

**Washington State Judicial Branch
2025-27 Biennial Budget
Vendor Rate Adjustment for Civil Legal Aid for Survivors of Domestic Violence**

Agency: Office of Civil Legal Aid

Decision Package Code/Title: 1D – Domestic Violence Survivors VRA

Agency Recommendation Summary Text:

This package seeks an ongoing vendor rate adjustment to preserve civil legal aid capacity for individuals experiencing domestic violence in the face of known and measurable cost increases.

Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
Staffing						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
Operating Expenditures						
Fund – 001-1	\$206,000	\$319,000	\$525,000	\$439,000	\$565,000	\$1,004,000
Total Expenditures						
	\$206,000	\$319,000	\$525,000	\$439,000	\$565,000	\$1,004,000

Package Description:

The Washington State Legislature appropriated \$2,000,000 in funding per year beginning in FY 2023 “to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.”¹ The funding addressed a significant need for free legal services among domestic violence survivors, enhancing their access to essential support.

With this funding, the Office of Civil Legal Aid (OCLA) entered into three-year contracts with seven civil legal aid organizations across Washington State. Twenty percent of this funding was set aside specifically for services to Native American and tribal survivors living on or near rural reservations. Contracting organizations employ staff attorneys specially trained in trauma and equity-informed practices to assist clients in crisis, while also collaborating and partnering with community-based, domestic violence advocacy organizations to support integrated, holistic, client-centered legal services. In the first two years of this program, these providers served approximately 5,000 clients, offering legal assistance in areas such as family law, immigration, housing, consumer debt, and privacy protection. The services provided have resulted in outcomes that protect personal and family safety, preserve educational and employment opportunities, maintain financial security, enforce governmental duties to victims of criminal domestic violence, and empower survivors by increasing their knowledge of legal rights and options.

¹ Sec. 116(12), ch. 297, laws of 2022

This proviso was initially funded at \$2,000,000 in FY 2023 and has not received a funding increase since. Between 2022 and 2024, cumulative inflation totaled 7.3%, resulting in known and measurable cost increases for both personnel and overhead. This package requests a vendor rate adjustment calculated as a 4% total increase of vendor contract amounts along with an additional 1.5% increase for step-increases to personnel costs to support retention of specially trained staff amidst the statewide public service lawyer shortage. These adjustments are necessary to maintain funding at an amount sufficient to continue the level of work anticipated by the proviso and prevent erosion of client service capacity in the face of known and measurable cost increases.

This package also seeks 5% indirect to cover appropriate administrative staffing at OCLA to provide contract administration, monitoring and oversight, and program support.

Fully describe and quantify expected impacts on state residents.

With the current funding, approximately 2,800 victims of domestic violence are served every year in Washington State, impacting over 8,000 family members, including dependent children. Recognizing the increasing operational costs due to inflation and challenges retaining specialized legal staff, a vendor rate adjustment is necessary to ensure that service providers can continue offering these critical services at the same level, despite rising expenses and workforce shortages.

Domestic violence is a significant public health concern in Washington State, affecting approximately 41.4% of women and 31.7% of men during their lifetimes. The state also reports alarming domestic violence fatality rates, with annual deaths ranging from 39 to 75 between 2013 and 2023, and a recent five-year average of 59 fatalities per year.² These statistics underscore the urgent need for continued efforts in prevention, support, and intervention to protect and assist victims.

The financial costs of domestic violence are also substantial, encompassing healthcare expenses, productivity losses, legal and criminal justice costs, housing and social services, and long-term economic impacts on survivors. Nationally, the CDC estimates the lifetime economic cost of intimate partner violence at \$3.6 trillion, with significant portions attributed to medical costs and lost productivity.³ In Washington State, addressing these costs through civil legal aid not only supports survivors in obtaining protection and essential resources but also mitigates broader economic burdens by reducing healthcare expenses, enhancing workplace productivity, and minimizing legal system expenditures.

