

Kentucky Equal Justice Center

Staff Report Highlights

April 25, 2024

Substance Use Discrimination — Jane Connell Young

Education

- On January 20, 2024, Jane and Carmen attended the **Kentucky Society of Addiction Medicine** meeting in Lexington. KEJC Partner, Sally Friedman, Sr. Vice President of Legal Advocacy, Legal Action Center (New York) addressed the group via video. Jane and Carmen were present in Lexington to answer follow-up questions and further introduce the KEJC SUD program to others.
- On January 22, 2024, Jane attended a presentation in downtown Louisville sponsored by **Metro United Way**, “From Impact to Advocacy,” regarding “telling the story of an organization” to impact the community.

Connections

- On several occasions the KEJC SUD team met via video with Gene Detherage and others from the **Kentucky Recovery Housing Network**. The issues of allowing Medication to Treat Opioid Use Disorder (MOUD) in Recovery Homes, certification of recovery homes, and the logistics of administration of MOUD are being discussed among Recovery Home persons. KEJC is a part of these discussions and continually advocates for MOUD for those who have received prescriptions for it.
- The KEJC SUD team made contact with a physician in Lexington and a physician in Louisville who have both been very helpful in educating us and others, partnering with KEJC on published Opinion Editorial pieces, and sending several referrals to the KEJC SUD team.
- KEJC is also involved with several state administered workgroups:
 - Kentucky Judicial Commission on Mental Health (still in planning stage)
 - Kentucky State Health Improvement Plan Drug Use Workgroup (SHIP) (report circulated 4.15.24)

Presentations

- January 10 KEJC participated in the Legal Services Commission, Opioid Task Force.
- February 20 Jane presented the KEJC SUD team program to the Kentucky Council of Churches in Frankfort and also via video.
- March 6 Jane presented and discussed the KEJC SUD project with a group gathered at the downtown Louisville office of KEJC SUD partner Vocal KY.

- March 26 Jane presented and discussed the KEJC SUD project with the Welfare and Health Task Force of legal aid personnel throughout Kentucky.
- March 26 Rebekah Joab, Attorney with KEJC partner Legal Action Center (New York), presented a training for ACES (Addiction Medicine physicians—Lexington, KY). Jane was present on video to provide Kentucky information for the presentation.
- March 27 The Kentucky Department of Public Health Harm Reduction Team held a planning meeting with Jane and then later on April 10, 2024, Jane and Ben spoke to a larger group of attendees via video to present the KEJC SUD project.

Health Coverage — Suraya Shalash

Direct Service

- **Enrollment Assistance:** Suraya began assisting clients with Medicaid and Qualified Health Plan enrollments and renewals through kynect in late December. Through the first quarter of 2024 she has made 192 enrollment-related contacts, proactively reaching out to KEJC clients before their insurance renewal dates. Approximately 20% of the clients she’s worked with speak Spanish as their first language.

Client Advocacy

- Suraya has encountered systemic issues and opportunities for improvement, providing feedback to the Cabinet for Health and Family Services. Examples include notices to clients containing outdated kynector information, inaccurate results when using the Kentucky Online Gateway prescreening tool, and incorrect application of Advance Premium Tax Credits during Qualified Health Plan enrollment.

Outreach

- Miranda Brown, Heather Darby and Suraya participated in Lafayette High School’s civic engagement fair, sharing KEJC’s mission with hundreds of ninth graders.
- Suraya will represent KEJC at tabling events with Casa de la Cultura and the Mexican consulate in May and June.

Housing Justice (Lexington) — Cory Dodds

Introduction

- I joined KEJC in February 2024 as the newest Lexington Housing Justice attorney. I’ve been practicing law for 6 years this year with the bulk of my career previously with Kentucky Legal Aid in Bowling Green.
- I grew up in Tiline, Kentucky—a rurally-isolated community in west Kentucky. My home (like too many) was afflicted by substance abuse and domestic violence. My partner, Brittany, and I were the first people in our families to earn college degrees.

