

**ATLANTA LEGAL AID SOCIETY INC.  
ELIGIBILITY GUIDELINES**

Basic eligibility criteria for income are set out in section A below, and basic asset eligibility criteria are set out in section B below. There are also exceptions to the basic criteria for income eligibility (set out in section C) and for asset eligibility (set out in section D).

**A. Income Guidelines**

After considering such factors as cost of living, the number of clients the program is able to serve, the relative populations above and below the Federal Poverty Income Guidelines, and the availability and costs of legal services in the metropolitan Atlanta area, it is the policy of Atlanta Legal Aid to use 150% of the Federal Poverty Income Guidelines as the base income guidelines for the program. The guidelines for the program shall be updated on a yearly basis to conform to annual increases in said Federal Poverty Income Guidelines.

**B. Asset Limitations**

It shall be the policy of the program to consider assets of persons applying for legal assistance, if those assets are reasonably convertible to cash and are currently and actually available to the applicant to obtain legal services. The following limits are adopted:

1. The asset limit for eligibility shall be \$15,000 per household.
2. Neither the value of the applicant's primary residence nor the value of the applicant's vehicles used for transportation shall be counted under the program's asset eligibility guidelines.
3. An applicant is deemed to meet Legal Aid's asset limits if he or she receives needs-based public benefits.

**C. Income Exceptions**

Applicants whose family income is above 150% of the Federal Poverty Income Guidelines can be nonetheless eligible under the income guidelines in the following situations:

1. If the applicant receives needs-based public benefits (except under the Katie Beckett waiver program), or
2. If the applicant's family income is below 200% of the Federal Poverty Income Guidelines, and the applicant meets program asset guidelines, if the Manager of the particular Legal Aid office or unit to which the applicant applies decides our representation is necessary to protect the applicant's health or safety, or
3. If the applicant's family income is below 200% of the Federal Poverty Income Guidelines and the applicant meets the program's asset guidelines, and the applicant is applying for and otherwise eligible for service through the Grandparents/Relative Caregiver Project, the

Health Law Unit (AIDS Legal Project/Cancer, ALS Initiative), the Disability Integration Project (DIP), the Health Law Partnership (HeLP) or the Home Defense Program, or such specialty projects directing services to populations as the Executive Director may from time to time designate.

**D. Exceptions to Income and Asset Eligibility Requirements**

1. Without regard to the applicant's family income or assets, if the applicant is applying for and otherwise eligible for service through the Georgia Senior Legal Hotline, the Senior Citizens Law Project, or for limited consultation services through family law information services or outreach services to particular vulnerable populations such as victims of domestic violence and new immigrants.

2. If an applicant is a victim of domestic violence, it is the policy of Atlanta Legal Aid not to consider any income or assets of the alleged perpetrator of the domestic violence, including any assets held by that alleged perpetrator jointly with the applicant or jointly with any member of the applicant's family.

**E. Change in Client's Circumstances**

It is the policy of Atlanta Legal Aid that, if a client who is initially determined to be financially eligible for services becomes ineligible through a change of circumstances or through discovery of new information, the program shall discontinue representation, if discontinuation is not inconsistent with the attorney's professional responsibilities.

**F. Funding Sources**

It is the policy of Atlanta Legal Aid to use grants from funding sources as set forth under the terms of those grants, and cases and casework shall be appropriately supported by and attributed to funding sources based on particular grant conditions. In particular, funds from the Legal Services Corporation (LSC) will only be used to support work as permitted under LSC regulations and the only cases which will be counted as LSC cases are those which may be supported with LSC funds.

**G. Procedure and Retainer Agreement**

The Director of Atlanta Legal Aid is directed to put this policy into effect with a simple form and procedure to obtain information from clients to determine eligibility in a manner which promotes the development of trust between attorney and client. The Director is also directed to ensure that the program has a written retainer agreement, to be used in all cases except where the only service provided is advice and counsel or brief service.

Approved for 2022 by the Priorities and Eligibility Committee of the Board of Directors on October 15, 2021.

Approved for 2022 by the Board of Directors October 28, 2021.