Securing timely legal recourse is crucial in interrupting cycles of domestic violence, preventing further physical and mental harm, and preserving family unity. For Washington State residents, civil legal aid helps survivors obtain protective orders, navigate custody and divorce proceedings, secure housing, and access financial resources and public benefits. It also provides immigration relief, advocates for employment rights, and offers legal representation in court. Additionally, legal aid organizations educate survivors about their legal rights, empowering them to make informed decisions and rebuild their lives free from abuse.

² WSCADV, fatalities by county through 6-30-2023 DRAFT.xlsx (wscadv.org, <https://wscadv.org/wp-content/uploads/2024/01/fatalities-by-county-through-6-30-2023.pdf>)

³ https://www.cdc.gov/intimate-partner-violence/about/?CDC_AAref_Val=https://www.cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html

However, the volume of survivors in need far outstrips the availability of free legal services, with many survivors turned away simply because there are not enough attorneys.⁴ This service gap is exacerbated both by the lack of available attorneys, and by the lack of attorneys practicing in areas such as family law. This need was recently recognized by the Supreme Court's Gender and Justice Commission in their 2021 report, where they recommended improving system responses to domestic violence and sexual assault by increasing access, "[t]his includes increased funding for civil legal aid attorneys who can assist victims with obtaining protection orders, protecting their privacy during a criminal case, keeping their housing, keeping their jobs, helping them access public benefits, or preventing them from losing their children."⁵

Because these services are so critical and already scarce in comparison to the need, it is essential to maintain capacity. The impact of this package is preventing capacity loss due to increased costs over time and the changing landscape of public service lawyer availability, ensuring these services remain available at their full extent.

Explain what alternatives were explored by the agency and why this was the best option chosen.

No alternatives exist within OCLA to supplement this funding. The only other funding stream for similarly dedicated services is OCLA's Crime Victim Legal Aid, which originates from an interagency agreement with The Office of Crime Victim Advocacy at Commerce as part of their VOCA (Victims of Crime Act) funding. This funding is facing an unprecedented decline, with cuts of over 40% expected in FY 2026. With these funds fully obligated and the anticipated declines, this does not provide any alternatives and underscores the need for the domestic violence VRA.

Alternative funding sources, such as the Legal Foundation of Washington, were also considered. However, the foundation's funding is variable and subject to fluctuations, with all current funds already fully obligated to other projects. Additionally, none of their funding is specifically earmarked for Domestic Violence services, making it an unreliable and inadequate source for sustained support.

What are the consequences of not funding this request?

Failing to approve this request would result in a decrease in service capacity for domestic violence survivors in Washington State. The increasing costs of operations and the cumulative inflation rate of 7.3% between 2022 and 2024 have raised personnel and overhead expenses, making the buying power of \$2,000,000 in 2022 the equivalent of \$2,147,067 in 2024.⁶ Without a corresponding adjustment in funding, service providers will face financial constraints that will force them to cut back on the number of staff attorneys and support personnel, directly impacting their ability to deliver essential services. This reduction will limit their capacity to serve the approximately 2,800 domestic violence survivors currently receiving assistance each year, affecting over 8,000 family members, including dependent children.

⁴ The shortage of attorneys across the state has affected all industries, with the public service sector facing the brunt of these shortages. Public defender shortages have made frequent news headlines, but civil legal aid has also experienced high levels of turn over and an inability to recruit and retain legal staff. See e.g., [President's Corner > The Rural Attorney Shortage is Turning Into a Crisis in Washington State - Washington State Bar News \(wabarnews.org\)](#), [Attorney shortage continues in courts around WA, with new proposals on the table | Crime And Courts | yakimaherald.com](#), [KUOW - Lawyer shortage creates potential constitutional crisis, New program through Gonzaga, state law schools aims to narrow attorney shortage in Central Washington | The Spokesman-Review](#).

