

September 6, 2011

## HOMELESS VETERANS LEGAL REFERRAL PROCESS

**1. PURPOSE:** This Veterans Health Administration (VHA) Directive provides policy for the referral of Veterans who are homeless or at risk for homelessness to legal service providers or legal referral services.

### 2. BACKGROUND

a. The President and the Secretary of Veterans Affairs have established a goal of ending homelessness among Veterans by 2015. Veterans' lack of access to legal representation for outstanding warrants or fines, as well as for child support and other legal matters, contributes significantly to their risk of becoming homeless.

b. In response to these unmet needs, several VHA facilities have been referring homeless Veterans to local legal service providers or referral services, such as those operated by the state or local bar associations. A task force of homeless programs staff from the VHA and the Office of Policy and Planning, as well as the Office of the General Counsel, has recommended that the Department of Veterans Affairs (VA) establish nationwide legal referral policies to ensure that referrals are being made in a consistent manner.

**3. POLICY:** It is VHA policy to encourage staff to refer homeless Veterans to legal service providers or referral services for assistance with matters such as child support or outstanding warrants or fines, and to provide office space to legal service providers, when possible. Staff should provide Veterans with listings of local legal service providers, rather than referring them directly to a particular provider. In addition, staff may refer homeless Veterans to the Legal Services Corporation's Web site which lists local legal service providers:  
[www.statesidelegal.org/findinghelp](http://www.statesidelegal.org/findinghelp).

**4. ACTION:** The Medical Facility Director is responsible for ensuring that the following policies are followed:

a. Staff may not endorse any particular provider.

b. Staff should limit referrals to providing Veterans with listings of local legal service providers. Such listings must include the following language: **DISCLAIMER:** *VA assumes no responsibility for the professional ability or integrity of the organizations whose names appear on this list. This referral does not constitute an endorsement or recommendation by VA.*

c. Office space may be provided to legal service providers only under certain restrictions. These include a disclaimer, based on the one provided above, which must be prominently displayed in the space that VA provides. To provide space through a revocable license, the facility must comply with applicable policy promulgated by the Office of Facilities Management.

**THIS VHA DIRECTIVE EXPIRES SEPTEMBER 30, 2016**

**VHA DIRECTIVE 2011-034**

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The facility and the provider organization must complete VA Form 10-6211, Revocable License for Non-Federal Use of Real Property, and include the disclaimer in Box 9. To provide space through a lease, the facility must comply with title 38 United States Code (U.S.C.) 8122, paragraph (a)(1), the authority to procure and dispose of property and to negotiate for common services. Any VA lease granted under this authority must contain the referenced disclaimer (see par. 3).

b. **Regional Counsel.** Regional Counsel must review and concur prior to execution of all outleases, revocable licenses for less than 5 years, and permits affecting or involving real property in which VA has an interest, or over which VA has control.

**5. REFERENCES:** None.

**6. FOLLOW-UP RESPONSIBILITY:** The National Coordinator, Veterans Justice Outreach, is responsible for the contents of this Directive. Questions may be directed to (202) 461-1931.

**7. RESCISSIONS:** None. This VHA Directive expires September 30, 2016.

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Under Secretary for Health

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