal system can be a challenge for a variety of reasons. Language barriers, cultural factors, and unfamiliarity with American legal norms all play a role. Iowa Legal Aid strives to help all low-income Iowans – including immigrants – have meaningful access to the legal system.

Unfortunately, some of the regulations placed on Iowa Legal Aid from funding sources created another challenge for our health center partners in the Health and Law Project. Medical providers have recently asked numerous questions about what kind of immigration status is necessary for a person to be eligible for Iowa Legal Aid's assistance.

Iowa Legal Aid receives federal funding through the Legal Services Corporation (LSC). Congress has placed certain restrictions on the kinds of cases that LSC-funded legal service providers can take. So, although the health centers can provide medical care for anyone regardless of their immigration status, Iowa Legal Aid cannot represent everyone.

The following is a list of eligibility categories. People who fall into one of these categories are eligible for Iowa Legal Aid's assistance.

“Medical providers should feel free to ask a Health and Law Project attorney if they have questions about these eligibility requirements.”

- U.S. citizens;
- Lawful permanent residents (LPR) – someone who has a “green card”;
- Applicant for permanent residency – someone who is a parent, spouse, or unmarried child under age 21 of a U.S. citizen and has applied for an adjustment of status;
- Refugees and Asylees, including persons who have applied for this status;
- Individuals who are granted “withholding of deportation” status;
- Conditional entrants;
- Certain other persons who are making their way through the immigration

process and have filed documents to change their status to work their way toward US citizenship.

There are also groups of people that Iowa Legal Aid can help with certain kinds of problems.

- H2-A Temporary agricultural workers can be assisted with issues related to their employment contract (e.g., wage claims, housing, transportation, employee rights);
- Iowa Legal Aid can help victims of domestic abuse and dating violence, sexual assault, and certain other crimes escape from or ameliorate the effects of the criminal activity. This can include various types of representation, such as protective orders and divorces, assistance in getting affordable housing or medical or financial assistance, or helping to obtain legal immigration status.
- The most recent amendments to the Violence Against Women Act (VAWA) allows Iowa Legal Aid to represent individuals who have been battered, subjected to extreme cruelty, or sexually assaulted while in the United States regardless of their immigration status. The services that may be provided,

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however, are limited to assistance related to the prevention of, or obtaining relief from, the battery, cruelty, or sexual assault. Persons who are eligible under this exception need not provide documentation of their immigration status. However, many immigration survivors of domestic abuse file a "VAWA Self-Petition" to change their immigration status to become legal permanent residents.

A U-visa is available to individuals who have been victims of certain types of crimes and who have assisted or cooperated with law enforcement in prosecuting the crime.

- Iowa Legal Aid is also permitted to help people who have been victims of human trafficking regardless of their immigration status. Iowa Legal Aid can help adult victims of trafficking obtain certification and a T-visa. Iowa Legal Aid can help child victims of trafficking regardless of their certification and in matters unrelated to obtaining certification. Iowa Legal Aid can also help certain family members of victims of trafficking.

Medical providers should feel free to ask a Health and Law Project attorney if they have questions about these eligibility requirements. They should also not hesitate to refer people to Iowa Legal Aid even if they are not sure the person fits one of the categories above. Iowa Legal Aid attorneys and staff have been trained to ask the right questions to find out if someone might be eligible. In general, Iowa Legal Aid cannot represent undocumented persons unless they are survivors of domestic abuse.

Ultimately, Iowa Legal Aid wants to help every person eligible for assistance. Even when someone is not eligible for representation, Iowa Legal Aid attorneys and staff members may be able to refer him or her to another agency or organization that can provide assistance.

Changing Faces of the Health and Law Project

The end of this summer is a time of transition among the Health and Law Project attorneys. Although this sadly means saying good-bye to some dedicated advocates, it also means welcoming new attorneys who are excited to be involved with the project.

In Council Bluffs, **Chris Kerbawny**, has been working with the Health and Law Project as an AmeriCorps member since September 2007. He completed his AmeriCorps term of service in July, and started working as a full-time Staff Attorney with Iowa Legal Aid on July 14.



A native of Michigan, Chris graduated from Wayne State University Law School in Detroit in 2007. He relocated to Omaha/Council Bluffs in 2006 and completed his last year of law school as a guest student at Creighton University School of Law. Chris has a background in Health and Elder Law. While at Wayne State, he founded a Health Law Society, and organized events that explored contemporary issues such as healthcare advanced directives and universal healthcare. He has had internships with the Michigan Association of Homes and Services to the Aging, Northeastern Ohio Universities College of Medicine, and Methodist Health System of Omaha. Chris also draws from his seven years experience working in nursing homes and hospitals as a Certified Nurse Aide while an undergrad and during law school.

Chris' outreach and education activities at the Council Bluffs Community Health Center have resulted in exponential growth in the number of people helped through the Health and Law Project in Council Bluffs.

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Changing Faces at the Health and Law Project...

In Sioux City, **Bill Neibel** took over as Health and Law attorney on July 14 from Michelle Lauters. Michelle will still be working at Iowa Legal Aid, but she will be in a generalist position. Bill has been with the Northwest Iowa Regional Office of Iowa Legal Aid since September 2005. He has been working with survivors of domestic violence under the Violence Against Women Act (VAWA) grant.



Some of his specific interests include housing law, garnishments, and unemployment benefits. Bill attended the University of South Dakota for both law school and undergraduate. He has a science background from college and originally considered going to medical school. His father has worked for a health center in New York and currently works for Indian Health Service. This has influenced Bill's interest in the Health and Law project, and he is looking forward to working with the Siouxland Community Health Center.