- After we graduated from Western Kentucky University, I earned my law degree from Georgetown University Law Center where I was a Public Interest Fellow. I gained experience working throughout the Obama Administration, including in the White House, U.S. Department of Commerce, and Federal Communications Commission.
- I joined KEJC because I believe that Kentucky is worth fighting for.

Client Services

- Since I started in February, KEJC’s Eviction Helpdesk has expanded from 2 to 4 days per week. I staff Thursday (Thurston) and Friday (Gunther) dockets.
- I endeavor to speak to every tenant that appears before their hearing (time and resources permitting).
- I provide counsel and advice to tenants to empower them to represent themselves in eviction court. I may also provide on-demand representation to clients with potential defenses or strategic impact potential.
- Notable Case: appointed by Judge Thurston on 4/11. Client receives a Section 8 voucher and has a public guardian. CHFS has failed to pay rent for 5+ months, and the landlord seeks eviction. I am working with the guardian to resolve this matter but I have identified procedural deficiencies that should also result in dismissal.

Outreach

- Along with Maxwell Street colleagues, I will be presenting at the student legal resources training for KCTCS students today.
- I co-led a session at the Kentucky Association for Psychology in the Schools spring training on SSI benefits and connecting with civil legal aid in Kentucky.

Housing Justice (Lexington) — Bill Pauley

Affordable housing is impacting the most vulnerable among us

- Lexington currently has over 1,000 homeless students. This would be the highest number of homeless students since the previous record set only last year. Fortunately, Lexington/Fayette County has provided a fund to provide some relief to these families. The program has just begun this month, and isn’t funded as well as it could be, but we are hopeful that it will make a difference to at least a few families.

Lexington/Fayette County’s funding for rental assistance has ended

- I mentioned this in my previous summary, but I would like to point out that no further funds have been committed to rental assistance by Lexington/Fayette County. KEJC is now left with fewer resources to help those in need. The work of the legal staff has become more important, since negotiation has become more difficult with no incentive to landlords.

- I recently attended Catholic Action Center’s “Aint No Crime to be Homeless” rally regarding the potential criminalization of homelessness. The event was well attended and provided hope and camaraderie for those concerned about this troubling development.

Communications — Natalie Chambers

General Assembly

- In Q1, coinciding with the beginning of the 2024 General Assembly, we launched a series of campaigns to advocate against a number of harmful bills being introduced. Through newsletters, social media posts, partnerships and Action Network letter writing campaigns, KEJC elevated awareness of bills that could harm marginalized and vulnerable Kentuckians for more than 10,000 people.

Social media

- In a series of social media graphics and videos, information about SB 25, HB 18, HB 495, HB 367, and HB 5 reached an overwhelming audience of more than 7,000 accounts.

Newsletters

- From January to March 2024, KEJC’s monthly newsletters focusing on the General Assembly and bills we actively advocated against reached 3,059 readers.

Action Network campaigns

- With seven dedicated Action Network letter writing campaigns covering HB 5, HB 18, HB 367, HB 495, SB 25, and the Grant’s Pass Day of Action, KEJC reached 2,441 advocates and garnered more than 200 signatures collectively.

Housing Justice (Statewide) — Jackson Cooper

Direct Services

- The statewide housing team has engaged in direct services in a number of ways. Laura Harper Knight continued to lead efforts to assist tenants seeking the small amounts of remaining rental assistance. The statewide housing justice attorney, Jackson Cooper, has represented dozens of tenants in various disputes with their landlords, including direct representation in forcible detainer cases, negotiating for improved conditions, the resolution of maintenance issues, illegal lockout evictions, and retaliation for organizing and filing civil rights complaints.

Outreach

- Laura Harper Knight has knocked doors of Kentuckians facing eviction in Warren County since the April start of the statewide eviction diversion program. She also supported in-court navigation services at Warren County eviction dockets, offering support and referrals for countless tenants. Jackson Cooper has given presentations to groups such as community

health workers in Eastern Kentucky, high school students and Seneca High School in Louisville, and elementary students at Tully Elementary in Jeffersontown.

Coalitions

- The statewide housing team has worked together with several housing-focused coalitions in Kentucky. These coalitions worked together to address policies advanced in the Kentucky General Assembly related to eviction, homelessness, rental assistance, source of income discrimination, and eviction expungement.

