

FACT SHEET

CIVIL LEGAL AID FOR IMMIGRANTS IN WASHINGTON STATE

WHAT IS CIVIL LEGAL AID?



- Civil Legal Aid is free legal assistance to low and middle-income people, families, and communities who have (non-criminal) civil legal problems.

How can Civil Legal Aid help me?



- Civil Legal Aid can support with legal assistance in the following subject matter areas: domestic violence, family law, child custody, governmental assistance and services, health care, housing and utilities, landlord/tenant issues, social security, mortgage foreclosures, consumer, financial services, credit, and bankruptcy, employment, rights of residents of long-term care facilities, wills, estates, and living wills, elder abuse, guardianship, disability rights, education, including special education, administrative agency decisions, and discrimination.

How can Civil Legal Aid help me with my workplace issues?



- Some scenarios of when Civil Legal Aid can support with legal assistance: Wage theft (not paying minimum wage; not paying overtime; not allowing breaks; stealing tips). Harassment, discrimination, and/or retaliation (about your gender identity or sexual orientation; race; or in response to a complaint you made about working conditions). Health and safety (trip, slip, and fall; exposure to pesticides or other chemicals; electricity hazards). Sick leave (denial of sick leave; punishment for taking leave).

CIVIL LEGAL AID AND IMMIGRATION STATUS

Can I access Civil Legal Aid if I am undocumented?



- Yes. Some Civil Legal Aid organizations receive federal funding which prohibits them from representing some undocumented persons. However, there are many exceptions to this (for example, if you are elderly or disabled). No matter what your immigration status is, the organization can still provide legal information and can refer you to an attorney, even if representation is prohibited.** This should not prevent you from seeking assistance. All Volunteer Lawyer Programs can assist undocumented individuals.

Can a Civil Legal Aid attorney help me adjust my immigration status?



- Most Civil Legal Aid organizations do not have immigration attorneys on staff. They can refer you to a Civil Legal Aid organization that specializes in immigration law, but keep in mind the waiting lists are long and access to free immigration legal services is very limited in Washington state. They may also be able to refer you to a private attorney. Some free citizenship clinics may be available.

**FOR A REFERRAL TO AN ATTORNEY FOR A LEGAL CONSULTATION,
CALL THE WAISN HOTLINE: 1-844-724-3737
VISIT US AT WAISN.ORG**



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WHAT IS A CIVIL LEGAL AID CLINIC?



- A legal clinic is another name for a consultation. A legal clinic is a free, private conversation between you and an attorney. They can be in-person and sometimes take place over the phone or Zoom. They typically last 30 minutes, and it is a chance for you to share your legal concerns with an attorney. The attorney will provide guidance on what they recommend the next steps you should take ought to be. Sometimes attorneys are able to assist a client with paperwork at a clinic and or help prepare you for a court hearing. Make sure that you bring anything related to your legal issue so that the attorney has as much information as possible about your situation.

What is the difference between a consultation and representation?



- A consultation or a clinic is a one-time, typically 30-minute, conversation with an attorney, free of charge. Representation means the attorney has agreed to take your case and represent you in court. Many times civil legal issues are resolved outside of court with the Civil Legal Aid attorney serving as the mediator and assisting you with settling the case.

Will I be asked about my immigration status?



- The staff-person at the organization or the attorney may be required to ask about your citizenship status to help determine what services you may be eligible for. This information is often required for funding purposes only, strictly confidential and will never be shared without your consent.

I am undocumented, if my case goes to court, is it safe for me to engage in a civil legal proceeding?



- In civil proceedings, court rules preclude raising immigration status. In Washington, the Courts Open to All Act prevents arrests at the courthouse (or within a mile of any courthouse) for immigration violations.

Is it safe to interact with a Civil Legal Aid attorney, is my information private?



- Civil Legal Aid organizations and volunteer lawyer programs will not report your immigration status to anyone. Your interactions with an attorney are all confidential. Attorneys have a duty to keep client confidences. This is also called attorney client privilege.

* NJP may determine that a tenant is not LSC eligible based on immigration status. LSC, Legal Services Corporation, is federal funding that NJP receives. Legal Services Corporation (LSC), is federal funding that some civil legal aid organizations receive which prohibits them from representing some undocumented persons in court.

Sources:

Northwest Justice Project
Office of Civil Legal Aid (OCLA)
Fair Work Center

Yakima Volunteer Attorney Services

ives which prohibits NJP from representing some undocumented persons. However, NJP can still provide legal information and can refer you to an attorney, even if representation is prohibited. This document developed in partnership with the Northwest Justice Project.

Updated 3/13/23

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