Veronica Franck has been with Iowa Legal Aid since August of 2007. She has been working on the Health and Law Project in Ottumwa since January of 2008. She will be transferring to the Des Moines office in August and will continue her work with the Health and Law Project.



Veronica's interest areas include a little bit of everything, but especially administrative law, such as Social Security. Veronica graduated from the Drake University Law School in May of 2007. Before law school, she graduated from Iowa State University in 2004 with a double major in Psychology and Statistics. Veronica will be joining two other attorneys in Des Moines who started working with the Health and Law Project in July.

Charles Hill began working at Iowa Legal Aid after graduating from Drake Law School. While in law school, Charles focused his academic course work on litigation-based classes and seminars. He had been working with Iowa Legal Aid's intake unit and several special projects including disaster relief prior to coming on board with the Health and Law Project. He comes from a medical family and relishes the opportunity to have an important impact on people's lives and helping clients achieve a positive health outcome. He will be working closely with Primary Health Care through his work with the Health and Law Project.



Jennifer Donovan is a 2006 graduate of the University of Iowa College of Law. She attended Iowa State as an undergraduate with a major in political science and a minor in genetics. She has been with Iowa Legal Aid since April 2007 as a generalist. She has also been involved with the Assistive Technology Legal Project, both as a student in the legal clinic at Iowa and now as an attorney at Iowa Legal Aid. Some of Jennifer's areas of interest include landlord-tenant and public housing issues, public benefit programs, and disability rights.



Luke Guthrie, who had been the Health and Law Project attorney in Des Moines, has moved to Iowa Legal Aid's office in Waterloo. Veronica, Charles, and Jennifer will continue working with Primary Health Care in Des Moines and Marshalltown. They will also be forming new partnerships with Broadlawns and the Polk County Health Department thanks to a grant from the Polk County Board of Supervisors.

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Changing Faces at the Health and Law Project...

Ottumwa will be welcoming two attorneys new to both Iowa Legal Aid and to the Health Law Project. ***Ed Conrad*** will be starting on August 25, 2008. He attended the University of Iowa for law school and served as the Keokuk County Magistrate while he was a student there. Ed has been in private practice and has done a significant amount of real estate work. Ed's wife, Denise Conrad, works with the American Cancer Society in Keokuk County, and Ed has had an interest in Health Law for some time.



Karen Kopitsky will be joining the Ottumwa office in about six weeks. She is a May 2008 graduate of the University of Iowa College of Law. She went to Rhodes College in Memphis for her undergraduate education, where she majored in Latin American studies and Spanish.



We are excited to have staff attorneys with such a mix of backgrounds, experience levels, and familiarity with the Health and Law Project. We look forward to strengthening our ties to the health centers as well as bringing new ideas and fresh perspectives to the program. Be sure to say hi and introduce yourself when you see one of the Health and Law attorneys doing outreach or attending a meeting at your clinic.



Staff members working with the Health and Law Project meet in Des Moines at Iowa Legal Aid's Central Administrative office.

Health and Law Project
Some health problems need a legal remedy.
Algunos problemas de salud necesitan remedio legal.

Primary HealthCare

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KEOKUK COUNTY JUSTICE

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Council Bluffs

Council Bluffs Community Health Center

300 W. Broadway, Suite 6

Council Bluffs, IA, 51503

(712) 325-1990

Executive Director: Cecelia Creighton

Council Bluffs Community Health Center is committed to providing affordable, accessible, cost-effective health care to those in the community by offering optimal utilization of resources.

SERVICES: Homeless, Laboratory, Pharmacy, Primary Medical, Radiology

Des Moines

Primary Health Care

2353 SE 14th St.

Des Moines, IA, 50320

(515) 248-1400



Marshalltown

Primary Health Care

412 E. Church Street

Marshalltown, Iowa 50158

Executive Director: Kelly Huntsman

Primary Health Care is a team of caring professionals providing health care and supportive services for people in Central Iowa to improve their quality of life.

SERVICES: Dental, Family Practice, HIV, Healthy Start, Homeless Health Care, Internal Medicine, International Clinic, Interpretation, OB, Pediatrics, Primary Medical, Specialty Referral, Transportation

Ottumwa

River Hills Community Health Center

201 S. Market Str.

Ottumwa, IA, 52501

(641) 683-5773

CEO: Rick Johnson



River Hills Community Health Center is dedicated to providing quality primary health care and dental care to individuals and families in southeast Iowa, with a special emphasis on serving the underserved and uninsured populations.

SERVICES: Chronic Disease Management, Dietary Counseling, Health Education, Interpretation Services, Preventive Care - all ages, Primary Medical Care

Sioux City

Siouxland Community Health Center

1021 Nebraska St.

Sioux City, IA, 51102

Toll free: 888-371-1965

CEO: Michelle Stephan



The mission of the Siouxland Community Health Center is to provide primary health care that eliminates access barriers and improves the health of the Siouxland community.

SERVICES: Dental, Family Practice, HIV/AIDS, Immunization, Interpretation Services, Moderately-Complex Laboratory, In-house Pharmacy, Mental Health, Child Health Program, Clinical Pharmacy

Contacting the Iowa Legal Aid Health and Law Project:

Council Bluffs:

1-800-432-9229 and ask for the Health and Law Project

Des Moines:

1-800-532-1503 and ask for the Health and Law Project

Marshalltown:

1-800-532-1503 and ask for the Health and Law Project

Ottumwa:

1-800-452-0007 and ask for the Health and Law Project.

Sioux City:

1-800-352-0017 and ask for the Health and Law Project.

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