Grassroots Organizing

- A new focus of the statewide housing team has been the support of tenants' unions across the Commonwealth. Laura Harper Knight has been working together with the residents of the Kentucky Gardens and Memphis Junction mobile home parks to demand fair treatment from the landowners.
- Jackson Cooper continued a recurring clinic to provide legal support to the Louisville Tenants Union, helping its members with legal issues and bringing together law students and volunteer attorneys of like mind who want to help. To date, the clinic has directly served over 50 individual tenants. Jackson has also teamed with the KY Tenants Union to start a similar legal clinic in Lexington, with three meetings held to date.

Health Justice – Chloe Atwater

Legislative Session

- Chloe worked with national experts and provided legal analysis on two bills with complicated health law implications, [SB 71](#), and [HB 186](#). Based on this analysis and legwork of our partners, a small amendment was made to SB 71 to state that the potentially illegal provisions only applied to the extent permissible under federal law, which leaves behind open questions regarding implementation. Due to the complexity of the subject at issue in HB 186, Chloe was one of only a handful of advocates who noticed the problems with the bill. While the necessary changes were not made this session, the original bill sponsor has agreed to work on a fix during the interim session. You can watch Chloe's testimony on the bill [here](#).

Public Health Emergency (PHE) Unwinding

- Pressure and reporting from KEJC and partners, whether placed directly on the Cabinet for Health and Family Services or through the Center for Medicare and Medicaid Services, has finally led to the state resolving the last two remaining readily fixable issues the Medicaid unwinding shed light on. This puts Kentucky in a great position moving forward, as fewer people should be procedurally disenrolled. The final frontier? Language access and call center issues.

Trans Health and Medicaid

- Chloe has continued working with Kentucky Health Justice Network to ensure that the Cabinet for Health and Family Services and the governor's office remove and replace language in the state's Medicaid Managed Care Organization (MCO) contracts that had been interpreted to categorically exclude gender affirming care. This is illegal, per several major federal court cases, and will almost certainly violate forthcoming Biden Administration nondiscrimination rules even more clearly.

SNAP Trafficking

- In a case that became final since our last board meeting, KEJC was able to help Kentucky Legal Aid build on years of critical SNAP trafficking work and get a declaratory judgment stating that SNAP recipients are entitled to be found liable for trafficking only upon a finding of clear and convincing evidence, that such evidence cannot be limited to electronic records, and that failing to provide a critical notice in the appropriate language when the agency was on notice that the recipient required that language constituted a violation of her due process rights. A group of legal aid practitioners working on SNAP cases are actively planning how to leverage this decision in the future. The language access component may also prove helpful in any number of public benefits cases.

Development — Raaziq El-Amin

Grants

- Our team is hard at work to secure sustainable funding from foundations. Since January 1, we have submitted eleven proposals, eight reports, and one letter of intent to apply.

Events

- Natalie, Heather, and Raaziq have been planning Rich's retirement party, which will take place in the fall. In addition to celebrating Rich's amazing legacy at KEJC, the event aims to generate revenue through donations, sponsorships, and ticket sales.

Giving Campaign

- [Kentucky Gives Day](#) takes place on Tuesday, May 7. Raaziq and Natalie have been working to promote our participation in the event through emails, social media, and direct mail. Please tell everyone you know why they should give to KEJC on KY Gives Day!

Maxwell Street Legal Clinic — Abigail Rundell

Staff Updates

- We have hired three new staff members to join our team. We hired CB Bates, a former public defender with 15 years of courtroom experience, Ana Pineda, a former immigration paralegal with years of practical immigration knowledge and training who we are preparing to get DOJ accreditation, and Luis Sanz, our new Legal Assistant, a native Spanish speaker

from Colombia with a degree in engineering who has exciting ideas about how technology can help us improve efficiency.

- Abigail has taken and passed the bar exam. Her swearing in is happening right now (during the board meeting). She is now a fully licensed attorney.
- Unfortunately for the team, Allison Hight has left to pursue opportunities closer to her family. We wish her well. A search for a new Program Director has begun. Abigail Rundell has stepped up to be Interim Director in the meantime.