⁵ 2021_Gender_Justice_Study_Report.pdf (wa.gov)

https://www.courts.wa.gov/subsite/gjc/documents/2021_Gender_Justice_Study_Report.pdf)

⁶ See [Inflation Calculator | Find US Dollar's Value From 1913-2024 \(usinflationcalculator.com\)](#)

Fewer staff will mean longer wait times for legal services, and fewer survivors served, reducing the timeliness and effectiveness of interventions crucial for the safety and well-being of survivors. The decrease in service capacity would mean fewer survivors receiving legal advice and representation for obtaining protective orders, navigating custody and divorce proceedings, securing housing, and accessing financial resources and public benefits. Immigration relief and advocacy for employment rights would also become less accessible, leaving many survivors in vulnerable situations without the necessary support to achieve stability and safety. The lack of timely legal interventions could also lead to prolonged cycles of abuse and greater victimization for the victims and their families unable to access legal help.

Already, family law lawyer scarcity in Washington state makes it extremely difficult for individuals facing domestic violence to locate an attorney (private or through civil legal aid). Many parts of the state see an average of only 26 family law attorneys per 1,000 families in the region. These trends of “very high scarcity” also disproportionately impact Native American, Hispanic, and socioeconomically disadvantaged neighborhoods.⁷ Losing any level of client service capacity for legal aid makes this accessibility barrier that much more pronounced for the most vulnerable victims.

Is this an expansion or alteration of a current program or service?

No. The entire purpose is to maintain capacity at current levels and avoid decreases in service due to increased costs.

Decision Package expenditure, FTE and revenue assumptions:

Use Standard Costs?

No.

Included in this request is 5% dedicated for OCLA agency overhead. The authorizing proviso for this funding did not include specific reference to administrative costs, and in an effort to obligate as much of the available funding for services, OCLA only reserved 2.5% for agency administrative costs in FY 2023-2025. This was not enough to ensure proper staffing for this program’s administration, monitoring, and oversight. To address this need, this package requests 5% of the total program budget to ensure OCLA maintains sufficient staffing and support.

If No, Explain Additional Costs	Round to Nearest \$1,000				Description/Assumptions
	FY 26	FY 27	FY 28	FY 29	
Contracts	\$103,000	\$211,000	\$325,000	\$445,000	Contractor (vendor) rate adjustments are calculated as 4% of personal service contracts + 1.5% step cost for contractor personnel
Administrative overhead	\$103,000	\$108,000	\$114,000	\$120,000	OCLA administrative overhead is calculated as 5% of contractor (vendor) cost

⁷ See attached slides, “Local Measures of Lawyer Scarcity” by Washington State Center for Court Research.

How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

Courts are facing increases in the number and complexity of protection order and domestic (family law) cases, making docket management and case scheduling more challenging for judicial officers and court administration. From 2020-2023 the total number of orders entered in civil protection order proceedings statewide increased by 40.3%, from 39,443 to 55,346. This reflects not only an increase in total number of filings, but also an increase in the complexity of the proceedings.⁸ In many jurisdictions the size and length of these dockets are impacting other court schedules and interfering with the ability of the court to enter orders within the statutory timelines of RCW 7.105. Civil protection orders where individuals represent themselves (pro se) tend to take significantly longer and may require repeatedly continuances to ensure procedural requirements are met. Civil legal aid for survivors allows for more cases to have full representation, ensuring court rules, timelines, filing requirements, and other court rules are met.

Accessibility

Factors such as disability, immigration status, limited English proficiency, and other barriers not only increase risk of severe domestic violence but also create significant hurdles in accessing essential resources and support services. Economic instability and poverty exacerbate these challenges, as victims financially dependent on their abusers often find it difficult to leave abusive relationships. Studies indicate that approximately 60% to 80% of domestic violence victims experience poverty, underscoring the profound impact of financial constraints on their ability to seek help and access support services.⁹ By providing free legal services to low-income survivors, civil legal aid plays a crucial role in breaking down these barriers and improving accessibility for survivors with the greatest barriers to service and those most vulnerable to severe and lethal domestic violence.

