

POVERTY LAW

Theme Introduction

By Steve Gray



Welcome to the poverty law edition of the *Michigan Bar Journal*. According to the Michigan Association of United Ways, 43 percent of Michigan families struggle to make ends meet and cannot cover their monthly survival budget—the highest asset-limited, income-constrained, employed (ALICE) rate in the Midwest.¹

No one understands this phenomenon better than legal aid lawyers serving economically challenged residents who otherwise could not afford an attorney. In 2019, the Michigan State Bar Foundation reported 258 attorneys working in its grantee civil legal aid organizations; those organizations handled more than 45,000 cases involving almost 97,000 individuals, including nearly 43,000 children.²

This poverty law-themed edition recognizes the service of this dedicated group of legal professionals by showcasing their work in three articles written by legal aid lawyers and a clinical professor. The articles are bound together by the theme and marked by a high level of legal scholarship that draws attention to compelling issues. In true legal aid fashion, the articles compel us to act.

It'd be remiss not to take this opportunity to highlight work being done by our state government to address the ALICE rate and poverty in Michigan. Late last year, Governor Gretchen Whitmer announced the formation of the Michigan Poverty Task Force. Housed in the Michigan Department of Labor and Economic Opportunity, the task force's members include a cross section of 19 state department directors who are developing an agenda designed to both disrupt the causes of poverty and ameliorate its effects.³

Enlisting department directors from throughout state government for this work is evidence of the belief that there is no single solution to addressing poverty. Every state department has programs that touch the lives of low-income Michiganders every day.

The Poverty Task Force is divided into four focus areas:⁴

- **The Safe and Secure workgroup** is creating and strengthening safety nets that ensure economic security and quality of life for all. The focus is on housing security, food security, utilities, crime prevention, and reconstructing the social safety framework.
- **The Strong Beginnings workgroup** targets generational poverty by focusing on programs targeting children. It addresses issues such as childcare, youth employment, at-risk youth interventions, and trauma.
- **The Removing Barriers workgroup** is grappling with strategies to remove structural obstacles for low-income job seekers, including expanded eligibility for expunging criminal records, expanding public transportation, and supporting returning citizens who face barriers to employment, housing, and other staples of life.
- **The Providing Opportunity workgroup** is charged with creating pathways to jobs and higher income, including higher education, high-quality certifications, and industry-recognized credentials.

Lest you think this is just another government committee that is all talk and no action, there are already tangible results. As the Poverty Task Force agenda is fine-tuned, state officials continue to introduce policies designed to help Michiganders who live in poverty. For example:

- MDHHS raised asset test limits so more Michigan families can afford necessities like food, rent, utilities, and warm clothing.⁵
- By executive action, Gov. Whitmer expanded the right to overtime pay, effectively giving more than 200,000 Michigan workers a raise.⁶
- The Michigan Department of Corrections and Secretary of State Jocelyn Benson have collaborated on a pilot program to help former inmates secure a driver's license or state identification card and automatically register them to vote upon their release from prison. Obtaining identification has been a major barrier for those seeking housing, employment, and other staples of post-prison life.⁷
- The Michigan Department of Health and Human Services recently announced a simpler renewal process to help roughly two million Michiganders get easier access to food, health care, childcare, and cash assistance.⁸

- Gov. Whitmer signed a series of executive orders removing barriers to access and expanding eligibility for unemployment benefits. The results have helped more than 2.5 million unemployed Michigan workers receive \$25+ billion in mostly federal benefits.⁹

Learn more about the Michigan Poverty Task Force at <https://perma.cc/KMY6-64TU>. ■



Steve Gray has spent most of his career as a legal aid lawyer. Most recently, he was director of the State of Michigan Unemployment Insurance Agency. Prior to that, he was director of the University of Michigan Law School Unemployment Insurance Clinic and general manager of the Michigan Unemployment Insurance Project, a nonprofit organization that allows law students to represent jobless workers who are denied unemployment insurance. Gray also taught and helped establish a legal aid clinical program at the University of Namibia Law School as a Fulbright Scholar in 2008–2009.

ENDNOTES

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3. *Gov. Whitmer Creates Task Force Focused on Lifting Michiganders Out of Poverty*, The Office of Governor Gretchen Whitmer, State of Michigan [December 18, 2019] <https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-514969--,00.html> [<https://perma.cc/EV4S-SUNX>].
4. *Executive Order No 2019-19*. This and other orders can be found at <https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705--,00.html> [<https://perma.cc/TD8J-RL2K>].
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6. *Governor Whitmer Takes Action to Raise Overtime Pay Threshold for Michigan Workers*, The Office of Governor Gretchen Whitmer, State of Michigan [October 24, 2019] <https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-510847--,00.html> [<https://perma.cc/8BYG-BTTA>].
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8. *MDHHS launches streamlined renewal forms making it simpler to keep critical benefits during COVID-19; Project Re:New improves client experience across four largest assistance programs as more families and individuals need help*, State of Michigan [September 2, 2020] <<https://www.michigan.gov/som/0,4669,7-192-47796-538556--,00.html>> [<https://perma.cc/CQ4Y-YSTE>].
9. *Executive Order No 2020-76 [COVID-19]—Rescinded*.