Case Progress

- We have had 72 cases approved since the last board meeting, which is more than double the approvals we reported last time. Our oldest open case was just approved—a U visa filed in 2016.
- With the addition of CB, we can take on a case type we have never been able to do before. SIJS, a visa created for unaccompanied minors and children who are not safe with one or both of their parents, requires representation of the child in family court. With CB's years of court experience, he is ready to take these applications on and represent a vulnerable community that desperately needs affordable legal assistance.

Operations Updates —Heather Darby

General operations

- We have been working on making sure all 2023 timesheets (and the first few months of 2024) are complete and accurate so that we can review leave accruals to ensure that all staff members know how much leave time they have available.
- I have been helping Rich gather backup (receipts, timesheets, etc). for LFUCG billing. We have received our first payment from LFUCG, but are experiencing long wait times between submitting a bill and receiving payment. We are currently awaiting payment on two months of bills.

Immigration Program Director job posting

We have received two applications for the Program Director position at Maxwell Street Legal Clinic.

Mediation

We are in the process of entering into an agreement with Talesha Wilson to provide mediation services within our Lexington housing team, which has been experiencing tensions (racial micro-aggressions, lack of trust/respect, etc.). Talesha will guide a three-step process with the potential for additional steps as-needed. The initial agreement includes one-on-one conversations with involved parties, a group mediation, and training for leadership. We will begin the process as soon as we receive a signed agreement.

Food Justice Report — Robin Kunkel

Kentucky Food Action Network

We continue to work with the Kentucky Center for Economic Policy, Community Farm Alliance, and Feeding KY to support the Kentucky Food Action Network (KFAN).

- **The Farm Bill:** This campaign was on a brief hiatus while legislators focused on the budget, but we are resuming our work this month. We have learned that House Republicans plan on drawing up a version of the Farm Bill by the [end of the month](#). Though it is highly unlikely this version will be approved by the Senate, we are taking this opportunity to review our recommendations and priority bills to ensure they're as inclusive as possible to BIPOC producers. We are making a communications plan to influence the Farm Bill discussion both prior to elections in November and afterward when more focus will truly shift to the Farm Bill and one is likely to be passed.
- **Food is Medicine:** In December, we conducted a second Focus Group in Louisville, this one with participants in the Fresh Rx for Mothers on Medicaid (MOMs). We also completed the Kentucky Food is Medicine Landscape Analysis which will inform our recommendations for the state's 1115 waiver and the tentative plan to cover medically tailored meals and housing as a reimbursement expense. We've already gotten a verbal commitment from Medicaid Commissioner Lee to include Food is Medicine in the waiver's next update.

Legislative Advocacy

- **Hunger Bills:** The Hunger Bills (House Bill 235 & 367) have been - finally - defeated! KFAN staff and members had over 100 meetings with legislators, testified in both the House and the Senate, held multiple press conferences, got media hits for our work, and helped turn out hundreds of calls in opposition to these bills. To do this, KFAN took a leading role in organizing and supporting a coalition of business interests, anti-hunger advocates, farmers, school nutrition directors, and direct services organizations to move different messages with one voice.
- **Momnibus:** Another piece of anti-hunger legislation, House Bill 10 (the Momnibus), that KEJC and allies helped develop was passed without any of the controversial amendments that had been attached to it, as an amendment to [SB74](#)! SB74 will put in place official review standards for Kentucky's maternal and infant mortality rates, and will ultimately put in place the targeted, upstream interventions to curb these tragedies from happening in the first place. It will also make it easier to keep health insurance when someone is pregnant and expand the HANDS Program.

Administrative Advocacy

- **SNAP IPV:** No major updates. We continue to see a massive drop in bad IPV decisions from CHFS and we believe this to be the result of our more than three years of administrative advocacy efforts in collaboration with legal aids. BUT we are beginning to see some troubling cases involving language access issues. We are investigating this with the legal aid programs.

WIC CIAO

- We convened the first Steering Committee meeting of current and recent WIC recipients who are providing feedback on the accessibility and effectiveness of new Kentucky WIC outreach materials.