Access to Necessary Representation

Individual and family safety is a critical outcome of judicial process. Even with improvements to self-represented litigant materials, the advice and representation of an attorney is often needed to secure protective outcomes. With so many domestic violence survivors financially unable to afford private attorneys, this package maintains the level of civil legal aid attorneys available for free representation for low-income survivors.

Commitment to Effective Court Management

NA

Sufficient Staffing and Support

Included in this request is 5% dedicated for OCLA agency administrative overhead. The authorizing proviso for this funding did not include specific reference to administrative costs, and in an effort to obligate as much of the available funding for services, OCLA only reserved 2.5% for agency administrative costs in FY 2023-2025. This was not enough to ensure proper staffing for this program's administration, monitoring, and oversight. To address this need, this package requests 5% of the contractor (vendor) cost to ensure OCLA maintains sufficient staffing and support.

⁸ RCW 7.105, effective as of 2022, consolidated former protective order statutes and made significant changes to procedural requirements.

⁹ National Coalition Against Domestic Violence, 2023

How does the package impact equity in the state?

Address any target populations or communities that will benefit from this proposal.

Domestic violence disproportionately affects certain demographic groups due to various social, economic, and systemic factors. Women, LGBTQ+ individuals, racial and ethnic minorities, immigrants, refugees, and people with disabilities experience higher rates of abuse. For instance, 44% of lesbian women and 61% of bisexual women have faced intimate partner violence, compared to 35% of heterosexual women.¹⁰ African American women face intimate partner violence at a rate 35% higher than white women, and more than 4 in 5 Native American and Alaskan Native women experience violence in their lifetime.¹¹ Immigrants and refugees encounter barriers such as language and fear of deportation, while people with disabilities are at greater risk of abuse from caregivers.¹²

OCLA's domestic violence program is specifically structured to address these disproportionalities and provide services to those most vulnerable and disproportionately harmed. This is done by contracting with 'by and for' organizations and those who work closely with BIPOC, LGBTQIA+, and immigrant and refugee communities. These include Northwest Immigrant Rights Project, Lummi Nation Victims of Crime, and nationally recognized tribal coalition Womenspirit Coalition. Additionally, OCLA's own [Race Equity Statement of Purpose](#), guides the agency's commitment to administering programs in a way that promotes race equity and removes barriers for communities who have historically experienced disproportionate harms.

Describe the how the agency conducted community outreach and engagement.

OCLA engages in community outreach efforts through close collaboration with contracted providers to assess community needs and evaluate service impacts. Additionally, we maintain regular meetings with community-based organizations and court-based advocates to gather feedback on the integration of legal aid services for survivors. Across these interactions, there is a consistent call for increased civil legal aid resources specifically tailored to meet the needs of survivors.

Consider which target populations or communities would be disproportionately impacted by this proposal. Explain why and how these equity impacts will be mitigated.

None. Failing to fund this package means there will be fewer services for the survivors in need.

Are there impacts to other governmental entities?

None.

Stakeholder response:

This request is strongly supported by civil legal aid organizations as well as community and systems based domestic violence advocacy organizations. No opposition is anticipated.

Are there legal or administrative mandates that require this package to be funded?

None.

¹⁰ <https://williamsinstitute.law.ucla.edu/publications/ipv-sex-abuse-lgbt-people/>

¹¹ <https://www.wrcdv.org/racial-justice>

¹² <https://open.lib.umn.edu/immigrantfamilies/chapter/6-5-barriers-to-help-seeking/>

Does current law need to be changed to successfully implement this package?

No.

Are there impacts to state facilities?

No.

Are there other supporting materials that strengthen the case for this request?

1. Calculation worksheet, attached
2. WSCCR, “Local Measures of Lawyer Scarcity” (July 26, 2024), attached

Are there information technology impacts?

No.

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